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LABELLING THEORY, THE POLICE, AND JUVENILE DELINQUENCY

By

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Submitted for the examination for
the degree of Doctor of Philosophy.
The University of Kent, Canterbury.
September 1977.

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Abstract

Labelling theory has not only fired the imagination of innumerable writers on deviance over the last decade or so at various theoretical and philosophic levels, but has inspired an expansion of empirical research directly or indirectly related to its principles. The present thesis is concerned with investigating both these areas of interest as they apply to criminal deviance.

During the 1960's labelling theory emerged from the combined contribution of a number of American publications, the substance of which seemed primarily to be focused on two major concerns. The first of these, referred to in the text as labelling as a 'dependent' variable, considers 'social labelling' as problematic and is directed towards the distribution of deviant/criminal labels. The second area of the approach, referred to as labelling as an 'independent' variable, considers the 'consequences of social labelling' as problematic, and is concerned with the specific effects of labelling, and whether this might lead to deviant/criminal recidivism.

Chapter One extracts, dissects, and rebuilds the details of these two themes of the labelling theory literature, and attempts to formulate a number of testable propositions which might be used to direct the rest of the research to the dual issues of 'who gets labelled?', and the 'consequences of labelling'. From this point, the thesis is organised around the problem of how far contemporary research, and my own research, may offer some support or reject these propositions, and, in this operationalised sense, examine the credibility of the basic assumptions of labelling theory.

Chapter Two analyses recent research relating to labelling as a dependent variable and considers the results of both official data and observation studies with respect to the official labelling of adult and juvenile offenders. Chapter Three examines the epidemiology of juvenile crime through self-report investigations as a comparison to the results of Chapter Two, and as an alternative methodological approach to the problem of the social distribution of juvenile offenders. Chapter Four discusses the operation of the Metropolitan Juvenile Bureau, the location for my own research, and Chapter Five examines the distribution of police disposition decisions for different types of offender processed by the Bureau. Chapter Six considers recent research relating to the consequences of official labelling for offender recidivism, and Chapter Seven compares this result to the Juvenile Bureau research data on multiple offenders. The final chapter, Chapter Eight, reconsiders the status of labelling theory in the light of recent criticism and research results, and questions the validity of various research methodologies for an examination of this kind.

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CHAPTER ONE

THE SUBSTANCE OF LABELLING THEORY

1. Introduction

One of the most provocative bodies of thought to emerge from criminological studies over the last twenty-five years is a system of ideas commonly subsumed under the title of 'labelling theory'. Alternative headings include, the 'societal reaction approach', the 'underdog philosophy', and 'interactionism'. There is some doubt, however, whether the notions contained in 'labelling theory' actually constitute a 'theory' as such. In order to avoid the continual use of token exclamation marks to reiterate this point, it is easier to assume that the term is simply a nominal title for a more diffuse collection of ideas.

Labelling theory is largely a product of a small number of American publications which appeared in the 1960's. Although earlier references may be found relating to the essential features of this approach, (eg. Tannenbaum 1938, Lemert 1951) much of the major formulative work is attributed to four important proponents: Kitsuse (1962), Erikson (1962), Becker (1963) and Scheff (1966). The contributions of Lemert (1967), Lofland (1969), Matza (1969) and Schur (1971), in many ways represent elaborations on these basic ideas and as such may best be viewed as expanding rather than innovating the basic premises already formulated.

The propositions contained in this group of writings seem to separate this approach from much of the criminological theorising which preceded them. Labelling theory rejects the traditional assumption that there is some intrinsic feature which characterises the deviant or his/her behaviour. Instead, the deviant is viewed simply as someone who has been identified and successfully labelled 'deviant'. As Becker (1963) suggests in his now classic quotation which in many ways epitomises the

labellists' position:

... deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an 'offender'. The deviant is one to whom that label has successfully been applied: deviant behaviour is behaviour that people so label.
(1963 p.9)

Labelling theory, however, offers very much more than this basic perceptual framework and at times is concerned with the entire process of deviancy production. The following analysis attempts to illuminate some of the more important aspects of the approach with the intention of generating a number of testable propositions which may form the basis of the current research.

2. Labelling as a dependent and independent variable

A great deal of emphasis has been placed on the contribution of labelling theory for shifting orientations away from the individual to the social response, yet the substance of the approach lies more in two main propositions which are discernible from a number of these original writings. The two propositions arise from the distinction made by Orcut (1973) and Gove (1975) between labelling as a dependent variable and labelling as an independent variable. Treating social labelling as a dependent variable places it in the position of 'the thing of which we want to know something about'; it is considered as problematic. The main area in which labelling itself is considered problematic is with respect to its distribution and the issue of 'who gets labelled?' Social labelling as the independent variable, on the other hand, makes associated conditions 'the thing of which we want to know something about'. In this respect it is the consequences of social labelling which then become the subject for debate.

a. The dependent variable

The question of who gets labelled and who does not, arises from the conditions of the original selection process. This would not be problematic if labelling theorists' emphasised the normative aspect of label distribution, such that there existed a perfect correlation between the infraction of a norm and social response. This does not appear to reflect the essence of these writings. The selection of individuals to be labelled as deviant is not simply a matter of whether or not a norm has been violated. As Becker (1963) suggests:

The same behaviour may be an infraction of the rules at one time and not at another; may be an infraction when committed by one person, but not when committed by another; some rules are broken with impunity, others are not. (1963 p.14)

Applying this principle specifically to the area of criminal offences would suggest that the criminal justice system is likely to be operating discriminatorily. The selection of individuals for processing may not, in fact, be representative of the criminal population, but biased favouring some individuals or groups, and operating against others.

b. The independent variable

The second, and perhaps main concern with labelling theorists, is the consequences of being labelled. This has tended to circumscribe a number of specific areas, such as the effects of labelling on personal identity and community integration. Labelling a person as deviant is viewed as capable of limiting self-perceptions and normal life-chances, and thus perpetuating those activities which might have otherwise been insignificant and transitory. Labelling may in a sense be viewed, therefore, as creating or amplifying deviance.

These two very broad but central features of labelling

theory form the basis of the following analysis and research. The remainder of this chapter is directed towards elaborating the ideas of labelling as a dependent and independent variable.

3. General approach

The task of extracting the details of these suppositions is by no means easy. Many of the most provocative statements are found stranded and out of the main context of the author's argument. Inevitably a number of the most significant proposals relating to labelling as a dependent and independent variable have been unelaborated.

What is intended here is to piece together the most important threads of the argument from these various writings in an attempt to produce a coherent picture of what is being proposed. In the process of imposing order on such a diffuse collection of ideas, some interpretation of the facts will obviously be necessary, although it is hoped that where possible the spirit and intentions of these accounts will be preserved. In order to maximise fidelity, the analysis will confine itself strictly to what has been said in the text, although the editing of these statements will be based on my own interpretation of how they might be best organised to produce the most meaningful and elaborate account.

Any summary of what labelling theorists really said is bound to be contentious because of the vagaries involved. Many critics have argued, for example, that labelling theory is no more than an extension of 'conflict theory', or even, that labelling theory as such does not exist as a unified theoretical perspective (Goode 1975). Instead of paying homage to each of a series of alternative explanations, these will be dealt with separately as a critique of labelling theory discussed in the

final chapter (Chapter 8), and my own account of what these writers are saying will be presented without unnecessary interruptions of this kind.

Finally, one of the most important problems of what actually constitutes social labelling has been left open for most of the time, with the view that it is possibly best perceived as a flexible concept, having greater or lesser importance depending on its form.

4. Labelling as a dependent variable: 'who gets labelled?'

It is apparent from the various expressions of labelling theory that not every individual guilty of a norm infraction is necessarily labelled deviant. One of the earliest writers in this field, Tannenbaum (1938), tells us in relation to juvenile delinquency:

First, only some of the children are caught though all may be equally guilty. There is a great deal more delinquency practiced and committed by the young groups than comes to the attention of the police. The boy arrested, therefore, is singled out in specialised treatment. (1938 p.19)

A similar point is made by Becker (1963) when he suggests:

... some people may be labelled deviant who in fact have not broken a rule. Furthermore they cannot assume that the category of those labelled deviant will contain all those who actually have broken a rule, for many offenders may escape apprehension and thus fail to be included in the population of deviants they study. (1963 p.9)

The impact of these suggestions lies in the fact that the population of individuals labelled is not simply the population of rule-breakers, but a selected population. This selected population contains, according to Becker, people who may not in fact have broken a rule. Similarly, there are individuals not included who have broken a rule. This immediately generates the problem of the nature of the selected group.

Of particular importance, is how far the selected group is representative of the population of rulebreakers. If the selected group is not representative of all rule-breakers, but over populated with respect to certain social groups, then this would have serious implications for both official data based criminological theorising and for our own general perceptions of the fairness of the criminal justice system.

Although a variety of factors have been cited as related to social labelling, the importance attached to notions of 'power' seem to be widespread in the labelling theory literature. Lemert (1951), for example, emphasises the role of institutionalised conflict in determining the nature of the social response to deviance.

An additional mediating factor between deviation and the societal reaction is patterned or institutionalised conflict between groups and their combinations. (1951 p.53)

A factor of supervening importance which very often introduces a spurious element in the societal reaction is the rivalry or conflict of groups in the situation as they aspire to power or struggle to maintain their position in a hegemony of power relations. (1951 p.56)

This position is more fully introduced by Becker (1963).

To the extent that a group tries to impose its rules on other groups in the society, we are presented with a second question: Who can, in fact, force others to accept their rules and what are the causes of their success? This is, of course, a question of political and economic power. (1963 p.17)

The relationship between power and social labelling is never fully elaborated in these writings. Other than these few general statements, no proper insight is given to the process by which power serves to affect the likelihood of being labelled deviant or criminal. In a number of ways, it seems that the important focus of these accounts is not with limited

political or economic positions, but with the broader based notions of social class; including its social and cultural components. In this respect, there are far more direct references made to social class than to political or economic power. Erikson (1962), for example, tells us:

It is important to note that ... (the community screen) takes a number of factors into account which are not directly related to the deviant act itself: it is concerned with the actor's social class ... (1962 p.308)

It is an easily demonstrated fact, for example, that working class boys who steal cars are far more likely to go to prison than upper class boys who commit the same or even more serious crimes, suggesting that from the point of view of the community lower class offenders are somehow more deviant. (1962 p.308)

The idea that the working-class delinquent or criminal is more likely to be officially labelled is similarly expressed by Becker.

The degree to which an act will be treated as deviant depends also on who commits the act and who feels he has been harmed by it. Rules tend to be applied more to some persons than others. Studies of juvenile delinquency make the point clearly. Boys from middle-class areas do not get as far in the legal process when they are apprehended as do boys from slum areas. The middle-class boy is less likely, when picked up by the police, to be taken to the station; less likely when taken to the station to be booked; and it is extremely unlikely that he will be convicted and sentenced. (1963 p.12)

Similar assumptions can be found amongst the elaborations of labelling theory of the late 1960's. Lofland (1969), for example, presumes that higher-income groups are less likely to allow imputations of deviance directed towards themselves.

The sorts of deviance which are rampant among higher-income families and occupations could provide a rich field for imputing pivotal deviance, but the better-off classes are unlikely to abide any extension of imputational activity that might make them significant objects for concern. (1969 p.139)

Lofland's analysis is particularly significant because he not only expounds on the nature of the distribution of deviant labelling, but also on the processes by which the distribution arises. The relevance and clarity of his account seems to be important enough to warrant reproducing the entire section below.

We should expect, therefore, that more highly educated people, ... are less likely to be escalated to deviant roles. Should such a process begin, they are more able, by virtue of their ideologization, to talk their way out of it. This is to say that because they are able to give more complex and articulate accounts of themselves, they are more likely to convince any imputors of the reasonableness or real (ie. harmless, non-symptomatic) meaning of their actions. And since they are more likely to share in the universe of understandings and cultural ideology of expert imputors, they are more likely to be aware of what kinds of reasons or explanations such imputors will buy. The more educated know the proper motives and accounts to offer. The less educated, being less strongly oriented and less likely to share a universe of cultural understandings (including acceptable accounts of self) with imputors, are more vulnerable. Vulnerability is increased by their lack of skill in the production of acceptable accounts or by their lack of knowledge as to what constitutes a salable account. The well-known differentials among the social classes in rates of officially recorded apprehension and conviction or commitment can be at least partially understood in these terms. (1969 p.179)

Unlike the previous position where 'power' was related to the distribution of social labels without any proper explanation of the processes involved, Lofland has attempted here to show how differences in social class might, in practice, result in differences in deviant labelling. The important explanatory element, however, seems much more to do with the cultural concept of social class than its associated political or economic position. In other words, Lofland seems to be suggesting that an important factor affecting the social distribution of deviant labels, is the social distribution of

interactional skills as they might be used to generate acceptable accounts of questionable behaviour.

The ability to affect the labelling process by successfully negotiating official outcome, has similarly been referred to by Schur (1971). Instead of emphasising the ability of the individual to provide accounts of his behaviour, Schur emphasises the various interactional resources which may be used to negotiate a favourable response from potential label imputors. This may operate as a result of direct bargaining, as in the case of plea-bargaining, or by negotiative interaction whereby the individual may utilise a variety of techniques to generate a favourable and efficacious impression of himself. As an example of this, Schur refers to the types of factors outlined by Cicourel (1968) as relevant to this kind of social exchange.

He (Cicourel) has found that, 'The physical appearances of the juveniles, their facial expressions, affectual communication, and body motion are all integral features of the action scene. (1971 p.59)

No direct indication is made, however, to the effect that these kinds of interactional resources may be class-specific, although once again, it does seem possible that even though the working-class may possess these abilities, they are much more likely to be regularly associated with the middle-class. Assuming that 'dramaturgical competence' forms part of these interactional resources, it could be argued that Wilkinson (1974) offers some support to this point of view. In relation to labelling and mental illness he states:

... one could speculate that dramaturgical incompetence may provide a clue to the link between social class and psychiatric disorder, at least in some cases. Given that high incompetence occurs more frequently among lower status individuals, one might argue that lower educational achievement, with concomitant limitations of a symbolic nature, combines with relative lack of social power ... to produce the inverse connection between social class and mental illness. (1974 p.152)

The generation of acceptable accounts and resources is not the only method by which labelling processes are affected. Labelling theorists have also indicated the influence of perceptions and stereotypes of criminality. Schur (1971), for example, tells us:

...mechanisms of stereotyping have somehow never been viewed as central to explanations of deviance. In the labelling approach these mechanisms emerge as a central component of the social processes by means of which deviance is created. (1971 p.40)

In explaining the operation of stereotyping, Schur refers to Walter Lippman's original account (1922) of the 'pictures in our minds'. 'We do not first see, then define...' suggests Lippman, '...we define first and then see...' (1922 pp.81,90) Schur goes on to elaborate this point.

...central to stereotyping is the fact that deviance tends to be a 'master status'. Stereotyping involves a tendency to jump from a single cue or small number of cues in actual, suspected, or alleged behaviour to a more general picture of 'the kind of person' with whom one is dealing. (1971 p.52)

The precise role of stereotypification maintained by Schur (1971), and to a similar extent by Lofland (1969), relates less to the selection of candidates for deviant identification, but to the fact that once a person has been suspected or defined as deviant all other characteristics become subordinated to this one pre-defined role. What emphasis he does make combining stereotypification and selection processes tends to focus on a variety of factors, of the kind outlined by Cicourel above. In his tabulated presentation of the 'key levels of analysis' (1971 p.39), Schur does refer to cultural stereotypes, although in general this notion is not utilised to indicate how stereotyping may lead to the over-representation of certain social groups as identified deviants. Nevertheless, in the same way that a linkage seemed to be possible between

social class and negotiative ability, so too does it seem possible that social class might be related to conventional criminal stereotypes. Very little evidence to this effect is discernible from the writings of the labelling theorists, although outside of this group the association is more frequently made. Box (1971), for example, suggests:

In order to cope with the chaos of an infinite number of suspects, the police develop theories of the cause of crime and the nature of the criminal. (1971 p.180)

These theories evolve in part from the mass-media, and implicit in these accounts is the view...

... that the criminal is not the man next door but a creature from the lower strata...
(1971 p.219)

A certain amount of fairly liberal manipulation has gone into this analysis of the labelling theorists' position in order to make sense of a few arresting passages. This manipulation, however, has been confined to the processes by which social class may influence decision-making. Statements to the effect that certain class categories are discriminated against seem to be fairly clearly documented in the labelling theory literature.

Although class has been correlated with labelling in this manner, there is some doubt as to whether the term should be perceived in its more usual role of political organisation. Both the political and economic aspects normally associated with the notion of social class seem to be generally subordinated by these writers in favour of the social and cultural aspects. In other words, it is the social power of class rather than the political or economic power which is most often viewed as the dynamic agent in this part of the analysis. Obviously the political and economic aspects play an important part in

shaping the forms of behaviour to be defined as deviant, yet this does not seem to flow quite so naturally into being the case for the allocation of deviant labels.

The influence of social power has undergone a certain amount of interpretation from its original form in order to bring about a more coherent picture of the labelling process. Nevertheless, the general impression from these various writings does seem to emphasise the importance of social skills. It is not suggested here, however, that these qualities are totally class-specific. As it appears to be the social and interactional abilities rather than the class position per se which has the decisive influence on the definitional process, it may well be that members of the working-class will also utilise these skills to their own ends. What is more likely, is that these skills will be class-associated and it is this which ultimately leads to the view that the working-class may be discriminated against.

It is not only the working-class individual who may experience disproportionate social labelling. A second important factor is ethnic origin. Central to the labelling theorists' position regarding societal response to proscribed behaviour, is the level of visibility of the offender and his offence. As Lemert (1951) suggests:

In order for deviation to provoke a community reaction, it must have a minimum degree of visibility, that is, it must be apparent to others and be identified as deviation. (1951 p.51)

Visibility and stereotyping are obviously related, in that certain identifiable cues must first be made visible before they can be assimilated into any preconceptions of criminality. Assuming that there is none so visible in a white western society as a member of a racial minority, at least those

minorities with easily identifiable physical characteristics, it is not surprising that labelling theorists have assumed that these groups are likely candidates for discriminatory social labelling. As Lemert continues:

It has been the habit of many newspapers to call attention to the fact that a person committing a crime is a Negro or a Mexican or an Indian, or an alien. This operates strongly to build up a stereotype of the group in question as being a criminally inclined 'race' and thus heightens the societal reaction to their future violations. (1951 p.52)

A position similarly noted by Schur (1971) with respect to:

... the long-standing newspaper practice of placing the phrase 'a Negro' after the name of black criminal suspects, whereas no such racial designation was included in reports of crimes in which whites were suspected. (1971 p.47)

This, in turn, is likely to result in the more frequent selection of individuals matching the deviant stereotype. As Becker (1963) suggests:

...the law is differentially applied to Negroes and whites. It is well known that a Negro believed to have attacked a white women is much more likely to be punished than a white man who commits the same offence... (1963 p.13)

The process by which stereotypification might result in the disproportionate labelling of minority ethnic groups is outlined by Matza (1969). Referring to police operations to exemplify this, he indicates how they tend to direct their attentions to 'known' areas of crime and criminals. Racial characteristics are likely to be part of this guiding philosophy.

The method of suspicion employs police knowledge of known criminals to expediate their apprehension and the subsequent clearing of complaints. It deploys the police strength towards a corps of suspects and uses a variety of means of associating offences with a person who is methodically suspected... The suspicion derives from police knowledge regarding identity and resemblance...
...race provides police with a patent resemblance, and thus a bit of staple guidance as to the character of the one who stands before them. (1969 p.192)

By basing their expectations of where crime is more likely to occur, and by whom, on stereotypifications of criminality, and by acting on these expectations, the police are in danger of discriminating against certain groups of people.

Other than this linkage between stereotypification and labelling, there is very little else which can be found in the writings of the labelling theorists to explain the process by which non-white groups are disproportionately selected. Becker (1963) makes some reference to the relative political and economic power position of the Negro, yet considers this largely in respect to the generation of rules rather than the distribution of social labels. Lemert (1951) does provide some idea of how economic power may affect minority group members, in terms of their relative ability to afford legal representation.

The low economic and unpropertied status of minority-group members means that they seldom appear as plaintiffs in civil and criminal proceedings and nearly always as defendents.
(1951 p.52)

Although it seems possible that some of the previous ideas relating to social power and the ability to generate acceptable accounts and negotiate favourable outcome decisions might be applicable to the Negro or minority group member, this was not elaborated in the writings reviewed here.

Two further characteristics have been described by labelling theorists as related to the distribution of social labels, which appear to be of a qualitatively different type to that of social class and ethnic status; these are the differences associated with a person's age and sex. Neither of these categories are particularly well related to either political, economic, or social power by labelling theorists; although Becker (1963) does continue to utilise his power model with

respect to these two characteristics, although once again, this is directed more to the generation rather than the enforcement of rules.

Distinctions of age, sex ethnicity and class are all related to differences in power, which accounts for differences in the degree to which groups so distinguished can make rules for others. (1963 p.18)

As suggested earlier, the process of discrimination does not seem to operate solely in terms of political power. Lofland (1969), on the other hand, instead mentions the variations in terms of age and sex, and their vulnerability to being associated with stereotypical pivotal categories.

Sex, age, grooming and a host of gestures are associated in lightning manner and rapidly compared with a repertoire of stereotypic pivotal categories, and within a second a response is produced. (1969 p.129)

How this process operates, is not fully elaborated by Lofland.

The only author to expand on this point was Lemert (1951) when he proposed an explanation based on the exclusion, rather than the inclusion, of categories of persons in social roles.

He suggests:

Rules, regulations, prejudices and stereotypes associated with age, sex, size, degree of beauty, physical stigmas, and physical defects all have the effects of facilitating or ruling out a person's potential enactment of various social roles, abnormal as well as normal. (1951 p.82)

Female, and young offenders may be less likely to be labelled in most western societies because, as Lemert suggests, they are not normally or traditionally thought of in terms of enacting these kinds of roles. The reference to age in this context is not made particularly clear in these writings, although it might not be too misrepresentative to assume that this refers more to a continuum of ages, with the relatively younger person always less vulnerable to deviant identification than the older person. This, of course, would have a reversal

point for the elderly who, if anything, may become increasingly less vulnerable as their criminal responsibility is seen to decline. Lemert goes on to show how societies tend to exclude some groups of people from certain social roles.

Fairly reliable data tell us that there are fewer female criminals, hobos, radicals, and gamblers. While this can be explained partly as being due to internal limits which make certain roles unattractive to women, it is also a partial measure of the unwillingness of others to accept women in certain sociopathic roles. (Lemert 1951 p.82)

This explanation is not unlike the previous argument concerning the responsiveness of label imputors to deviant stereotypes. It seems that it is not so much that males and relatively older individuals are more vulnerable to labelling because they are more often associated with a deviant stereotype, but that females and younger offenders are less vulnerable to labelling because they are more often associated with a non-deviant stereotype, or simply, non-deviant expectations.

It must be emphasised that other than these few brief statements, there seems to be no stronger reference to the effect that age and sex are associated with social labelling. However, in accord with the original intentions to interpret, as well as present, the ideas of the labelling theorists, there does seem some justification to including these factors along with social class and race as significant influences to the allocation of deviant labels.

Four categories of individuals have thus been extracted from these writings as being the most vulnerable to deviant identification and labelling; the working-class, ethnic minorities, males, and the mature offender. The process by which these categories evolve is not entirely clear, although certain features of the situation seem to emerge as being more important than others. The degree of visibility of characteristics

associated with culturally held deviant stereotypes, social resources in terms of certain interactional skills, accounting ability, and perhaps to a lesser extent economic and even political power, all seem to dominate the writings of labelling theorists as the main dynamic elements of the labelling process.

The four factors; class, race, age, and sex, form the basis of my own research, presented in Chapters Five and Seven, which investigates the differential impact of social labelling. Some other influences have been mentioned by these theorists, however, as effecting the sample of labelled deviants. The most important of these is the attitude of the offender and the degree of respect he shows to the law enforcer and the law enforcement system. Becker (1963), for example, suggests:

Clearly, when a rule enforcer has the option of enforcing a rule or not, the difference in what he does may be caused by the attitude of the offender towards him. If the offender is properly respectful, the enforcer may smooth the situation over. If the offender is disrespectful, then sanctions may be visited on him. (1963 p.159)

If the individual is not respectful, it makes it difficult for the rule enforcer to do his job, which may result in the need to gain respect by force.

... a good deal of enforcement activity is devoted not to the actual enforcement of rules, but to coercing respect from the people the enforcer deals with. This means that one may be labelled as deviant not because he has actually broken a rule, but because he has shown disrespect to the enforcers of the law. (Becker 1963 p.158)

It is unlikely, however, that the desire to gain respect and the consequences of its outcome on the identification of the suspect as deviant, is entirely related to the ease at which the rule enforcer can do his job. It is more likely to be the case, as suggested by Goffman (1971), that disrespect for the law places the offender in an ambiguous relationship to normal society. The ability to manage the interaction

encounter to produce a favourable outcome, which Goffman refers to as 'remedial ritual work' (1971 p.406), almost certainly includes a degree of respect for the officers of the law.

... if a deviator is suitably tactful and circumspect in his violations, employing secrecy and cover, many of the disruptive consequences of the violation in fact will be avoided. (1971 p.406)

But, if the individual makes no attempt to neutralise or 'remedy' the situation, or attempt to indicate that he is 'really' normal, and it is his conduct which appears out of place, then the labeller is more likely to assume that the person is more easily definable as a deviant. In relation to definitions of mental illness, Goffman states:

... persons have the capacity to expressively dissociate their medical illness from their responsible conduct (and hence their selves), and typically the will to do so. They continue to express support of the social group to which they belong and acceptance of their place therein. (1971 p.409)

By not attempting to neutralise behaviour the labellee is overtly showing his lack of attachment and respect for the social system of which he is part. Thus, behaviour most likely to engender imputations of deviance and labelling comprise:

... wilful situational improprieties, (which) constitute evidence that the individual is not prepared to keep his place. (Goffman 1971, p.411)

Denial of the principles of the law enforcement system, in this case with respect to personal culpability and treatment of law enforcement officers, can create 'organisational havoc in the minds of members' (Goffman 1971 p.412), and is thus an undesirable accompaniment to the processing of deviants.

Although Goffman is critical of the labelling theorists' position (1971 pp.412,413), and by implication dissociates himself from the main-stream of this approach, his account

nevertheless seems to be so close to the essence of labelling theory as to warrant being included. It seem possible, therefore, that the concern shown for the attitude of the offender and the degree of respect displayed for the law, as proposed by Becker (1963), can be explained in terms of being an indicator of the level of commitment an individual has for the principles of the society of which he is part. Undue concern when this commitment seems to be absent may derive from the fear of 'organisational havoc' (Goffman 1971 p.412) and consternation that this rejection might invoke.

Although the attitude of the offender has been treated in isolation from the previous characteristics of class, race, age, and sex, it is possible, at least, that there may be some interrelation between them, Showing a modicum of respect for people in authority, for example, in a situation where the outcome for the individual might be dependent upon it, may well be part of the general interactional skills and survival techniques developed more fully, and most notably, by the middle-classes. Nevertheless, the degree of respect and deference shown by the potential labellee is most often treated as a separate and independent effect in these writings, and as such does seem more appropriately dealt with in isolation from the other topics. After all, it is still not at all certain how far these basic tricks of survival are exclusive to one group of people, and so far this association has only been hypothesised.

Labelling as a dependent variable has been extracted from the combined contributions of a small number of writings most often associated with the development of labelling theory. From the interpretation of these accounts, it has been assumed that only some people are selected for labelling and these

are not representative of the rule-breaking population, but are biased around certain characteristics. The following research is designed to investigate and test the validity of some of these statements. Along with this, co-exists the independent effects of labelling which have largely been expressed in terms of the consequences emergent from being labelled deviant. It is therefore necessary to determine the propositions made by these theorists in relation to labelling as an independent variable.

5. Labelling as an independent variable: 'the effects of labelling'

The selection of individuals to be labelled deviant, according to labelling theorists, is not without consequences for the persons involved. A particularly important contribution to ideas on the effects of social labelling was Lemert's distinction (1951) between 'primary' and 'secondary' deviance, which compared the first few initial forms of infractious behaviour prior to social labelling, with the more committed forms of deviant behaviour subsequent to social labelling.

The causes of 'primary' deviations, says Lemert, are 'many and diversified' and will continue to remain 'primary':

... as long as they are rationalised or otherwise dealt with as functions of a socially acceptable role. (1951 p.75)

Under these conditions, 'normal and pathological behaviours remain strange and somewhat tensional bedfellows in the same person.' (ibid p.75) From a sociological viewpoint, 'primary' deviations are not considered significant:

... until they are organised subjectively and transformed into active roles and become the social criteria for assigning status. (ibid p.75)

If societal reaction is particularly 'severe', the individual might begin to internalise, and believe in, the proffered deviant definition as a more suitable expression of himself; and organise his life-style and future behaviour in terms of the deviant role. 'Secondary' deviation is brought about by the individual discarding the pretence of conventionality, and embracing the dominant deviant role.

... if the deviant acts are repetitive and have a high visibility, and if there is severe societal reaction, through a process of identification is incorporated as part of the 'me' of the individual, the probability is greatly increased that the integration of existing roles will be disrupted and that reorganisation based upon a new role will occur. Reorganisation may be the adoption of another normal role in which the tendencies previously defined as 'pathological' are given more acceptable social expression. The other general possibility is the assumption of a deviant role...
(1951 p.76)

Perhaps the most frequently quoted definition of 'secondary' deviance from Lemert, emphasises this shift in orientations from the society of normals towards a society of deviants.

When a person begins to employ his deviant behaviour or a role based upon it as a means of defence, attack, or adjustment to the overt and covert problems created by the consequent societal reaction to him, his deviation is secondary. (1951 p.75)

In his later book (1967), Lemert reiterates these principles.

In effect, the original 'causes' of the deviation recede and give way to the central importance of the disapproving, degradational and isolating reactions of society. (1967 p.17)

His analysis is thus concerned with two aberrant states; early or 'primary' deviations, whereby an individual breaks rules but continues to perceive of himself as basically conventional, and labelled or 'secondary' deviance, where with the help of societal reactions, the individual perceives of himself in the encompassing deviant role.

The substance of these ideas seems to lie in the notion that societal reaction, or social labelling, actually serves to increase deviant behaviour. Throughout much of the labelling theory literature this fact is continually suggested but rarely categorically stated. The most direct statement made by Lemert to the effect that social reaction amplifies deviance, incorporates a number of provisos which may be construed as complicating this linkage.

... if the deviant acts are repetitive and have a high visibility, and if there is severe societal reactions,... (the) general possibility is the assumption of a deviant role... (1951 p.76)

Summarising this quotation as 'social labelling causes increased deviance' is possibly an over-simplification of Lemert's intentions. This introduces the whole problem of what is meant by the term 'societal reaction' or 'labelling', and what likelihood is there that this will lead to continued or increased deviant activity?

Gibbs (1966 and 1972) considers that, although labelling theory is mainly concerned with societal reaction, none of the early writers actually specify what these reactions comprise.

The definition of deviations suggested by Becker et al, is not empirically applicable because the authors have failed to specify the kind of reactions that identify acts as deviant. To be sure, they suggest the kind of reaction, but the suggestions are vague and ambiguous. (1972 p.41)

Kitsuse, suggests Gibbs (1972), found that the societal reaction to homosexuals in his study was 'generally mild'. How 'harsh', asks Gibbs, do societal reactions have to be, therefore, before an individual is labelled deviant? He refers to a similar example by Becker (1963) who considered that, 'You can commit clan incest and suffer from no more than gossip as long as no one makes a public accusation...' (Becker 1963 p.11); implying that societal reaction must be more than simply gossip.

The problem of what constitutes social labelling is difficult to resolve because of the variability in accounts between labelling theorists. The general feeling throughout these writings is that the social response to deviant behaviour occurs at both the informal (community), and the formal (official) levels; and probably develops from the former to the latter. As Scheff (1966) suggests, there is a 'reciprocal and cumulative inter-relation between the rule-breaker's behaviour and the societal reaction.' (1966 p.97)

This leads to the second part of the proposition that labelling 'causes' deviance. There are so few categorical statements claiming that social labelling does lead to increased deviance, that the exact relationship between the two remains uncertain. Matza (1969) does, however, make some reference to both of these conditions when he suggests:

To become more fully deviant, the subject ought to experience more tangible direct contact with the state. More generally, his deviations should become known or publicly-open to authorised disapproval. (1969 p.155)

One of the few other direct references to this association arises from the analysis by Scheff (1966), and is summarised in his final hypothesis, which states:

Among residual rule-breakers, labelling is the single most important cause of careers of residual deviance. (1966 p.92)

As with the analysis of labelling as the dependent variable, the conclusion to any of these problems must ultimately rely on individual interpretation. Even though little is stated which categorically links labelling with deviance, the majority of these writings seem to be dominated with the implication that this is the case. The following analysis, therefore, takes the view that this seems to be the most reasonable

interpretation of these accounts, and attempts to locate statements and arguments which suggest that social labelling does in fact increase deviance, with the view of elaborating the processes and conditions under which this phenomenon arises.

Considering these works as a whole, produces what appears to be three important areas, or processes, by which labelling might be seen as contributing to enhance deviant careers. These are referred to here as the 'social response', 'identity transformation', and 'career expediencies'.

a. Social response

An important theme to many of these writings on the consequences of social labelling, is the idea that public attitudes will change towards the labelled individual, effectively 'degrading' or 'stigmatising' him. As Garfinkel states (1955), degradation has consequences for the total public identity of the person involved. The individual becomes recast in the minds of others, and may become ostracised from the society of normals.

... the denounced person must be ritually separated from a place in the legitimate order. He must be placed 'outside', he must be made 'strange'. (Garfinkel 1955 p.423)

This estrangement is further amplified by the fact that the individual is also stigmatised from the time of public labelling. Stigmatisation, suggests Goffman (1963), serves to discredit the individual in the eyes of others.

He is thus reduced in our minds from a whole and usual person to a tainted and discounted one. (1963 p.12)

The loss of social esteem and eventual ostracism from conventional society has been elaborated by many of the labelling theorists reviewed here. Becker (1963), for example,

explains how being branded as deviant alters public perceptions.

Committing the improper act and being publicly caught at it places him (the deviant) in a new status. He has been revealed as a different kind of person from the kind he was supposed to be. (1963 p.32)

More important than this are the implications that this definition has on social contacts.

... one tends to be cut off, after being identified as deviant, from participation in more conventional groups, even though the specific consequences of the particular deviant activity might never of themselves have caused the isolation had there not also been the public knowledge and reaction to it. (1963 p.34)

Being prevented from continuing normal social interactions, the individual finds it impossible to behave normally in a routine fashion.

... the point is that the treatment of deviants denies them the ordinary means of carrying on the routines of everyday life open to most people. Because of this denial, the deviant must of necessity develop illegitimate routines. (Becker, 1963 p.35)

To some extent, it seems that society begins to believe in its own definitions of the individual. One of the methods by which this belief is brought about is the process referred to by Schur (1971) as 'retrospective interpretation'. This is defined as:

... the mechanisms by which reactors come to view deviators or suspected deviators 'in a totally new light'. (1971 p.52)

According to Schur, society recasts the deviant's past history to fit in with the new definition of the type of person he really is. Lofland (1969) describes this in terms of his own theoretical schema:

Having taken the step of allowing one category to be primarily definitive of 'who' or 'what' an Actor is in a defined situation, there can then begin the reverse game of scrutinising Actor for the degree to which his other categories are

appropriately consistent with the category taken to be pivotal. (1969 p.125)

This is later amplified as:

Whatever may have been the preexisting selection of facts from the Actor's life line that supported a view by Other of him as a pivotal normal, there now begins a reexamination of that life line to discover if these selected biographical events are consistent with the prospective reclassification. Efforts are made to tender the known facts consistent, either through discounting (or redefining the significance of) what is known or through undertaking to discover additional facts that support the new imputations. (Lofland 1969 p.149)

Thus, it appears that an important consequence of social labelling is that, through a process of degradation and stigmatisation, the individual becomes perceived as tainted and somehow less than normal. At the community level this results in a considerable loss in terms of social participation and general opportunities. The limitations imposed on routine associations with normals increases the probability that the individual will have to opt for illegal routines with other deviants in his same situation. Consolidating this, the individual's past behaviour and biography may be reassessed in order to reinforce the one 'major' deviant status as being consistently reflective of the type of person he 'really' is.

Although this review of the effects of social response on the production of deviance has largely been treated in isolation from other factors, such as the possible identity transformation that this might incur, it seems more likely that these factors operate conjointly, mutually influencing and reinforcing one another. The second major effect of labelling of identity transformation, will again be considered largely as a separate phenomenon in terms of its proposed effects on deviant behaviour.

b. Identity transformation

Labelling theorists have tended to link social response to

deviant behaviour with the notion that the labelled person undergoes some sort of psychic change. Adverse social relations and definitions are not seen as simply annoying incumbrances to social interaction, but as a poignant comment on the type of person the deviant 'really is'. As Schur (1971) points out:

The increasing difficulty of continuing to view himself as non-deviant, as more and more people treat him more and more of the time as if he were 'deviant', is a central problem. (1971 p.70)

The deviator, says Schur, experiences a feeling of 'role-engulfment', or the 'social-psychological impact' of finding himself continually 'caught up in' the one deviant role. (1971, p.69) 'Role engulfment' increases the tendency, '... for the actor to define himself as others define him.' (1971 p.70) Again, the deviant identity is increasingly likely to be viewed as the best single indicator of who the individual 'really is'.

Lofland (1969) similarly recognises the psychological significance of social interaction.

The initiation of an imputation is but the beginning of the possibility that Actor might eventually identify himself as that deviant he is tenuously imputed to be. (1969 p.145)

It should be noted, however, that Lofland does mention the 'possibility' of deviant identification and thus introduces a certain flexibility to this outcome. In true 'interactionist' tradition, he continues his account to conceive of Actor as an active rather than passive agent in the schema; although emphasises the reciprocity of all the constituent elements.

We must now introduce Actor as an active participant in the process and focus upon his perceptions and responses. This focus however, cannot be exclusively on Actor. Concern with him must be incorporated into a joint consideration of the reciprocal dependence through time of the actions of Others and Actor. (1969 p.146)

It might be somewhat harsh to view labelling theory, as some contemporary critics have done (Akers, 1968, Davis, 1972, Schervish, 1973) as over-deterministic. The majority of labelling theorists do make some reference to the fact that deviancy identification, and a number of other stages of the process, are by no means inevitable. Goffman (1963), for example, devotes the majority of his book Stigma to elucidating the methods by which stigmatised persons can 'manage' or even 'neutralise' the effects of their stigma.

Matza's account (1969) of deviant identification is even more strongly based in the realms of individual psychologies and the variables therein which may influence interaction outcome. Although there may have been some confusion in the earlier formulations as to the 'degree' of societal reaction to bring about escalated deviant activity and identity transformation, (e.g. Erikson, 1962, and Kitsuse, 1962), Matza clearly presents the situation as reliant on official or state labelling of offenders.

If he is never apprehended, the subject is unlikely to collaborate in the process of adding gravity to the meaning of his infraction. He may dislike his deviation, ... but unsignified he may continue to regard the deviation as occasional or alien, unreflective of his better self. (1969 p.169)

Once officially or publicly labelled, what happens next depends upon the individual's interpretation of the social response and his own behaviour. He will have to ask himself, suggests Matza, what is the best indicator of who he is.

Of all the things I have done or may conceivably do, which is the best index of what I am? Which most accurately reflects or represents my true being? If nothing is a good indicator, if none of his activities are indicative of him, the subject has settled the question of identity in a radical but defensible way: the unity of the phenomenon under consideration, the self, is renounced. (1969 p.165)

What may otherwise happen, is that the individual will 'collaborate' with the official definition of himself. Even though little identity shift will occur immediately, should the individual repeat the deviant act the validity of the official definition might become impressed upon him.

The test is simple: does he do the damned thing again? (Matza 1969 p.167)

Thus, the final stage of the labelling process is partly perceived by Matza as completed by the individual himself.

To understand how a provisional identity can become established, we must consider the possibility of the subject making himself an object, turning star witness against himself. (1969 p.167)

Repetition of the deviant act prior to final identification is, therefore, central to Matza's scheme. It is the individual's own actions which finally make him decide that the official definition was in fact an accurate indicator of the kind of person he is.

This viewpoint that a repetition of deviance is required subsequent to official labelling and prior to deviant identification, is possibly best viewed as unique to the writings of Matza. Continuing to treat labelling theory as a combined and generalised product of a number of writings, it might be wiser to take the lowest common denominator, and simply assume that on some occasions labelling might lead to deviant identification.

Perhaps more so than the other two elements of the labelling process discussed in this section (social response and career expediencies), the transformation of identities from non-deviant to deviant, represents the central dynamic of labelling theory. The important variable in terms of how social labelling might lead to further deviance is the fact that the individual psychologically 'becomes' deviant. The final com-

ponent of this process, focusses on how deviant affiliations can lead to hardened or 'career' deviance.

c. Career expediences

Although somewhat vague in labelling theory literature, there seems to be a point in the deviancy production process where all the ingredients for total deviant identification exists, yet the individual equivocates between normality and deviance. He may, for example, have been officially labelled, be commencing a period of incarceration, or 'free' enough to repeat his original infractious behaviour, but still does not perceive of himself solely as a deviant. It seems likely that at this point the individual is in a state of 'drift' (Lemert, 1967 p.51), at one time behaving and thinking as a 'normal' and at another as a deviant. A means by which this 'drift' might be consolidated in the direction of the latter alternative, would be for him to join, and be part of, a deviant group or subculture. As Becker suggests, 'A final step in the career of a deviant is movement into an organised deviant group.' (1963 p.37), and gives the example:

When a person makes a definite move into an organised group ... it has a powerful impact on his conception of himself. A drug addict once told me that the moment she felt she was really 'hooked' was when she realised she no longer had any friends who were not drug addicts. (1963 p.38)

The influence of deviant group affiliation may occur both inside and outside of state institutions, although not necessarily in its role of a purely physical entity, as Becker's example illustrates above, but as a dominant group culture. In this culture, the individual learns the ways of the deviant life, or 'ways of making out' (Goffman 1961 p.157) with respect to subcultural behaviour, values and attitudes; particularly as they relate to, and differ from, those of the dominant society.

... institutions gather marginal people into tightly segregated groups, give them an opportunity to teach one another the skills and attitudes of a deviant career, and even drive them into using these skills by reinforcing their sense of alienation from the rest of society. This process is found not only in institutions which actually confine the deviant, but in the general community as well. (Erikson 1962, p.311)

The importance of learning the skills and values associated with performing the deviant role are noticed and reiterated by Lemert.

... the individual's self-definition is closely linked with such things as self-acceptance, the subordination of minor to major roles, and with the motivation involved in learning the skills, techniques, and values of a new role. (1951 p.74)

The significance of developing deviant skills by which the individual can operate unobtrusively in the deviant role is similarly mentioned by Lofland (1969), and exemplified in the social situation of the prostitute.

In contrast to the notion that, for example, 'prostitution comes perilously near the situation of getting something for nothing,' more attention might be paid to the fact that the skills involved in prostitution finding customers, maintaining a place of business, pleasing the clientele, collecting fees, guarding against disease, pregnancy and injury and avoiding the police - are not automatically acquired. (1969 p.200)

Thus, by learning the techniques of 'making out' in the deviant role, the individual becomes intimately bound up in the social interaction of the sub-culture. A particularly important aspect of this affiliation, in terms of further isolating the person from the conventional order, is the role of subcultural ideology.

Cognitive systems or ideologies, states Lofland (1969), perform two functions. They serve to, 'define events and provide a range of strategies for coping with occurrences' (1969 p.197), and they serve, 'morally to justify the actions

of humans, to provide them with a sense that what they are about is a correct, proper and right thing.' (1969 p.197) Above all else, deviant sub-cultures facilitate a 'rationalisation' of their situation and position in relation to the rest of society. They develop ways in which their psychological state can be made commensurate with their physical state, and in so doing, provide an important impetus to the development of a 'pivotal' (Lofland 1969) deviant identity.

As Becker suggests:

Moving into an organised deviant group has several consequences for the career of the deviant. First of all, deviant groups tend, more than deviant individuals, to be pushed into rationalising their position. At the extreme, they develop a very complicated historical, legal, and psychological justification for their deviant activity. (1963, p.38)

Deviant group or sub-cultural affiliation, thus provides an important thrust towards a dominating identification of the individual with deviants and deviance. It is not entirely clear, however, whether this should be considered a necessary precondition to the presumed proposition that labelling may cause deviance, or simply as a 'hardening' of an already existing and developing process. In view of the fact that a number of the previously cited labelling theorists discuss the impact of labelling largely in terms of societal reaction and individual response, it might be wisest to adopt the latter point of view.

d. Summary

Labelling as an independent variable has been viewed here as the combined contribution of a number of separate accounts which have contained complementary and mutually reinforcing themes concerning the consequences of being labelled. Co-existent with these similarities, are numerous conflicting views

and ambiguities which have served to confuse the exact nature of the propositions raised. The major interest of this analysis has been directed towards the problem of how far labelling may be viewed as causing or increasing deviance, and the processes by which this might come about. Perhaps the most representative and cautious summary of this position is that labelling, in some circumstances, may be seen as leading to increased deviance; thus avoiding any over-deterministic bias. The nature of these circumstances is not really specified, but seems to relate to both social and individual influences. On the other hand, however, it does not seem likely that labelling theorists are advocating only a minority, occasional, or as Tittle suggests (1975 p.164) a 'one-percent' effect.

6. Theory and research

The preceding analysis has attempted to extract the 'working parts' of labelling theory as expressed through the combined views of a number of authors most often associated with this body of thought. Some of these ideas will later be tested empirically. What is important first, is to consider the remaining problem of just how far labelling theory can in fact be considered 'theoretical'.

There has been a considerable amount of criticism and discussion waged against the theoretical status of labelling theory primarily directed towards the 'vagueness' and 'ambiguity' of the statements involved. 'It is not clear...', states Gibbs, in an article written during the formulative years of labelling theory, in 1966, '... whether the perspective is intended to be a 'substantive theory' of deviant behaviour (ie., an explanation of the phenomenon) or a conceptual treatment of it.' (1966 p.11) The kinds of statement made

by labelling theorists, suggests Gibbs, and quoting Becker (1963), Kitsuse (1962) and Erikson (1962), appear to be something more than definitions, but cannot be regarded fully as explanations because of the wide range of unanswered questions which accompany nearly every statement made. Goode (1975), on the other hand, goes further to suggest that labelling theory might not even exist.

A convincing case could be made for the assertion that labelling theory does not exist in the first place. A world has been fabricated by observers and critics out of the raw material of a few arresting passages, phrases and concepts. (1975 p.570)

Reviewing the nature of the ideas used by labelling theorists, there does seem to be some case for arguing that they tend to be somewhat more generally formulated than is usually expected from a substantive theory. Few of these writers actually claim, however, that they are generating a theory of human behaviour; except perhaps Lemert (1951). In this earlier book Lemert did state that his intention was to develop a 'systematic theory' of socio-pathic behaviour, and went on to outline the principles of such a theory. However, there is some doubt whether Lemert's 'theory' was in fact a 'labelling theory' of human behaviour. Nevertheless, Hagen does include this work in his criticism of the theoretical status of labelling theory, and goes on to make some interesting comments which may be seen as applicable to other writers in this tradition.

Certainly Lemert is on the right track in his characterisation of scientific theory. However, like his predecessors, Lemert's efforts may be marked more by aspiration than achievement. (1973 p.388)

By now there is the suspicion that a recurring characteristic of the interactionist perspective in deviance is, despite Lemert's aspirations, the reliance on ad hoc explanations and an avoidance of predictive tests. (1973 p.389)

How is it best to view labelling theory? It does not seem too difficult to sympathise with Gibb's statement when he says that, although we may not be dealing with a 'theory' as such, the ideas are something more than simple definitions. Perhaps some consolation might be taken from his conclusion.

The danger can be avoided if it is clearly understood that they have formulated what is essentially a conception. As such, it contains both definitions and elements of substantive theory, and the development of the latter would be furthered considerably by making the distinction explicit. (1966 p.12)

Thus, labelling theory does not seem to be a standard scientific theory as it is commonly understood, largely because of the imprecision of its concepts and the inability to predict the outcome of specific circumstances from the manner in which these concepts have been presented. But, as Gibbs has already hinted, this is not an uncommon position for a developing scientific theory. It might therefore be kinder to view labelling theory as a series of concepts, hunches, explanations, propositions, which need to be tried out in the field before any single theoretical statement can be developed.

It is the intention of the following research to interpret, operationalise, and test some of the propositions which have arisen from this analysis of labelling theory. Although it seems appropriate to develop specific hypotheses based on these ideas, it is not intended that the general and tentative conceptions of labelling theory should be unnecessarily impeded from the outset. Only very general hypotheses seem to be needed to orientate the research, and these have been selected in accordance with the basic distinction between

labelling as a dependent and independent variable.

In the discussion regarding labelling as a dependent variable, it was concluded that the social labelling of deviants was seen by labelling theorists as selective and centred around certain factors; particularly in relation to a person's class, race, age, and sex. Although most of the following analysis and research is primarily interested in the significance of social class as a discriminating characteristic, the four general hypotheses include each of the factors above. These hypotheses are presented in the null form and relate to the propositions extracted from the labelling theory literature.

General Hypothesis One:

Persons of low socio-economic status are no more likely to be labelled deviant than persons of high socio-economic status, taking all other things as equal.

General Hypothesis Two:

Persons of ethnic minority status are no more likely to be labelled deviant than persons of the racial majority, taking all other things as equal.

General Hypothesis Three:

Relatively older persons are no more likely to be labelled deviant than relatively younger persons, taking all other things as equal.

General Hypothesis Four:

Males are no more likely than females to be labelled deviant, taking all other things as equal.

When labelling was viewed as an independent variable, it was concluded that labelling someone deviant might serve to increase their deviance. Even though there still remains major problems of what labelling theorists actually intended, the details of the processes involved have been reduced here to their simplest form of 'labelling increases deviance.' The fifth general hypothesis maintains this simplicity and is

once again presented in the null form.

General Hypothesis Five:

Persons labelled deviant are no more likely to continue or increase their deviance than those not labelled.

The location for the present research is based on three Metropolitan Juvenile Bureaux, situated in London, and having jurisdiction over three large London boroughs. These have been re-named for the purpose of anonymity as Westborough, Northborough, and Eastborough. The intention is to test these five general hypotheses, in a more directly relevant form, in relation to the police processing of juvenile offenders. Before each of these hypotheses are tested, a detailed analysis has been conducted as to the present state of contemporary research in this field, Chapter Two takes up the issue of labelling as a dependent variable and examines relevant research of interest to the general hypotheses one to four. Chapter Three compares the results of investigations into the epidemiology of juvenile crime to the results emergent from Chapter Two. Chapters Four and Five discuss the operation of the Juvenile Bureaux and the results of my research in relation to the distribution of police disposition decisions. Chapters Six and Seven considers contemporary research and the Juvenile Bureau research results with respect to labelling as the independent variable. Chapter Eight reconsiders the merits of labelling theory in the light of recent criticisms, reappraisals, and research results.

CHAPTER TWO

RESEARCH RELATED TO LABELLING AS A DEPENDENT VARIABLE:

OFFICIAL DATA AND OBSERVATION STUDIES

1. Introduction

The present chapter is designed to investigate the nature of, and conclusions obtained from, contemporary research investigations which may have some relevance to the debate concerning labelling as a dependent variable as applied to criminal deviance. The General Hypotheses One to Four, therefore, need to be rewritten in the more testable form of Hypotheses One to Four shown below.

Hypothesis One:

Persons of low socio-economic status are no more likely to be officially labelled criminal or delinquent than persons of high socio-economic status, taking all other things as equal.

Hypothesis Two:

Persons of ethnic minority status are no more likely to be officially labelled criminal or delinquent than persons of the racial majority, taking all other things as equal.

Hypothesis Three:

Relatively older persons are no more likely to be officially labelled criminal or delinquent than relatively younger persons, taking all other things as equal.

Hypothesis Four:

Males are no more likely to be officially labelled criminal or delinquent than females, taking all other things as equal.

There are three main areas of research which have some bearing on the testing of these hypotheses. The first two, official data and participant observation studies, are to be discussed in this chapter; the third, self-report analysis, is considered in Chapter Three and relates to the epidemiology of juvenile crime.

Official data studies represent some of the earliest work done in the field of official processing policies, and predate labelling theory by many years. Through the analysis of the

compiled statistics of various law enforcement agencies, particularly the police and the courts, researchers have been in a position to investigate the social distribution of official disposition decisions throughout the population. Of course, any variations observed between class, race, age, and sex, and say the propensity to be arrested, referred to court, or sentenced, need not indicate that these factors have any independent effect on official labelling. Over-representation may be the result of the greater levels of criminality associated with these particular groups and thus unrelated to discriminatory treatment policies. However, it seems that official over-representation is a necessary, if not sufficient, prerequisite to the existence of police or court bias. Further, although the social epidemiology of crime may be unknown at the time and locality of a particular study, some indicator of the relative effect of social factors, compared to the seriousness and frequency of criminality, can be ascertained through the operation of variable controls. Thus, although official data investigations might not be able to locate the exact nature, or level, of official discrimination, they ought to be capable of providing some evidence of it.

Participant observation studies, on the other hand, seem to be in a better position to assess the basis for the selection of individuals to be processed by the criminal justice system. Observation studies, however, have so far tended to emphasise police treatment policies during on-the-street encounters, and in particular, the arrest situation. The observer directly experiences the interaction sequence between the suspect and the police, and is thus potentially capable of perceiving the sort of factors that the police refer to in arriving at a disposition decision. Any undue significance

attached to the social conditions of the individual, compared to the conditions of the offence, should be clearly visible to the participant observer.

Although each of these methodologies may not be entirely adequate as an independent investigative technique, when combined they should be able to provide some useful insights into this application of labelling theory. The following, therefore, is an analysis of these two research approaches, in terms of the extent to which they offer support or reject the Hypotheses One to Four.

2. Official data studies

One of the earliest of official data studies concerned with the distribution of official disposition decisions was by Thorsten Sellin, in an article entitled, 'Race Prejudice in the Administration of Justice.' (1935) In this instance, the official disposition investigated was the average length of prison sentences given by American courts for a variety of offences, and the social characteristic compared was the individual's race. In most cases, Negro males were seen to be given longer sentences than the native born whites for similar types of offence commission. Sellin concludes, '... equality before the law is a social fiction.' (1935 p.217)

Most of the early official data studies were concerned with revealing discriminatory court dispositions with respect to the racial characteristics of the offender. Both Johnson (1944) and Garfinkel (1949) investigated American court Negro sentencing policies for cases of homicide, and concluded that the race of the offender certainly did seem to be associated with official outcome. Johnson (1944) for example, concluded:

The administration of justice is from beginning to end so much a part of the whole system of Negro-white social relations that it must be viewed not only as a process which discriminates against Negroes and thus biases the statistics of crime, but also as a direct and indirect causative factor in the production of Negro crime. (1944 p.103)

By the 1960's, the issue of discrimination in the criminal justice system had been broadened to include juveniles, other social factors such as socio-economic status, age, and sex, and a variety of stages of police processing. With this development came the first few investigations to contradict the strengthening opinion that official agencies were generally biased and discriminatory. From this time on, the results of official data studies have continued to conflict and contradict one another.

3. Method of analysis

The following is an analysis of a number of official data studies, from the 1930's to the present, which in some way relate to the class, race, age, or sex distribution of police or court disposition decisions for adults and juveniles. Because of the variability of these investigations, the notion of official labelling will be left, for the time being, as flexible as possible; but generally, this refers to either police decisions to refer individuals further into the legal processing system, or to court sentencing decisions.

A total of thirty-three data studies have so far been investigated with respect to the four hypotheses. The selection of these studies, of course, has been in part moulded by those works which were available at the time, and as such need not be representative of all data studies so far done. However, it is felt that the majority of the most discussed researches by academics at the moment are contained in this sample,

and that because of this, it is assumed that there will be few vital works left out which have not come to the attention of contemporary writers in this field.

In order to represent best the combined results of all these investigations, the authors' general conclusions have been tabulated, such that the relative weight of support for the labelling hypotheses can be more easily assessed. Before proceeding to this summary of results, the position of the 'author's general conclusion' needs clarification. Data studies are notorious for presenting rather confusing overall conclusions from their results, especially if the results are qualified, conflicting, or marginal within the context of the study. Generally, however, the 'author's general conclusion' referred to here is the dominant position arrived at after all the various qualifications have been made, and as such is perhaps more impressionistic than faithful to the author's intentions. The first factor investigated with respect to its association with official labelling policies, and treated in this way, is that of socio-economic status.

4. Official disposition decisions and socio-economic status

The distribution of general conclusions regarding socio-economic status (S.E.S.), is shown in Table 1. The table distinguishes police and court disposition decisions for both juveniles and adults. In the case of the studies by Willie (1964), and Shannon (1963), only the distribution of decisions by socio-economic area have been considered.

The initial balance of conclusions reveals a considerable amount of conflict in terms of the association between official disposition decisions and social class, with almost as many studies suggesting some association as those not. With res-

pect to the police treatment of juveniles, two studies propose that there is some association to class background (Thornberry 1973, and Wolfgang 1972), and two suggest that there is no such association (Terry 1967, and Weiner 1972).

Table 1.

GENERAL CONCLUSIONS REGARDING
THE ASSOCIATION BETWEEN SOCIO-ECONOMIC STATUS
AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:	Thornberry (1973) Wolfgang (1972) <u>(Area S.E.S.)</u> Willie (1964)	Terry (1967) Weiner (1972) <u>(Area S.E.S.)</u> Shannon (1963)
Adults:	Green (1970)	
<u>COURT</u>		
Juveniles:	Mannheim (1957) Reiss (1961) Scarpitti (1971) Thornberry (1973)	Hindelang (1975) Little (1959) Meade (1974) Terry (1967) Thomas (1975)
Adults:	Burke (1975) Chiricos (1972) Johnson (1957)	Willick (1975)

Similarly, one study concludes that there is some association between socio-economic area and police referral decisions (Willie 1964), and one concludes that there is no such association (Shannon 1963). Before reviewing the distribution of court disposition decisions, this conflict of results requires a brief elaboration.

Thornberry's 1973 study of police decision-making shows that 36.9% of low S.E.S. juveniles were referred by the police to a further stage of juvenile processing compared to 21.5% of high S.E.S. youths. Thornberry thus concludes:

... low S.E.S. subjects are treated consistently more severely than their counterparts, even when both legal variables are simulataneously controlled. (1973 p.97)

Wolfgang (1972) similarly found that 28.2% of low S.E.S. juveniles were referred by the police to the next stage of processing, compared to 19.7% of high S.E.S. youths. After legal variable controls were administered, however, this relationship was reduced.

Terry (1967), on the other hand, investigated the tendency for police departments to refer, rather than divert, juveniles into the juvenile justice system, but failed to find any significant association in terms of social class differences. Weiner (1972) similarly finds no significant association between the two, and concludes:

... the socio-economic status of the individual youth may be said not to affect the disposition decision of juvenile officers. (1972 p.208)

Thus, these four studies are in many ways comparable, yet arrive at conflicting conclusions. However, the two researches which do suggest a relationship between class and disposition decision (Thornberry 1973, and Wolfgang 1972), in fact suggest only a rather weak association. After the seriousness of offence had been controlled, Wolfgang (1972) found only a percentage difference of between 3% and 11%, depending on the type of offence committed. (1972 p.225) Thornberry (1973), on the other hand, reveals some major disparities between low and high S.E.S. juvenile dispositions, although after offence and prior record controls the majority of his findings remained in single percentage figures.

The study of socio-economic area by Willie and Gershenovitz (1954) is concerned with delinquency rates and the ratio of juvenile referrals by the police to the juvenile courts. From a selection of five different socio-economic areas, the authors conclude that delinquency rates are inversely related to socio-economic area. Shannon (1963), in a similar investigation of three socio-economic areas, conversely summarised that, although some inverse relationship was apparent between area status and delinquency referral, this was not generally statistically significant.

It might be considered, that from the six studies so far mentioned, only weak and marginal evidence has been forthcoming for either conclusion. In addition to this, these weak and marginal conclusions generally tend to contradict one another. To some extent this situation is repeated for studies relating to court sentencing policies.

Roughly the same number of studies support the view of some class association (Mannheim 1957, Reiss 1961, Scarpitti 1971, Thornberry 1973, Burke 1975, Chiricos 1972, and Johnson 1957), as those concluding that there is no such association (Hindelang 1975, Little 1959, Meade 1974, Terry 1967, Thomas 1975, Willick 1975). However, as this distribution represents only an initial sorting of results which will later be reduced as some are discarded, and as the primary interest of this investigation lies with the police treatment of juveniles, a more detailed analysis of court proceedings will be reserved until later.

5. Official disposition decisions and race

The distribution of results relating to police and court dispositions with respect to the racial factor, is shown in Table 2.

Table 2.

GENERAL CONCLUSIONS REGARDING
THE ASSOCIATION BETWEEN RACE AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:	Goldman (1969) Ferdinand (1970) Hohenstein (1969) Thornberry (1973) Wolfgang (1972) Wilson (1968)	McEachern (1967) Terry (1967) Weiner (1972)
Adults:	Green (1970)	
<u>COURT</u>		
Juveniles:	Arnold (1971) Axelrad (1952) Scarpitti (1971) Thomas (1975) Thornberry (1973)	Ferdinand (1970) Hindelang (1975) Meade (1974) Terry (1967)
Adults:	Bullock (1961) Burke (1975) Chiricos (1972) Garfinkel (1949) Hall (1975) Hindelang (1975) Johnson (1957) Johnson (1944) Moses (1947) Sellin (1935) Wolfgang (1962) Wolfgang (1973)	Green (1964)

In comparison to the class distribution of Table 1., the overall balance of this second table appears to favour more strongly some association between racial factors and official disposition; although, perhaps less so for juveniles than for adults. At the police level of analysis, six juvenile studies conclude that there is some association between race and disposition (Goldman 1969, Ferdinand 1970, Hohenstein 1969, Thornberry 1973, Wolfgang 1972, and Wilson 1968), compared to three findings

of no association (McEachern 1967, Terry 1967, and Weiner 1972). Again, only the one study of adults was available (Green 1970), and thus no comparison was possible in this respect.

At the court level of processing, the balance of conclusions was once again fairly evenly weighted for juveniles, with five authors supporting some association and four supporting no association. This was not the case, however, for adults. Of the thirteen adult studies investigated, twelve of these concluded that ethnic minorities, usually Negroes, were generally more severely dealt with by the criminal courts, than were whites.

As before, the primary interest of this analysis is with the police treatment of juveniles, and therefore, a more detailed description of the six studies finding some association and the three studies finding no association, seems appropriate.

Goldman (1969) considers, amongst a variety of factors, police referral decisions of juveniles to the juvenile courts, and concludes that 64.8% of all Negro children arrested were referred to court, compared to 33.6% of white youths. Ferdinand (1970) found that police referred to a further stage of processing 76% of black juveniles, compared to 63% of white. Hohenstein (1969), on the other hand, conducted what he refers to as a 'Predictive Attribute Analysis' on a variety of variables, including race, and suggests that the maximum racial effect obtained was when 78% of Negro arrests were referred compared to 22% of white arrest referrals. This, however, was the maximum effect and for all other variable combinations the influence of race was considerably less than this. Thornberry's results (1973) indicate that before any variable controls, 40.8% of black juveniles were referred by the police to a further stage of official processing with only 21.2% of white youths receiving

such treatment. Again, variable controls reduced this effect somewhat. Wolfgang's results (1972) were similarly reduced from the difference of 43.3% non-white referrals compared to 23.4% white referrals with the inclusion of variable controls, although a substantial relationship continued to remain. Finally, Wilson concluded (1968) that on average 42.9% of Negroes were sent to court by the police compared to 15.7% of white juveniles.

Thus, the results favouring some racial effect, in terms of police processing of juveniles, do seem to dominate these researches. The three studies indicating no such association, however, similarly present strong findings, although all have opted for other statistical techniques of presentation than simple percentage differences. McEachern (1967) analyses the proportion of petitions requested by the police for court appearances by racial factors, and concluded that white, Negro, and Mexican juveniles were generally equally represented. Weiner (1972) concludes that there is, '... no significant effect of race on disposition decisions...' (1972 p.208), and Terry (1967) concludes, 'The police appear to utilize basically legalistic criteria in making disposition decisions.' (1967 p.179)

A number of features of these results seem to be immediately striking. Unlike the results relating to socio-economic status, there are some considerable percentage differences indicated between white juvenile police referrals and those for racial minorities. Wilson (1968), for example, finds police court referrals differ from 42.9% for Negroes, to 15.7% for whites; nearly three times as high. Goldman (1969), Thornberry (1973), and Wolfgang (1972) all show differences of nearly one hundred percent for Negro processing to that of white juveniles.

On the other hand, Ferdinand (1970) shows quite small percentage differences between the two; which introduces the second feature of these results, their variability. As for Table 1, the conclusions vary from no association at all to suggestions of very strong relationships.

One of the most striking aspects of these results is the recurrent tendency for the strength of these relationships to reduce, and sometimes disappear, with the introduction of legal variable controls; especially the seriousness of offence committed and the prior record of the offender. This point will be elaborated later in this chapter, although it does seem at this stage that other factors need to be considered before any conclusive results can be obtained. Before an analysis of the various methodological problems is embarked upon, however, it is first necessary to review briefly this situation as it applies to the two other factors, age and sex.

6. Official disposition decisions and age

Eleven official data studies make some reference to the influence of the age of the offender on disposition decision and are shown in terms of their conclusions in Table 3 below.

The majority of these investigations conclude that some association appears to exist between the offender's age and disposition. Three juvenile studies of police disposition decisions conclude that there is some association (Goldman 1969, McEachern 1967, and Terry 1967), and one suggests that there is no association (Hohenstein 1969). At the court level of analysis the research conclusions relating to juveniles are equally divided with two authors favouring some association (Terry 1967, and Thomas 1975), and two finding no association (Hindelang 1975, and Meade 1974). Studies relating to the court

processing of adults, however, unanimously conclude that there is an association between age and court disposition decision, with all four investigations arriving at this result.

Table 3.

GENERAL CONCLUSIONS REGARDING THE ASSOCIATION BETWEEN AGE AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:	Goldman (1969) McEachern (1967) Terry (1967)	Hohenstein (1969)
Adults:	Green (1970)	
<u>COURT</u>		
Juveniles:	Terry (1967) Thomas (1975)	Hindelang (1975) Meade (1974)
Adults:	Burke (1975) Chiricos (1972) Hindelang (1975) Wolfgang (1962)	

Elaborating the situation for the police treatment of juveniles reveals as before a similar distribution of study variations. Goldman (1969) shows that 31.4% of ten year old juveniles were referred by the police to juvenile court compared to 48.3% of seventeen year old youths. Goldman concludes:

There appears to be an under-representation in court of arrests below the age of twelve, and an over-representation of arrests in the sixteen and seventeen-year groups.

For a variety of reasons... police are loath to refer younger children to court. Some, referring back to their own early childhood escapades, find justification for the informal rather than the official treatment of such children. (1969 p.274)

McEachern (1967) continues to represent his data in terms of the proportion of police petitions for various individuals, and suggests that nearly fifty-percent more fifteen and sixteen-year old youths received this more severe disposition than eleven or twelve-year olds. Terry (1967) compares twelve different variables to police decision-making and concludes that only three of these were related to official disposition; two legal variables, and the offender's age. Hohenstein (1969), on the other hand, compared fourteen different variables to police decisions and found three significant associations only; none of which included the juvenile's age.

As with the two other social factors, socio-economic status and race, slightly more studies favour the conclusion proposed by the labelling theorists, but again, this result is not unanimous. The distribution in terms of the sex of the offender provides little clarification to this problem.

7. Official disposition decisions and sex

The distribution of study conclusions is shown in Table 4. All three studies dealing with the police treatment of juveniles (Goldman, 1969, Hohenstein, 1969, and McEachern, 1967) conclude that there is no association between the offender's sex and police disposition. The distribution of conclusions for court decision-making, on the other hand, is divided, in that two investigations conclude no association (Hindelang, 1975, and Meade, 1974), and one finding some association (Thomas, 1975, found that boys were more severely dealt with than girls). The balance for adults, however, is in the opposite direction, with three studies finding some association between sex and disposition (men treated more severely than women), and one study finding no association.

Table 4.

GENERAL CONCLUSIONS REGARDING THE
ASSOCIATION BETWEEN SEX AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:		Goldman (1969) Hohenstein (1969) McEachern (1967)
Adults:	Green (1970)	
<u>COURT</u>		
Juveniles:	Thomas (1975)	Hindelang (1975) Meade (1974)
Adults:	Garfinkel (1949) Hindelang (1975) Johnson (1957)	Chiricos (1972)

Considering again those studies relating to the police treatment of juveniles in more detail does little to clarify the issue. Goldman (1969) actually calculates that 54.2% of all girl offenders in his study were referred to court, compared to 35.1% of the boys. However, because of the relatively small sample size of girl offenders, this relationship was not considered significant; such that Goldman concludes:

... there seemed to be little differential treatment of boy and girl offenders. (1969 p.274)

Hohenstein's results (1969) were similar to that for offender's age, in that the sex of the offender represented one of the eleven variables out of the fourteen analysed which was not considered significant. McEachern (1967) similarly did not consider the variation of 0.29 of male offender referral to 0.21 of female offender referral as indicative of an association.

8. Problems of comparability

The conflict of results between these official data studies has continued to exist through each of the four social factors analysed. One of the reasons for this variation and the resultant inability to arrive at a definitive conclusion on this issue, is the problem of study comparability. Although each of the above investigations are involved with either police or court official statistics, and are each researching the importance of social factors in the official decision-making process, in many other respects they are quite different. One of the most important differences between these investigations, which could possibly help to explain the apparent variation in results, has already been touched upon and relates to the adequacy of other variable controls. The most significant of these is the adequacy of legal variable controls such as the frequency of offence commission and the seriousness of the offence. In order, therefore, to provide both study comparability and methodological adequacy, a number of other variable controls need to be discussed in the context of the above research. The following considers those methodological differences which might contribute to variations in results.

9. Methodological problems

Differences in research methodology not only have consequences for study comparability, but also, in some instances, for the entire credibility of the investigation. Four of the most frequently occurring failings of official data studies are discussed below with the view that the grossly inadequate researches will need to be eliminated from the final distribution of results. These failings are generally associated with: the seriousness of offence control, the prior record control, the

significance of association and the area studied.

a. Seriousness of offence control

The fact that a statistically significant relationship can be observed, in any one of these studies, between social factors and official disposition, does not in itself offer support to the propositions of labelling theory. Quite simply, the individuals in these categories might be committing proportionately more serious crimes, and for purely legal reasons are more strongly represented. In order to show that official labelling is directed by social factors, the legal nature of the offence would first have to be held constant. The most important of these legal variable controls is the seriousness of the offence committed.

Seriousness of offence controls are frequently lacking in the data studies so far investigated. Weiner and Willie (1972), for example, found that the Juvenile Officer's court referral rates were unrelated to social factors, and concluded with respect to Negro offenders that, '... the professional Juvenile Officer is apparently unbiased.' (1972, p.209). Without knowing what type of offence Negro youths committed, there seems little justification for this remark. Similarly, Moses (1947) offers data to the effect that there is a higher rate of adult Negro convictions to that of whites, although fails to show what the convictions were for.

By holding constant the seriousness of offence and then observing the relationship between labelling and social considerations, it becomes more likely that the independent effects of the non-legal variable can be made apparent. So far there have been two popular methods of controlling offence seriousness; through controlling the 'type' of offence committed, and through controlling a sealed range of grouped offence seriousness

categories.

1. Type of offence control

If the comparison between social factors and official disposition is made for a specific type of offence, then the seriousness of the offence committed is automatically controlled. Bullock (1961), for example, confined his debate on prison sentencing policies to three specific offences; burglary, rape, and murder. Wilson (1968) on the other hand, considers eight different types of offence as a source of comparison, ranging from loitering to homicide.

Ignoring for the moment other variable controls, the technique of using specific offences as a control very much improves the quality of the research as a test for labelling theory. However, knowing the relationship between labelling and social factors with the type of offence held constant, only really tells us that social factors might have some influence on official labelling, not that it is the most important influence. This distinction was most clearly presented in an article by Tittle (1975) in which he distinguishes between minor and major influences on official labelling.

Tittle (1975) proposes that it is very unlikely that labelling theorists were advocating that labelling is only slightly related to social factors, or 'social disadvantage' (1975 p.164).

... if labelling theory says only that disadvantage variables will have some effect on official classification, then all the excitement generated by the approach has been misplaced.

Surely the theorists are not interested in a one percent effect...

Assuming that this is the case, it would not only have to be shown that social factors were related to official disposition, but also that this relationship is stronger than any other association. In other words, it must be seen that social conditions

influence the outcome of official labelling more than the legal conditions, otherwise the predictive ability of labelling theory would be severely limited.

To overcome this, Tittle proposes that a double control is needed. A valid test, suggests Tittle (1975 p.164), would need to, '... hold constant actual rule-breaking and observe the relationship between labelling and disadvantages, and... compare the magnitude of that association with the one observed when disadvantages are held constant and the level of actual rule-breaking and labelling are associated.' Although very few studies actually do make a double comparison of this nature, it may be calculated from the research, so long as a scaled range of offence seriousness is incorporated as a legal variable control.

ii. Scaled range of offence seriousness control

Controlling the nature of the offence committed by the use of a range of offence seriousness categories avoids the possibility that any social factor association might be spurious and peculiar only to a particular offence type. Because of this, a well formulated offence range may be a better control than the single specific offence. The actual number of offence categories may vary from two (e.g. Thornberry 1973, Goldman 1969), to as many as seven or more categories (e.g. McEachern 1967).

The further advantage of this type of control is that the distinction between the major and minor influences of social factors on official disposition, outlined by Tittle (1975), may be calculated, so long as the results are contained in the research publication. Any scale of two or more degrees of offence seriousness, provides a comparative base from which the independent effects of both social and legal factors may be calculated. In many ways, however, the greater the number of

seriousness categories in the scale, the greater the accuracy and certainty of the results. The least number of categories for the scaled offence control, that is two classes of offence, may serve to obscure trends in association unless they have been particularly well designed.

The dichotomous characterisation of offence seriousness is a popular method by which to control for offence committed, although the limitations to this approach need to be made clear. In some ways, it is only a partial improvement on no offence control at all. Goldman (1969) for example, controls for offence by splitting all crimes into serious or minor offences. Thornberry (1973) characterises between high and low serious offences, and Green (1970) between Index (serious) offences and Others. It is surprising, for example, that this technique is considered adequate enough for Green (1970) above, as in his 1964 article he criticises Johnson's study of 1941 for his ranking of criminal homicides as an unsatisfactory legal control on the grounds that, 'Criminal homicide is not one but several offences of widely different gravity under the law.' (1964 p.348). Thus, it might be too crude to combine a wide range of different offences under the blanket terms of high, or most, serious crimes. Nevertheless, the dichotomised characterisation of offences is considered here as a recognisable means of offence control, and as an adequate method by which to test the degree of relative influence of social and legal factors.

b. Prior record control

The second most important legal variable control is that of the offender's previous record. In the same way as certain groups of individuals may be treated more severely by the criminal processing system because of the seriousness of their

offence, as opposed to their social characteristics, so too may be the case for previous offence record. If certain groups of people receive harsher treatment, this may well be because they are also the more frequent offenders, and therefore is more indicative of their rule-breaking behaviour than of discriminatory practices.

There is one point of caution required with respect to the influence of prior record on disposition outcome, however, and that is the extent to which it may be truly considered a legal variable. Prior record, after all, simply refers to the number of previous contacts with the official processing system and is not directly reflective of actual behaviour. The basis for these previous contacts might well be the social characteristics of the offender, and thus, is not a true indicator of purely legal considerations. As Box suggests:

...prior record is, in many respect, the sedimentation of previous deployment, detection and dispositional decisions, all of which were influenced by social considerations. (1971 p.195)

It nevertheless seems that the knowledge of the individual's prior record does provide more help than hindrance in establishing the relative influence of various factors, and thus, in the absence of any more perfect solution, is considered here as a genuine legal variable. Studies incorporating this control, therefore, will be considered more favourably than those arriving at a conclusion in its absence.

c. Significance of association

This third methodological problem is not to do with variable controls as such but in the strength of the relationship shown between two or more variables. Not only does a relationship have to be shown to exist between social factors and labelling, but also, that this association is statistically significant. Hagen (1974), however, considers that many of

these official data studies are inadequate on the grounds that they do not operate meaningful significance controls between the associations obtained.

Some rules of significance are laid down by statisticians, although they are often applied rather flexibly by sociologists. As often as not, significance between variable associations is established by rule-of-thumb. However, in many cases, the onus is placed on the statistical tests of significance 'chi' and 'tau', and as Hagen suggests:

The frequent reliance on tests of significance in these studies is troubling, considering the extensive debate regarding the merits of such tests, (1974 p.261)

One of the problems of these tests, suggests Hagen, is that they are very much affected by the size of the sample used. When the sample size is large, it is generally quite easy to establish that an association is statistically significant.

A similar problem exists, however, for particularly small samples. If the research data is only of average size, say 400 or less, (e.g. Johnson 1944, Little 1959, Thomas 1975) it does not take many sub-categorisations of this sample before individual sub-samples reach double or even single figures. Again, very high percentage differences can be obtained for small sample sizes. Ferdinand and Luchterhand (1970), for example, produced a table for white and black female offenders showing that 100% of the white category were adjudicated delinquent, compared to 0% who were not; dealing with a sample size of 1. This was used to suggest that 100% of white females were labelled delinquent compared to 72% of blacks, using a sample size for the former of $n=1$, and for the latter $n=13$. The value of such data as indicative of a meaningful relationship, is seriously in doubt.

d. Area studied

Considering that much of the general theorising associated with delinquency and criminality over the last half-century has been implicitly or explicitly located in a Western Industrial setting, it seems desirable that the area in which official disposition policies are tested should contain those features associated with a reasonably large urban area. Studies based in small or rural areas might well produce atypical results because of the specific social or community structure of this type of area.

Most of the investigations so far analysed have in fact been conducted in large metropolitan areas, and thus not only fit in with this urban ideal, but also offer a reasonable level of study comparability. There are, however, a few exceptions to this. Green (1970), for example, studies official processing in Ypsilanti in the United States of America. Ypsilanti is described by Green as an industrial city, although in fact the population in 1968 was only 25,000. Throughout his study, Green refers to the total numbers of recorded crimes in terms of a rate per 100,000 of the population. For 1941, for example, Green quotes the number of crimes as 1,870 per 100,000 based on an actual figure of 227. An imaginative if not unwarranted leap most likely based on the desire to improve study respectability to the levels generally attained by official data studies. It does seem dangerous nevertheless to incorporate this type of small town study into a comparison of results from large metropolitan areas with quite different social, and probably criminal, processes.

10. Method quality control

The earlier distribution of study conclusions made no allow-

ance for differences in methodological adequacy or relative quality of these results. By outlining some of the more serious problems associated with these investigations, it is hoped that a second distribution of results can be displayed based on only the best available official data studies, on the assumption that the results from these will be the more reliable. Thus, a process of study elimination is required to reveal the distribution of only those investigations fulfilling a minimum level of methodological adequacy.

All investigations failing to control for offence seriousness, therefore, the most important of the legal variable controls, need to be eliminated from the analysis because of their inability to predict the independent effects of social criteria in the manner required to test the hypotheses formulated. Similarly, all studies based on small town and rural populations must be removed on the grounds of study comparability and the assumed variations in general social processes that may be associated with these type of areas.

As far as prior record control and the significance of association is concerned, these are best dealt with as contributing, or positive rather than negative characteristics, capable of improving the status of researches where they have been successfully and properly operated, and reducing in status those researches where they have not been so applied.

11. Study distribution and socio-economic status

The effect of reducing the original Table 1. distribution of study conclusions by those investigations failing to control for offence seriousness or conducted in a small or rural area, produces the balance of results shown in Table 5. below. A total of nine studies have been eliminated, eight because of

the absence of a seriousness of offence control (Willie 1964, Weiner 1972, Mannheim 1957, Reiss 1961, Scarpitti 1971, Little 1959, Burke 1975, and Willick 1975), and one because of the nature of the area studied (Green 1970).

Table 5.

QUALITY CONTROLLED CONCLUSIONS REGARDING THE ASSOCIATION BETWEEN SOCIO-ECONOMIC STATUS AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:	Thornberry (1973) Wolfgang (1972)	Terry (1967) (<u>Area S.E.S.</u>) Shannon (1963)
Adults:		
<u>COURT</u>		
Juveniles:	Thornberry (1973)	Hindelang (1975) Meade (1974) Terry (1967) Thomas (1975)
Adults:	Chiricos (1972) Johnson (1957)	

Obviously no great improvements have been made in terms of favouring one or other of the two conclusions. The removal of the weaker studies, therefore, does not immediately clarify the situation. What is now required is a comparison of the relative strengths of the remaining investigations.

A point of particular importance would be to establish the strength of significance of those results suggesting that

there is some association. This could be done simply by comparing the percentage differences for various S.E.S. categories, or by incorporating Tittle's notion (1975) of minor and major influences on disposition decisions. If the percentage difference between say high S.E.S. and low S.E.S. offender treatment policies was either small, or less than the percentage influence contributed by the nature of the offence committed, or even previous record of offences, then only the weaker version of labelling theory could be supported.

Before Tittle's distinction can be tested, the investigation concerned must have used a scaled range of offence seriousness control, of two or more categories, to enable the calculation of the independent effect of both social and legal considerations. Of the three remaining juvenile/police studies, excluding for the moment Shannon's area investigation (1963), Thornberry (1973), Wolfgang (1972) and Terry (1967), all use a scaled range, although only Thornberry and Wolfgang present their results in a manner in which they can be recalculated.

Thornberry (1973) simultaneously controls for prior record and offence seriousness, although the basic offence effect is roughly the same for each level of prior record control. Considering, therefore, those individuals with no previous record, Thornberry finds that for low seriousness offences, 9.0% of lower S.E.S. and 3.8% of higher S.E.S. juveniles were referred by the police to the next stage of official processing; an apparent difference in treatment policies. In the case of high seriousness offences, however, the difference remains with 51.0% of lower S.E.S., and 34.7% of higher S.E.S. individuals referred to a further stage of processing, although it can clearly be seen that the general percentage difference between low and high seriousness offences is far greater than the

differences between socio-economic status. Thus, in accordance with the principles outlined by Tittle (1975), the seriousness of the offence committed appears to be a far better predictor of official outcome than the class of the offender.

Wolfgang's study (1972) suggests a similar conclusion. In the case of white youths, 9.3% of lower S.E.S., and 6.6% of higher S.E.S. minor offence commissions were referred by the police, compared to 55.3% of lower S.E.S. and 44.4% of higher S.E.S. most serious offenders. Again, the offence seriousness, or the legal conditions, emerge as a far better indicator of official outcome than the social conditions of the case.

Terry's results (1967) cannot be calculated in this manner, although this does not really matter as he fails to find any association between S.E.S. and disposition anyway. Thus, as far as the police treatment of juveniles is concerned, the balance is one study favouring no association and two studies favouring only a weak or minor association between social factors and labelling. Shannon (1963) similarly finds no significant association in his study of socio-economic area.

Considering the situation at the court level of processing, there is little evidence to reverse the conclusion shown for police treatment. Only one study now remains which is methodologically adequate and which shows some association between court disposition and socio-economic status for juveniles, and that is Thornberry's continued investigation (1973). In the case of the court's decision to 'adjust', a less serious disposition, or 'refer' the juvenile, the influence of offence seriousness once again emerged as the dominant force dictating disposition outcome. (1973 p.97) For the more serious disposition decisions of institutionalisation or to place the individual on probation, Thornberry concluded that there was only

a weak association for both socio-economic status and for the seriousness of offence.

The two adult studies, that of Chiricos (1972) and Johnson (1957), both indicate some association between court sentencing and status factors, although Chiricos admits that in his study this relationship is only weak when educational factors are used as an indicator of social class, and below the level of statistical significance when occupational skill is used as an indicator. Johnson's investigation (1957), on the other hand, does find a strong association, but in relation to the distribution of capital punishment. It might well be that this constitutes a special case, and should not be generalised to less serious situations.

Some emphasis has been given in this analysis to the distinction between minor and major influences of social factors relative to social labelling. Although this technique undoubtedly does indicate the relative strengths of social, as compared to legal variables, it is uncertain how far it should be held as the definitive test of labelling theory. The theorists discussed in Chapter One were not particularly clear on the strength of the social factor influence nor on whether or not they were advocating that social factors will have the major predictive effect on disposition outcome. Direct class-linked statements were, in fact, rare. Erikson (1962), however, tells us, '...working-class boys ... are far more likely to go to prison than upper-class boys who commit the same or even more serious crimes...' (1962 p.308) (my underlining). Similarly, Becker (1963) only really suggests, 'The middle-class boy is less likely, when picked up by the police to be taken to the station ... and it is extremely unlikely that he will be convicted and sentenced.' (my underlining) (1963 p.12) Whether this

should be construed as proposing a major or minor influence is uncertain, even though Tittle (1975) considers that labelling theory is only valuable if the major influence viewpoint is taken. It will be considered here, however, that this requirement is not fundamental to the status of labelling theory, such that evidence of strong but minor influences will be considered as viable evidence enhancing the labellists position.

From the evidence so far available, the social class of the offender has been shown to have some influence on disposition outcome although this was generally weak and always less influential than the offence the individual had committed. On the other hand, some evidence simultaneously exists to the effect that on some occasions and for some investigations the class status of the individual has no influence on official decision-making. The reason why methodologically adequate researches can still provide conflicting results is the subject of the discussion at the end of this section on study distribution.

12. Study distribution and race

The new distribution of study conclusions for race, with the methodologically inadequate investigations removed, is shown in Table 6. Only five researches have been eliminated from the original table; four because of the absence of a seriousness of offence control (Weiner 1972, Scarpitti 1971, Burke 1975, and Moses 1947), and one because of the area studied (Green 1970).

Four of the five studies eliminated represented a conclusion of some association between race and official disposition, although this removal has effected the distribution

of results only slightly. The balance for juveniles at the police level of analysis seems to now more strongly favour a result of some association, with six studies supporting this conclusion compared with two which do not.

Table 6.

QUALITY CONTROLLED CONCLUSIONS REGARDING
THE ASSOCIATION BETWEEN RACE AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:	Goldman (1969) Ferdinand (1970) Hohenstein (1960) Thornberry (1973) Wolfgang (1972) Wilson (1972)	McEachern (1967) Terry (1967)
Adults:		
<u>COURT</u>		
Juveniles:	Arnold (1971) Axelrad (1952) Thomas (1975) Thornberry (1973)	Ferdinand (1970) Hindelang (1975) Meade (1974) Terry (1967)
Adults:	Bullock (1961) Chiricos (1972) Garfinkel (1949) Hall (1975) Hindelang (1975) Johnson (1957) Johnson (1944) Sellin (1935) Wolfgang (1962) Wolfgang (1973)	Green (1964)

The situation for juveniles at the court level of analysis is evenly divided with four studies supporting each conclusion. The distribution for adults, however, at the court level of investigation, seems clearly in favour of concluding some

racial association. Ten of the eleven studies analysed concluded that, even after seriousness of offence controls, individuals from ethnic minorities were more severely treated by the courts.

As it is impossible in the time to conduct an in-depth analysis of each of these researches, a more detailed investigation is reserved for the most important area, as far as the present research is concerned, of the police treatment of juveniles.

It was suggested in the previous discussion concerning socio-economic status and official disposition decisions, that an important feature of those studies supporting a conclusion of some association was the strength of the relationship that had been established. Considering those studies investigating the association between official disposition and race reveals a similar variation of results.

Goldman's original distribution (1969) of 64.8% Negro police referrals to a juvenile court, compared to 33.6% white, was reduced considerably for serious offenders with a difference of 87.5% and 79.3% respectively, but maintained the original difference for minor offences with 53.2% Negro referrals compared to 22.6% for whites. After the seriousness of offence control, therefore, race was significantly related to disposition for minor offences only. Comparing this association to that obtained for the seriousness of offence relationship to disposition, once again revealed that legal conditions emerge as the better predictor of disposition.

Ferdinand (1970) indicated a non-controlled variation in race of 76% referrals for black youths compared to 63% for white. This appears to be in the expected direction, although this

difference was not very significant statistically. With a seriousness of offence control this variation reduced below the level of significance for both high and low serious offences. The independent influence of the offence committed on disposition decision was again in the expected direction but was not significant, nor appreciably more influential than the racial effect.

Thornberry (1973) suggested that before offence controls 40.8% of black youths were referred by the police to the next stage of processing compared with 21.2% for white. This effect was reduced slightly for most serious offences with 70.0% of black youths referred to 49.6% of white, but maintained a differential for low serious offences with 16.1% of the former referred to 7.7% of the latter. Again, the combined racial effect was not more significant than the combined offence effect.

Wolfgang (1972) provided roughly similar results with the non-controlled relationship of 43.3% non-white referrals compared to 23.4% white referrals. When controlled by offence seriousness, 68.4% of non-whites, compared to 48.1% of whites, were referred for the most serious offences, and 20.8% of non-whites, compared to 9.3% of white were referred for minor offences.

The final investigation supporting some association, and publishing the original data in a form capable of recalculation, was that of Wilson (1968) who concluded an overall difference in referrals of 42.9% for Negroes compared with 15.7% for whites. By controlling for a more serious offence (burglary) and a less serious offence (larceny) revealed an increased percentage difference for the more serious offence and a maintained

difference for the least serious offence. However, Wilson's sample is so small for Negro offenders (an average of four offenders per offence) that the controlled form of his data cannot be considered reliable.

Considering these studies together, there does seem to be some evidence to suggest that non-white offenders are referred to juvenile court more frequently than white, although possibly this difference is greater for the minor offence, where police discretion is at its maximum, than for major offences. Generally however, the race of the offender is not a good predictor of official outcome; at least not to the same extent as is the seriousness of the offence committed.

Certain reservations, of course, need to be made. Two methodologically adequate juvenile/police investigations show no association between race and police treatment. Again, this variation in results will be discussed later in this chapter. Secondly, all of the juvenile/police studies, and most of the total sample of official data studies analysed, were conducted in the United States of America. Any conclusions drawn from these researches need not necessarily be generalisable, either between countries or states of America. Before any further debate is embarked upon, however, it is necessary to first review the situation for age and sex.

13. Study distribution and age

With the three eliminated investigations (Goldman 1969, Burke 1975, and Green 1970) removed, the number of studies relating to the association of age with official disposition is shown in Table 7. There now appears so few remaining investigations as to make any meaningful comparison very difficult. Three researches are concerned with the police treatment of juveniles

with two of these finding some association for age (McEachern 1967, and Terry 1967), and one finding no association (Hohenstein 1969). At the court level, the distribution is evenly balanced with two studies favouring each conclusion for juveniles, but dominantly favouring a conclusion of some association for adults; with all three studies supporting this result.

Only one of the three investigations relating to juvenile/police studies (McEachern 1967) presents the controlled results in a manner which may be reinterpreted. The previously large difference in the proportion of petitions applied for by the police for different age groups was seen to reduce somewhat with the introduction of a seriousness of offence control; with no real statistically significant associations emerging for any offence category or for any comparison of age groups.

Table 7.

QUALITY CONTROLLED CONCLUSIONS REGARDING
THE ASSOCIATION BETWEEN AGE AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:	McEachern (1967) Terry (1967)	Hohenstein (1969)
Adults:		
<u>COURT</u>		
Juveniles:	Terry (1967) Thomas (1975)	Hindelang (1975) Meade (1974)
Adults:	Chiricos (1972) Hindelang (1975) Wolfgang (1962)	

Again, the seriousness of the offence appeared to be more strongly related to outcome decision than the age of the offender, once offence controls had been made. Thus, for the police treatment of juveniles, no strong evidence seems to be available which clearly shows any association between age and disposition once offence was taken into account.

14. Study distribution and sex

Two studies have been eliminated from the original distribution for sex and official disposition outcome, which again tends to leave an inadequate number of investigation for either result to be clearly dominant. Only two studies remain for the police treatment of juveniles, as shown in Table 8., and these both favour a conclusion of no association between sex and police processing decisions. (Hohenstein 1969, and McEachern 1967)

Table 8.

QUALITY CONTROLLED CONCLUSIONS REGARDING
THE ASSOCIATION BETWEEN SEX AND OFFICIAL LABELLING

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:		Hohenstein (1969) McEachern (1967)
Adults:		
<u>COURT</u>		
Juveniles:	Thomas (1975)	Hindelang (1975) Meade (1974)
Adults:	Garfinkel (1949) Hindelang (1975) Johnson (1957)	Chiricos (1972)

At the court level, no strong support exists for either conclusion in the case of juveniles, with two supporting no association (Hindelang, 1975, and Meade, 1974), and one favouring some association (Thomas, 1975, suggested boys were more severely dealt with than girls). Three of the four studies for adults concluded that men tended to receive harsher sentences than women.

15. Problems of conflicting results

Considering the association for all four of the above factors to official labelling, based on the results of official data studies, provides very little by way of definitive conclusions. With respect to the police treatment of juveniles, the socio-economic status of the offender was shown to be associated to disposition by two investigations and not associated by another, the race of the offender was perhaps the most strongly associated to official disposition with six studies supporting this conclusion, although two studies found that this was not the case, the age of the offender was linked with disposition by two researches although not so by another, and finally, the sex of the offender was not found to be associated with outcome by two official data studies.

It seems that the only way in which these contradictions may be resolved is to look beyond the data, the police and juveniles, to other factors which might influence the situation.

16. Extraneous variables

Official data analysis represents a rather bland level of insight into what is actually going on. Official data, after all, is not a classified reflection of simple, definable situations, but a social product emerging from a series of interactions between individuals and agencies. The analysis of official

data as a means of looking back towards the situation of their inception and generation, is of course a rather crude and inaccurate means of studying social phenomena. On the other hand, official data can provide a generalised indication of trends in what is actually happening, which may be later re-investigated in more detail perhaps using other methodological techniques.

The compilation of official data and the limitation of official data studies produces a number of problems in terms of accurately representing social processes, although it does not seem that it is simply this inaccuracy which is causing the conflict in results mentioned above. It is more likely to be the case that instead of misrepresenting the situation on some occasions because of the inability to handle available data, the problem lies more in the misrepresentation of the situation because of the absence of other unavailable factors which influence disposition outcome.

How the police or courts deal with individuals is not simply confined to the interaction encounter of official agencies with offenders. In many ways there are a host of other influences which play some part in determining decision outcome and thus the character and policy of disposition decisions generally. Thornberry (1973), for example, includes a third important factor in the interaction sequence when he concludes, '... if other variables such as ... the attitude of the victim were controlled, racial and S.E.S. differences would be eliminated.' (1973 p.98)

Two particularly significant extraneous influences which may affect the police treatment of juveniles are the role played by local community attitudes and the specific departmental policy as defined and instigated by senior police.

officers. It is considered here, that these two factors taken together, may serve to explain the majority of the variation in research results revealed in the previous analysis.

As police mobilisation seems to be largely reactive rather than proactive, (Reiss 1971, Banton 1964) the nature of public attitudes to crime and its reportage may in turn affect the nature of the population of crimes available to the police.

As Bottomley (1973) suggests:

Most indictable crimes 'known to the police' are not discovered as a result of the direct initiative and detection work of the police themselves, but are reported to the police by members of the public who have witnessed or have been the victim of the crimes concerned. The attitudes of members of the public towards reporting criminal behaviour must therefore be studied in order to analyse the relationship between crimes committed in the community and those crimes which become officially known to the police (1973 p. 8)

The rate of which communities report certain crimes, therefore, may explain some of the regional variations in police operations. An important factor affecting reporting rates, is the variation in tolerance levels towards certain crimes; and possibly certain types of criminal. Bottomley (1973), for example, considers that areas which have traditionally high levels of violent crime often show a correspondingly high level of tolerance towards violence, such that these offences often go unreported. Similarly, Wilkins (1965) suggests that the community's social attitude to crime defines the type of behaviour that the police should do something about. As tolerance levels change, police mobilisation changes, and so too does the population of offenders known to the police.

It is, of course, probable that the threshold value of disapproval for a constant event will change with time and from place to place; that complaints will reflect the public expectation of behaviour and that this will provide a relative rather than an absolute measure of 'crime.' (Wilkins 1965 p.231)

Another factor which may affect the reporting of crime, is the community's attitude towards the police. Bottomley states:

Closely linked to subcultural toleration which mainly affects the definition of criminal behaviour, is subcultural antipathy towards the police, which mainly affects the reporting of crime. (1973 p.14)

This position is reiterated by Reiss (1971) when he suggests that the negative attitude of the public towards the police, may be the result of fear, dislike, or a lack of confidence in their ability to accept the citizen's complaint, or to do anything constructive about it.

Differences in reporting rates have similarly been linked with the type of community structure. Wheeler (1967) considers that communities with a high rate of cohesion show a low reporting rate, possibly due to the tendency for community members to intervene directly if they see their, '... kids getting into trouble.' (1967 p.322) McClintock (1963), on the other hand, indicates that the size of the community can determine how far the police will informally cope with an incident before it reaches the state of criminal data. Smaller communities may be dealt with more informally, as indicated by Cain (1973) in her study of police in rural and urban communities.

Along with the influence of community attitudes on the determination of the selected 'criminal' population, goes the specific character of directives issued by senior officers. Both Wilson (1968) and Cain(1973) outline how the senior administrator can affect police behaviour through directing attention to certain areas of crime, and generally shaping departmental policy. Whitaker (1964) illustrates this through explaining how the appointment of a new Chief Constable to the

Manchester police helped increase prosecutions for male importuning by one thousand percent in four years.

It seems possible, therefore, as Wheeler (1967) suggests, that police divisions with high arrest rates for certain crimes, may be the result of organisational variations. He considers that the high arrests for the Los Angeles police in the sixties, for example, was largely the result of a certain zealous police chief (Chief Parker) and the extra efficiency that he inspired in his force.

Variations between study findings, therefore, might be in part the result of variations in policing policy and not, in fact, a source of error which would be desirable to remove. Wilson's 1968 study, for example, investigates a number of police departments and indicates how completely different styles of policing may grow up between different areas, and generate quite different criminal statistics as a result of it. The acceptance of this variation in the treatment of crime, either because of community or departmental policy differences, allows for the possibility that some police departments may discriminate in terms of social characteristics, while others may not.

This appreciation, however, does tend to complicate the issue. If police are responding proactively and simply following the wishes or directives of the community, then even evidence of some over-representation of social groups in the criminal data, need not by itself be indicative of police bias. The community may consistently call out the police for say working-class type offences. This may not be so unlikely as it may seem, considering that the average man is likely to be motivated by everyday expediences, such as the prevention of theft, robbery, burglary, or violence, and that the percep-

tion of these offences are most likely when they are highly visible (Lemert 1951) or, other than in the case of burglary, conducted in public (Stinchcombe 1963). It is quite possible that these represent the conditions and characteristics of working-class crime. Other than this, the community might well be motivated by popular stereotypes, or expectations, of criminality, such that a suspicious incident involving a Negro, an older juvenile or adult, or male, may be reported to the police more frequently than other incidents. The propensity to respond to criminal stereotypes, of course, might vary from community to community.

If this does in fact explain part of the process by which certain individuals are over-represented in the official data, then the police could be viewed as behaving discriminatorily by following community or various other directives, but not necessarily biased or prejudiced in themselves. Whichever is the case, however, it still adds up to the same thing in practice. How far labelling theory might be seen as an equally suitable explanation for either eventuality is a matter for debate.

17. Conclusions

The results of the official data analysis revealed that after relevant method controls there was some evidence to support the view that the police discriminated against low socio-economic status juveniles. There was much stronger evidence to suggest that non-white youths would be dealt with more severely than white youths, but very little substantial evidence to show that either the age or sex of the offender would effect disposition outcome. Because of the low levels of insight that official data generally allows, it is not altogether certain whether any associations, when they do

occur, genuinely represent reality, and it is not at all certain by which processes these associations might come about.

It is possible that on some occasions, in some police departments, in some communities, that labelling theory may be an accurate perspective from which to understand what is going on. But because there may be so many problems included, and so many relevant factors excluded, from official data studies, it might be the more prudent to reserve judgement until the results of the observation researches have been reviewed.

18. Observation studies.

Official data studies have, by their nature, tended to rely on indirect indicators of police and court encounters with individuals. Observation techniques, on the other hand, have generally offered a more direct methodology capable of taking the researcher closer to the social setting in which the action is taking place. In view of the fact that labelling theory is primarily directed towards the process of interaction between individuals, a research method capable of registering the moment of action seems to be a desirable alternative test in determining the distribution of official labels.

The following, therefore, is a detailed analysis of the manner in which observation studies have directed themselves to this problem, and the value of both the method and the results as a means of testing Hypotheses One to Four.

19. The provisional balance

So far only nine investigations have been located which use this technique and are relevant to the problem at hand. Because of the variety of applications of this methodology and

the differences in presentation of results, the general distribution of conclusions in Tables 9 and 10 rather simplify the situation, although they do indicate the approximate direction in which the various researches are leaning. Because only scattered references are made to the differences brought about by the individual's age and sex, the following analysis refers specifically to the distribution of conclusions regarding the characteristics of class and race.

Table 9.

GENERAL CONCLUSIONS REGARDING
THE ASSOCIATION BETWEEN OFFICIAL LABELLING
AND SOCIO-ECONOMIC STATUS

<u>DISPOSITION</u> <u>LEVEL</u>	<u>ASSOCIATION</u>	<u>NO ASSOCIATION</u>
<u>POLICE</u>		
Juveniles:	Cicourel (1968) Werthman (1967)	
Adults:	Reiss (1971)* Wilson (1968)*	Lundman (1975) Wilson (1968)

* (Wilson supports both conclusions)

None of these researches are conducted at the court level of decision-making, and the majority of the police investigation concern the apprehension or arrest of suspects rather than the final decision to refer the juvenile to the next stage of official processing. As can clearly be seen, the same problem of conflict and apparent contradiction occur for observation studies as they did for official data studies, although it has to be remembered that the distribution of conclusions shown in Table 9 above and Table 10 below possibly over-simplify a more complicated set of results.

Table 10.

GENERAL CONCLUSIONS REGARDING THE ASSOCIATION
BETWEEN OFFICIAL LABELLING AND RACE

DISPOSITION LEVEL	ASSOCIATION	NO ASSOCIATION
<u>POLICE</u>		
Juveniles:	Black (1970) Cicourel (1968) Piliavin (1964) Werthman (1967)	
Adults:	Westley (1970) Wilson (1968)(a)*	Lundman (1975) Reiss (1971) Skolnick (1966) Wilson (1968)(b)*

* (Supports both conclusions.)

20. Variations in presentation

Because of the character of observation studies, the 'data' do not offer themselves in the same easy presentable form as in the case of quantitative methodologies. The author has to decide how much the recorded observations are to be interfered with, and how far the specific instances should be generalised. As a result of this, the data has tended to be presented in one of three ways. The first of these appears closest to quantitative techniques, and involves the use of tabulated observations. These serve to generate a sample of observations from which percentage calculations can be made. A second method of presentation is that of impressionistic statements, which do not refer to the exact number of cases contributing to these statements. The third technique comes closest to the ethnographic ideal, and offers data in the form of case-study examples, with the minimum of author interference. Although studies do not rigidly adhere to these types, and tend to combine elements of a number of them, the results appear to be

more fruitfully expressed in these terms.

21. Tabulated observations

As a means of testing the labelling propositions, the method of tabulating observations seems distinctly appropriate. It is not only necessary to know that a certain police-citizen encounter outcome occurs, but also the frequency and representativeness of that occurrence. Without this knowledge, the influence of social factors on the labelling process is reliant on the particular author's unstated assumptions concerning the value and generalizability of particular observations. It is much more relevant to know, for example, that the observed arrest rate for Negroes was 21% of the sample compared to 8% for whites (Black and Reiss 1970), as opposed to, 'Negro gang members are constantly singled out for interrogation by the police...' (Werthman and Piliavin 1967 - an impressionistic statement), or, '... a police officer's interrogation of someone like Smithfield presumes that a male Negro is the basic source of trouble in the community...' (Cicourel 1968 - a case-study example). Obviously the latter two techniques offer more colourful accounts of interactions, but for the purposes of the problem at hand the use of tabulated results seems advantageous particularly in view of the fact that it is the strength of the labelling proposition that is a vital aspect of the analysis.

The first of the two researches that use this method for the major part of their investigations, is that of Lundman (1975), who studied police arrest variations in a large American mid-western city. Seven observers were trained to record observations of police-citizen encounters, producing a total

of 1,978 cases from which a sample of 195 situations involving alleged drunkenness were extracted for analysis. The nature of the offence was thus controlled to form a basis from which discriminatory practices might be observed.

Lundman concluded that for white and Afro-Americans there was no real difference between the numbers ultimately arrested; 26% of the former and 33% of the latter. Some difference was evident, however, for the Native American group. In terms of class, 20% of white-collar workers were arrested in drunkenness cases, compared with 25% for blue-collar workers. In both the cases above, the relation between arrest rates and social factors appeared to move in the expected direction, as far as labelling theory is concerned, yet failed to reach statistical significance. In the case of the characteristics sex and age, the same situation arises, with slight movements evident in the predicted direction yet none proving to be significant.

Black and Reiss (1970) similarly elected this method of research presentation, using a sample of 281 police-juvenile encounters. The total arrest rate for all offences showed a significant bias in favour of the white youth, with 21% of Negro encounters ending in arrest, compared with 8% of white encounters. This difference remained after controlling for the type of offence, yet changed dramatically when the existence of a complainant was controlled. When the police and the juvenile were alone in the situation there appeared to be no evidence of police discrimination in terms of race, with 14% Negro encounter arrests and 10% white. If the complainant was reported to have been part of the interaction scene, these differences magnify to 21% Negro arrests compared to 8% for whites.

At this point the advantages of observation techniques over data methods become evident because the authors were now in a position to be able to tackle the problem of why this should be the case. They suggest that, besides the fact that complainants tend to be of the same race as the suspect, Negro complainants tended to prefer an arrest disposition more frequently than did white counterparts, and that generally the police respected the wishes of the complainant by disposing of the case as requested.

Thus, the above two studies using tabulated observation techniques both underplay the existence of police discrimination. Although Black and Reiss (1970) are presented in Table 10 as suggesting some evidence of social bias, this was largely the result of extraneous variables influencing police decisions. Nevertheless, they did appear to be acting upon these influences and thus, in this one study at least, may be viewed as operating discriminatorily, although perhaps not quite in the same manner as that prescribed by labelling theorists.

Two other investigations use tabulated forms of presentation (Piliavin and Briar, 1964 and Reiss, 1971) although this technique was not central to their research, and does not deal specifically with the issue of social factor discrimination. These results are therefore dealt with later in their appropriate section.

22. Impressionistic statements

The majority of the remaining investigations use the method referred to here as 'impressionistic statements' as a means of presenting their research data. This involves a process whereby the actual percentage, or number, of encounter outcomes is not

referred to directly, but the majority or general case is selected by the author and expressed in context through impressionistic and suggestive terminology.

A prime example of this is the research paper published by Werthman and Piliavin (1967). It might be added that it is this study which best expresses the problems associated with this type of presentation. The study is committed to analysing and describing the role of extra-legal criteria in police enforcement patterns and general police conduct. Because the results are presented terminologically, the exact contribution of these criteria is almost unfathomable. An example of this is a series of suggestions from just two pages of their article.

...if the officer decides he is dealing with a boy who is guilty but essentially good or guilty but sometimes weak, the probability is high that he will decide to let the boy go with a warning (1967 p.72)

A delinquent is therefore not a juvenile who happens to have committed an illegal act. He is a young person whose moral character has been negatively assessed. (1967 p.72)

Werthman and Piliavin proceed to reconsider the role of legal variables.

The magnitude of an offence, of course, can become a factor in dispositions. (1967 p.72)

The number of previous contact with police has a more important effect on disposition. (1967 p.72)

It seems to be particularly difficult to understand the exact meaning of these suggestions. Werthman and Piliavin continue:

If a boy confesses to a crime and is not known to the police, he is often released. (1967 p.73)

... if the house appears messy, a parent missing, or a mother on welfare, the probability of arrest increases. (1967 p.73)

This is summarised as:

Although the family situation of a boy and his record of prior police contacts both enter into

dispositions, the most important factor affecting the decision of juvenile officers is the attitude displayed by the offender... (1967 p.74)

(my underlining)

These examples have purposely been taken out of context to gain effect, and as such are possibly presenting the case more harshly than justified. Nevertheless, it is with this type of presentation that the reader has to make sense of statements like, 'more important', 'often released', or 'the probability is high that'. However, now that the drawbacks have been illuminated the original purpose of extracting possible contributions to the labelling debate is returned to.

Werthman and Piliavin (1967) give decidedly more attention to individual characteristics, such as, 'words, voice tones, facial expressions and body muscles' (1967 p.70) and attitudes and 'moral character' (1967 p.72), than more general social characteristics. The authors treat separately the situation for specialised juvenile officers and patrolmen and divide their results accordingly.

Although little is stated concerning social discrimination and the juvenile officer, much of what is said suggests that the low status individual could be treated more harshly. In other words, statements to the effect that, 'Once he gets himself defined as the kind of person who doesn't respect the law, he becomes a perfect candidate for arrest...', seem much more likely to be relevant to the working-class boy than to the middle-class youth, and, 'boys who appear frightened, humble, penitent and ashamed are also likely to go free.', seems more likely to be middle-class associated. (1967 p.74) It is possible that this is interpreting these results too liberally, however, and this conclusion can only be assumed.

The patrolman, on the other hand, does have slightly more direct references made in this respect. In the case of race and discriminatory practices, the authors state, 'Negro gang members are constantly singled out for interrogation by the police' and that, '... most Negro gang members believe that the great majority of police officers are prejudiced, and most can cite personal experiences to document this position.' (1967 p.56 and p.88) Other references to the race issue relate to officer's attitudes and perceptions and thus do not reliably refer to action as well. Again, class specific statements are only implicitly characterised, such that no positive conclusions can be drawn at this stage.

The observation study by Piliavin and Briar (1964) is largely concerned with the relationship between demeanour and arrest decisions although does make some contribution to the influence of race on disposition practices.

Compared to other youths, Negroes and boys whose appearance matched the delinquent stereotype were more frequently stopped and interrogated by patrolmen - often in the absence of evidence that an offence had been committed - and usually were given more serious dispositions for the same violations. (1964 p.212)

The authors cite a number of examples like this suggesting that generally negroes are treated more harshly by the police than whites. In each of these cases, however, there remains the problem of interpreting statements like, 'more frequently stopped' and in a later quote, 'policemen were strongly guided by demeanour' (1964 p.213). However, the statement remains that the Negro appears to be treated more harshly than whites. Whether this is supporting the stronger version of labelling theory or only the weaker, remains uncertain.

Turning to the third piece of research using this form of presentation, Westley (1970), highlights a further problem

which must be controlled. That is, to delineate clearly the differences between police thought and police action. In other words, as Hagen (1972) points out:

There seems to be no escape from the persistent paradox of a sharp disparity between police beliefs and police behaviours... If one takes time to think about the irony of the situation, it will probably be acknowledged that the disparity between thought and action is a recurring theme in the human experience. (1972 p.158)

It is obviously of primary concern in relation to the labelling propositions that police actions should remain the independent variable. This provision has been observed in the above analysis, but is even more important in the case of Westley's study as the major part of his book is concerned with the police perspective. Further, in the instances where he does refer to police action and social factors his emphasis is on police violence rather than arrest, which severely reduces the value of his contribution for the problem at hand. However, Westley does make some reference to police conduct which, although emphasises the use of police force rather than the selection of individuals for processing, suggests that the Negro might be at a slight disadvantage. His central thesis is that in relation to police action a number of factors will necessarily come into play.

How far the policeman will go will depend on 1. how threatened he feels, 2. on the current attitude towards the police in the city, and 3. on that portion of the public into which he categorises the drunk. If the policeman feels seriously threatened, if the public attitudes towards the police have been quiet, and if the policeman sees the drunk as a professional criminal, or a Negro, some type of rough treatment will probably result. (1970 p.120)

This result is all the more surprising considering that 76% of the officers interviewed expressed strong anti-Negro feelings, although this could possibly be explained through the limitations that exist which prevent thought materialising

into action.

... they (the police) recognised that the use of force was in some instances illegal, that it could get them in trouble. In particular, they recognised that the Negro was no longer so politically impotent and could cause trouble if they beat him up. (1970 p.124)

Research carried out by Reiss (1971) again emphasised police conduct as opposed to police decisions to apprehend, arrest, or refer individuals to a further stage of processing. Nevertheless, Reiss does contribute a number of important points which need to be investigated. The first contribution of significance to this debate includes a tabulation of many thousand observations of encounters between police and white and Negro suspects. Reiss concludes that the police are more likely to be hostile towards a suspect when he is agitated, rather than calm or detached, regardless of his race. Similarly, if the suspect was antagonistic rather than civil or very deferential, police treatment was more hostile, yet again, showing no evidence of Negro bias. In fact, of those suspects who were antagonistic, the police responded hostilely in 64 % of encounters with whites, compared to 44 % of encounters with Negroes.

Much of the remainder of Reiss's research relies on impressionistic statements which continue to emphasise the absence of racial bias. The paradox between police thought and action, as outlined by Hagen (1972), recurs. As Reiss suggests:

Although more than three-fourths of all white police officers made prejudiced statements about Negroes, in actual encounters the police did not treat Negroes un-civilly more often than whites... Both Negro and white policemen, more-over, were most likely to exercise force unduly against members of their own race. (1971 p.147)

But this is not to say the police are completely unbiased, nor does it imply that class discrimination may not still occur.

Almost all victims of force were characterised as suspects or offenders. They were young, lower-class males from any racial or ethnic group. (1971 p.147)

Reiss goes on, however, to explain this, not in terms of class per se, but in terms of the suspects emotional state and this relationship to social class.

The fact that lower-class males are disproportionately the targets of police misconduct, particularly in the undue use of force, requires explanation. Males, of course are more likely to aggress physically against authority... The literature on aggression suggests that middle-class males respond to aggression against them with subtle forms of symbolic aggression, and they tend to postpone any resolution of the conflict. (1971 p.151)

Unfortunately, this very important statement was not substantiated in the same tabulated form as conducted for racial differences. The exact nature of differential treatment thus remains vague. Similarly, the value of research based on police conduct rather than police labelling patterns has to be treated with caution.

Skolnick (1967) again takes up the issue of police attitudes in relation to action, and concludes that negative attitudes towards the Negro were the norm among the police studied, although racial prejudice was probably no higher than in the community at large. Similarly, this type of attitude could be construed as no more than, 'the kidding around among men', which tend to be linked with a 'broader pattern of ethnic and racial stereotyping.' (1967 p.82)

It is not to be assumed, suggests Skolnick, that this attitude will manifest itself in terms of police behaviour. In the case of the traffic policeman at least, this does not seem to be the situation.

Examining the work of the traffic policeman, however, the contrary (to acting out prejudices) appears to be true. Followed on his rounds, the warrent policeman seems to use relatively objective criteria. (1967 p.89)

There is no reason to believe, suggest Skolnick, that this is not the same for other police officers.

The explanation for this could either be that, 'kidding around' prejudices are not in fact indicators of a vehement hatred for coloured folk, or that there exists various constraints affecting the manifestation of these attitudes. The power of the civil liberties movement, as outlined by Westley (1970) above, was similarly observed by Skolnick.

Indeed, as a result of the civil rights movement, white policemen sometimes seem more colour conscious in an interesting fashion. They perhaps used to unconcernedly push a black man around... Now, the policeman may think twice - a Negro suspect may appear to him not only as a man with rights, but one with exceptional power as well. (1967 p.86)

He goes on to conclude that it seems unlikely that the police respond to racist predilections alone, but that a number of factors are relevant.

In sum, neither philosophical principles nor personal prejudices should be taken as the most significant factors for understanding police conduct on the job. Their actual behaviour seems to be influenced more than anything else by an overwhelming concern to show themselves as competent craftsmen. (1967 p.111)

Wilson's comparative investigation (1968) over eight different police districts combines both official data and observation techniques, and in so doing tends to confuse the source of some of the statements made. A particularly important contribution that Wilson makes, however, is the categorical admission that police departments will vary in the degree to which they operate under the influence of an individual's social or personal characteristics. Through this, he locates three different policing styles; two of which tend to operate in a discriminatory manner, and one which refers to mainly legal considerations.

Much of the action side of policediscrimination was

expressed by Wilson from the basis of the official records of the three areas concerned, although some supplementation was made through impressionistic statements and specific case-examples.

The 'watchman's' style of policing, found in three of the eight areas, was one in which the Negro, and possibly, 'other identifiable groups' were likely to be over-represented in terms of arrest. The police were more likely to react vigorously suggests Wilson, when the policeman's authority has been challenged. As this seems to be the case more often in Negro encounters, Negroes tend to be discriminated against more often than whites. It is likely, however, suggests Wilson, that these tendencies may be increasingly constrained for the same reasons outlined by Westley (1970) and Skolnick (1967) above. In other words, civil liberty movements and better organisation have given the Negro more political power to resist such treatment. For the time being, however, it is assumed that some discrimination does continue to exist along racial lines.

With the 'service' style of policing, found in two of the eight areas, the police are more concerned with maintaining order rather than enforcing the law. This results, particularly in dominantly middle-class areas, in a considerable amount of leniency shown to high status law-breakers, who were quite happy to have order restored informally rather than formally. Wilson cites an example of a 'peeping-tom', who was an executive of an important local firm, and who was reported to his wife following apprehension rather than taken to the station, presumably as this resulted in the more expedient way of restoring order. The police are expected to, 'treat somebodies differently from nobodies.' (1968 p.222)

The 'legalistic' style, on the other hand, rigorously and formally enforces the law. Three of Wilson's eight communities were of this nature. With this style of policing, '... equality does not depend on attributes of person, but on attributes of behaviour. 'All men are equal before the law' means that the only just distinction that may be made among them are on the basis of their behaviour in areas defined by the law.' (1968 p.188) This was borne out by the observations that during the time of the research no significant difference was found in the treatment of Negro and white offenders.

23. Case-study examples.

Although other authors do make references to specific individual cases, Cicourel (1968) uses this technique of presentation as the major expression of his 'results'. Because of the specificity of these examples, however, the problems experienced by the loose language of the impressionistic statements become further exacerbated. Much of the evidence on racial discrimination by control agencies is presented in three case-studies alone, although Cicourel does supplement to some extent these verbatim case-histories with his contextual analysis.

In the case of the 'Smithfield' example, a young Negro male, Cicourel makes a number of tangential statements which imply that this might be extrapolated to Negroes in general.

Notice that a police officer's interrogation of someone like Smithfield presumes that a male Negro is a basic source of trouble in the community, a generic source of trouble for all agencies of social control, an offender who cannot be trusted, and someone viewed as a prime suspect whenever there are crimes without suspects. Interviews I have observed between officers and lower-income Negro males typically involve direct accusations about the youth's dishonesty, his general style of life, and his defiance and disrespect of authority, as revealed in his posture, speech mannerisms,

demeanor, dress patterns, lack of remorse, seemingly unconcerned view about the consequences of his acts, what could happen to him, and so on. (1968 p.215)

The consequences of this attitude thus become the basis for discriminatory action.

... it is difficult to imagine how the spirit, much less the practice of juvenile court law, could be implemented by agencies of social control when juveniles like Smithfield are handled. The police or probation officer's report, therefore, is not the objective reporting of a detached interview where the object's social standing in the community, his physical appearance, and immediate behaviour (in an extralegal sense) are suspended so that the 'facts' of the case can be discerned and reported. (1968 p.216)

In the case of social class discrimination, the issue is approached more directly by Cicourel. In the spirit of labelling theory, he observes the affect of class on the legal process in terms of the ability of individuals and their families to affect favourably the official definition, and attempted imputation, of the deviant label. This ability was seen to be much more developed in the case of the middle-class suspect, as expressed in two middle-class case-histories, than by the working-class.

The first three cases (working-class) were similar; the families involved would not 'close ranks' and mobilise all possible resources 'to protect' their child from law enforcement officials... (1968 p.243)

When parents challenge police and probation imputations of deviance, when parents can mobilise favourable occupational and household appearances, and when parents directly question law-enforcement evaluations and dispositions, law-enforcement personnel find it difficult (because of their own commitments to appearances - lack of a broken home, 'reasonable parents', 'nice' neighbourhoods etc.) to make a case for criminality in direct confrontation with family resources and a 'rosy' projected future. (1968 p.243)

Cicourel obligingly generalises this example.

I want to argue that Donald's case occurs frequently among middle-class families.
(1968 p.291)

It has to be assumed, however, that unless Cicourel's choice of examples are completely representative of the racial and class community at large, these cases cannot be justifiably generalised. There is no reason, of course, to assume that he intended his research for this purpose, as it seems that 'intuitive insights' rather than 'universal statements' are much more the product of ethnographic methodologies.

24. The results distribution reconsidered

Taking into account the methodological context and the specific research orientation suggests a more complicated distribution of conclusions that at first suggested in Tables 9 and 10. Researches have tended to vary in terms of the independent variable studied; particularly differentiating between those directly concerned with police labelling through observation of apprehension, arrest and disposition outcome decisions, and those only indirectly concerned with police labelling through police conduct, force and violence.

Possibly the most important criticism of all, is that in the majority of these studies, no attempt was made to relate police practices to the nature or seriousness of the offence committed. There seems to be no reason why observation research should not observe the same control mechanisms expected of official data analyses. This would also suggest controls for prior record and the frequently mentioned influence of the complainant.

Unfortunately, only Black and Reiss (1970) and Lundman (1975) utilise specific offence controls, and incidently represent the only two authors to test for the influence of the

complainant, and, not surprisingly, the only two to present the major part of their results in the tabulated form. It is interesting that these two particularly relevant studies to the debate conclude that either no association or only a weak association exists between police labelling and social characteristics. Black and Reiss (1970), it will be remembered, found no police discrimination once the influence of the complainant had been controlled.

It should be noted, however, that by referring to these as the best of the observation studies for testing labelling theory, does not necessarily refer to their more general sociological merits. For example, one of the marginally significant researches for this debate, that of Cicourel (1968), is possibly one of the most highly acclaimed investigations relating the ethnographic methodology to the study of juveniles.

The observation studies referred to here are specifically significant in the degree to which they relate to the testing of labelling theory, and as such, need to be ranked in accordance with their merits for this purpose. Although it is not intended that the initial distribution shown on Tables 9 and 10 need to be changed, the significance of these conclusions require elaboration.

Only marginal support was forthcoming favouring an association between social class and discriminatory practices. One of the tabulated studies was directed towards this problem, that of Lundman (1975), and failed to find any association between police arrest rates and white and blue-collar workers. The impressionistic statement conclusions were once again divided, with Wilson (1968) finding some class discrimination in 'service' styled police departments. This, however, comprised only two of the eight areas studied with three of the areas

characterised as 'legalistic' showing no such association. Werthman (1967) does not directly confront the social class issue at all, even though his 'results' appear to be strongly class related. In the absence of a substantive statement to this effect, the suggestion of some class relationship can only be implied. Reiss (1971) finds some class relationship, although this is again concerned with police conduct and directed towards class-related demeanour rather than more general class characteristics. Cicourel (1968) presents an informative account relating individual social status to ability to negotiate the deviant label, although again this was only the selected result of a few specific statements and examples.

Assessing the distribution in terms of racial discrimination, suggests a slight emphasis in the direction of a non-white association. The basis for these conclusions, however, tend to be generally weak. Comparing studies by methodological technique, shows that the two tabulated studies of Black and Reiss (1970) and Lundman (1975) provide dissimilar conclusions. It is not until the wishes of the complainant are controlled that they tend to concur in the direction of favouring no clear police discrimination. The impressionistic conclusions, on the other hand, suggest a three-to-two balance favouring some association, although Piliavin and Briar (1964) and Werthman and Piliavin (1967) consider this only peripherally to their main research and offer only a limited number of statements relevant to this issue. Wilson (1968) clearly suggests some racial discrimination in three of the eight communities studied, although implies that this might be reducing due to the greater political power attributed to the Negro through the last decade of civil liberty movements. Further, Wilson considers that no such association is likely in 'legalistic' styled police

departments. The researches of Westley (1970) and Reiss (1971) similarly contradict one another, but relate not so much to police disposition decisions, but to police conduct. The final study of Cicourel (1968) refers mainly to case-study examples and suggests some racial discrimination, although this is done indirectly through these specific examples and only superficially confronts this issue in the text.

Thus, although there are marginally more references implying some racial discrimination by the police, observation studies so far analysed have failed to approach this problem with the same degree of rigour as official data studies. The lack of categorical statements and the continued existence of competing and contradictory conclusions, plus the recurring references throughout these studies to the increasing influence of civil liberty movements, suggests at least that police discrimination in terms of racial characteristics is nowhere nearly as rampant as many theoretical writings have suggested.

25. Research and labelling theory: Concluding comment.

Hypotheses One to Four were presented in the null form and anticipated no independent effect of either class, race, age, or sex on official disposition outcome, as a means of challenging the propositions extracted from the writings of labelling theorists. Official data and observation researches have generally failed to offer a definitive conclusion on this issue, although certain tendencies have been suggested.

If the two research techniques are combined, albeit rather crudely, it can be seen that for police-juvenile encounters, four studies generally favour the view of some social status association with police treatment, and one no association.

With respect to racial characteristics, the results are much more strongly located, with a total of ten researches concluding some racial discrimination in terms of police processing compared to two concluding no such association. The influence of age and sex, it will be remembered, was excluded from the analysis of observation studies because of the infrequency of references to these influences. Only three official data studies refer to age with two of these favouring some association with disposition and only two refer to sex with both favouring no association.

The combination of official data and observation techniques suggests that the labelling proposition relating disposition and social factors is most strongly supported in terms of racial characteristics, although even then the association is usually rather weak and has not as yet been shown to be more influential in predicting disposition outcome than the seriousness of the offence committed.

From the analysis of two different research methods, the issue of official labelling and its relation to social characteristics still remains uncertain. Contradiction appears to be the general theme, yet along with this goes an underlying tendency to generally favour slightly some association between social factors and labelling. Possibly some of the contradiction in results could be eliminated if it is assumed that labelling theory is regionally specific; sometimes supported and sometimes rejected, although it is not difficult to feel that serious methodological inadequacies exist for many of these researches which serve to undermine the validity of some of these conclusions. It is with this underlying doubt in mind that the third related research technique is considered in the next chapter of self-report analysis as a credibility

check on these results through the investigation of the epidemiology of juvenile crime.

CHAPTER THREE

THE EPIDEMIOLOGY OF JUVENILE CRIME:

SELF-REPORT STUDIES

1. Self-report studies

Combining the results and insights of both official data and observation investigations has provided only tentative and often questionable evidence from which to evaluate Hypotheses One to Four. Generally, the study conclusions have tended to offer some support for labelling theory, although this was rarely substantial or without contradiction. An alternative method by which the validity of these results may be assessed is to incorporate the findings of self-report analysis. If it is possible to discover the 'actual' population of offenders, through self-reported admissions to criminal activity, then this may be compared to the official sample of offenders selected for processing. Assuming, for example, that the distribution of all admitted offences was fairly evenly divided in terms of the offender's class, race, age, and sex, then the precepts of labelling theory might be more reasonably supported. The tendency for the official distribution of offenders to be possibly over-represented in terms of these characteristics would, therefore, be at variance with the population of 'actual' offenders. If, on the other hand, the distribution of all admitted offences was over-represented around these social characteristics in a similar manner as the official distribution of offenders, then the principles of labelling theory would be more open to question. The selected population would be congruent with the 'actual' population and thus requiring little further explanation as to why certain types of offender tend to dominate official statistics.

The method of presentation in Chapter Two was to balance the authors' general conclusions regarding the association or lack of association between class, race, age, and sex, and official disposition. Invariably this involved some studies

supporting one conclusion and a greater or lesser number of studies supporting the other conclusion. It was assumed that the larger the difference between those studies favouring one conclusion compared to the other, the more likely that conclusion may be indicative of the general trend of official treatment. The validity of such an assumption is of course open to question, although was the only one possible given the paucity of research in this area. The same technique may be similarly applied to the analysis of self-report investigations, such that the official and 'actual' distribution of offenders might be compared. If the conclusions of official data and observation researches more strongly favoured some association between social characteristics and official labelling, as in the case of race for example with a ten-to-two balance of conclusions favouring this result, and the self-report distribution of conclusions supported more strongly the conclusion that on average the racial factor was not related to self-admitted delinquency, then the view of the labelling theorists might be strengthened. If, on the other hand, either of the reverse situations occurred that is, if the official data and observation results more strongly supported the view of no association between social factors and disposition (e.g. age and sex), or that self-report analyses more often concluded that the distribution of admitted delinquency was in fact biased around class, race, age, and sex characteristics, then support for labelling theory would be weakened.

The following therefore, is an analysis of the methods and findings of self-report investigations with the view of locating the 'actual' population of juvenile offenders and comparing this to the findings of official data and observation researches.

2. General developments

The technique of investigating admissions to criminal activity as a means of revealing 'real' crime rates, as opposed to 'detected' crime rates, has somewhat later origins than official data analysis. Early report studies were primarily interested in the fact that not all individuals guilty of an offence were successfully processed through the legal system. Robinson (1936), for example, published findings to the effect that less than two-thirds of criminal offences brought to the attention of agencies in New York, ever reached a court hearing. Porterfield (1943) in a comparison of college students and delinquents, found that all the students had committed offences which could easily have sent them to court, and an investigation of 114 boys by Murphy (1946) concluded that although 101 of them had admitted being guilty of a criminal offence, only 40 had ever been to court.

If many more offences were committed than detected, and subsequently recorded, it seemed possible at least that the social distribution of infractious behaviour might be at variance to that officially known. One of the first studies to test for the social character of reported criminal activity was the now classic work of Nye, Short, and Olson (1958). Comparing a population of official delinquents from a State Training School, with an ordinary school population, they discovered that, although fifty percent of the incarcerated youths were from the lowest socio-economic levels, in the school population lower and upper status youths admitted fairly equal quantities of deviant behaviour. They thus concluded, 'A disproportionate number of official delinquents come from the lower socio-economic categories.' (1958 p.381). It was

possibly this finding that was to be the catalyst of the rapid increase in self-report methods in the analysis of the social distribution of criminal behaviour.

Soon after this came a number of self-report studies largely substantiating the findings of Nye and Short. Dentler and Monroe (1961), concentrated their analysis on one offence, theft, and investigated a number of independent variables, including, father's occupation and education, age and sex. They concluded, 'Following Nye... (we) found what he found: no association between occupational level and deviance.' Empey and Erickson (1966) similarly discovered little association between class and reported delinquency.

One of the first studies to contradict the Nye and Short findings was by Clark and Wenninger (1962), who concluded that although no significant association could be observed within areas of specific socio-economic types, substantial association could be found between these areas. Reiss and Rhodes (1961), on the other hand, quite categorically stated that, in general, the low status boy and the low status area showed a greater predisposition towards delinquent behaviour.

A similar situation was occurring for the other social factors. Dentler and Monroe (1961), one of the early investigations to analyse age and sex, showed a strong association towards delinquency for both of these characteristics; which was confirmed by Akers (1964) for sex, and Elmhorn (1965) and Hardt (1968) for age. On the other hand, contradictory results were presented by Voss (1963) for sex, and Casparis (1973) for age. Race was considered an associated factor to delinquency by Hardt (1968) and Williams (1972); whereas no such association was found by Gold (1966) and Gould (1968).

The position remains, therefore, surprisingly similar to that for official data analysis, in that studies appear to contradict one another.

3. The provisional distribution of study conclusions

The same method of presentation used for official data and observation researches may be repeated for self-report investigations, in that the authors' general conclusions are tabulated in terms of falling into one of a number of categories. Although innumerable articles have been published relating to the self-report technique, so far only twenty-one studies have been located which directly bear on the problem of the social distribution of admitted delinquency. The representativeness of this sample is, of course, open to the same doubts and uncertainties as was the case for official data and observation researches, although it is once again felt that the majority of the most important and most discussed investigations are contained here.

Tables 1 to 4 represent the provisional distribution of conclusions to date for the characteristics class, race, age, and sex. A brief over-view of these tables suggests, as might have been expected, that a variety of conclusions exist for each of these social factors. The distribution for class and race and delinquency seems to be much more problematic than that for age and sex. Six of the class-related investigations conclude that there is an inverse relationship between class and admitted delinquency, seven conclude that there is no association, and three conclude that there is a positive relationship. Four of the researches concerned with race and delinquency conclude that non-white youths are more delinquent, two that there is no association, and one concluding that

Table 1.

GENERAL CONCLUSIONS REGARDING THE ASSOCIATION
BETWEEN SOCIO-ECONOMIC STATUS AND REPORTED DELINQUENCY

LOW S.E.S.			HIGH S.E.S.	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
Hardt '68	Gold '66	Nye '58	Christie '65	
Belson '75	Clark '62	Dentler '61	Williams '72	
	Reiss '61	Casparis '73	Voss '66	
	McDonald '69	Empey '66		
		Arnold '65		
		Akers '64		
		Hirschi '69		

Table 2.

GENERAL CONCLUSIONS REGARDING THE ASSOCIATION BETWEEN
RACE AND REPORTED DELINQUENCY

NON-WHITE			WHITE	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
Hardt '68		Gould '68		Voss '63
Williams '72		Gold '66		
Forslund '75				
Jensen '76				

white youths are the more delinquent. The distribution of conclusions for age and sex characteristics are much more in agreement with five of six investigations, in both instances, concluding that there is some association to delinquency.

In many ways, however, these studies are not really comparable. Other than the simple research inadequacies, which will be discussed later, there exists a fundamental problem concerning the manner in which 'delinquency' is defined.

Table 3.

GENERAL CONCLUSIONS REGARDING THE ASSOCIATION BETWEEN
AGE AND REPORTED DELINQUENCY

OLD*			YOUNG*	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
	Dentler '61	Casparis '73		
	Williams '72			
	Elmhorn '65			
	Belson '75			
	Hardt '68			

(*Considered relatively)¹

Table 4.

GENERAL CONCLUSIONS REGARDING THE ASSOCIATION BETWEEN
SEX AND REPORTED DELINQUENCY

BOY			GIRL	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
	Dentler '61	Voss '63		
	Gold '66			
	Akers '64			
	Williams '72			
	Jensen '76			

a. Interpretations of delinquency

A particularly relevant feature of the distribution indicated, is the variability of methods of measuring 'delinquency'. From the analysis, three different methods have been used for this purpose; admissions to one or more delinquent acts, admissions to serious delinquent acts, and admissions to the frequent commission of delinquent acts. In other words, Tables 1

to 4 represent the distribution of authors' conclusions as to whether certain social factors were, or were not, associated with 'delinquency', which could have been defined in any, or any combination of, these three ways. Hardt (1968), for example, considers juveniles from lower-class areas more delinquent than middle-class areas, because they more frequently admit committing certain offences. (1968 p.137) Akers (1964), on the other hand, considers that there is no association between class and delinquency by referring to significant differences in the percentage of total admissions to the commission of one or more offences contained in the checklist items.

Most studies, however, refer to more than one technique although the combination of these methods does not particularly lead to any degree of clarity as to what constitutes the notion of 'delinquency' from which these investigations might be compared.

b. Back to the data

The following is an attempt to look back through the author's conclusion to the data, with the view of not only revealing the particular definition of delinquency used, but also to provide a useful 'degree' of delinquency control. Through this, it may be discovered whether social factors are related, or not, to the commission of, one delinquent offence, to serious delinquent offences, or to many delinquent offences.

Because of the importance of this distinction, the initial motivation to clarify the study author's definition of delinquency has been in part superseded by the obvious need to establish a 'degree' of delinquency control, and as such, each of these three methods of presentation will be calculated from the published research data, where possible, even if they have

not been specifically referred to in the text. The results of this manipulation are illustrated in the following twelve tables contained in their respective sections concerning the four social characteristics; class, race, age, and sex. The calculations used to extract these data are outlined in full in the notes.²

4. Data versus the text

There are two main forms of data presentation used in self-report investigations; the simple percentage number of individuals admitting to one, to serious, or to frequent offence commissions, or the number of statistically significant differences in association discernable, over a range of offence types, between these admissions and the specific characteristic in question. The following tables express both these forms of presentation under the one table heading.

a. Socio-economic status

Tables 5,6, and 7 indicate the distribution of results as presented, or calculated, from the research data relating various degrees of delinquency with socio-economic status.

Combining the results of these three tables, and considering first the most supported category of no association between class and delinquency, the results of Nye (1958), Casparis (1973), Arnold (1965) and Hirschi (1969) seem justifiable from the data given. Some variations occur, however, for the remaining authors, once the seriousness and frequency controls are taken into consideration.

Dentler and Monroe (1961) fail to detect any overall difference between social status admissions. Controlling for the most frequent offender does, however, reveal some

Table 5.

REPORTED OFFENCE COMMISSION AND SOCIO-ECONOMIC STATUS:

ONE, OR MORE OFFENCE ADMISSIONS

(Percentages, or number of significant associations)

	LOW S.E.S.	NO ASSN.	HIGH S.E.S.	
Reiss '61	61%		13%	
Dentler '61	39%		41%	
Hirschi '69	44%		43%	
McDonald '69	19	23	1	
Clark '62	5	19	11	
Casparis '73	3	16	2	
Empey '66	5	17	0	
Nye '58	5	119	2	
Akers '64	0	41	0	
Christie* '65	7.5		8.9	*mean crime points

Table 6.

REPORTED OFFENCE COMMISSION AND SOCIO-ECONOMIC STATUS:

CONTROLLING OFFENCE SERIOUSNESS

(Percentages, or number of significant associations)

OFFENCE	LEAST SERIOUS			MOST SERIOUS	
	LOW	HIGH	NO ASSN.	LOW	HIGH
S.E.S					
Belson '75	90%	85%		9%	1.4%
Akers '64	47%	49%		13%	7%
Empey '66				5%	23%
Reiss '61	52%	10%		9%	3%
Gold '66	20%	39%		40%	11%
Williams '72	68%	46%		32%	54%
Arnold '65				30%	37%
Voss '66				12%	15%
Clark '62	2	9	19	3	2
McDonald '69	11	0	23	8	1
Casparis '73	3	1	16	0	1
Nye '58	3	0	119	2	2

Table 7.

REPORTED OFFENCE COMMISSION AND SOCIO-ECONOMIC STATUS:

CONTROLLING FREQUENCY OF OFFENCE COMMISSION

(Percentages, or number of significant associations)

FREQUENCY	LEAST FREQUENT			MOST FREQUENT	
	LOW	HIGH	NO ASSN.	LOW	HIGH
S.E.S.					
Belson '75	18%	28%		23%	14%
Dentler '61	30%	37%		9.2%	4.5%
Hardt '68	46%	50%		20%	16%
Voss '66	71%	60%		29%	40%
Gold '66	8%	35%		36%	11%
Hirschi '69	23%	26%		20%	17%
Nye '58			487	9	8
Akers '64			7	0	0
McDonald '69			34	8	0

class association. (Table 7. 9.2% Low S.E.S., 4.5% High S.E.S., for most frequent offenders.) Accepting that the percentage difference is small, it remains that more than twice as many low social status youths admit frequent offence commissions than do high status youths, and that this association is statistically significant. ($P < .05$)

Similarly, Empey (1966) finds no significant association for overall admissions, yet, controlling for offence seriousness reveals a substantial difference for most serious offences. (Table 6. 5% Low S.E.S., 23% High S.E.S., for most serious offenders)

Akers (1964), on the other hand, failed to discover any significant association for total offence commissions. If the least serious and most serious offence categories are compared (see notes) a slight variation becomes apparent in the direction of a negative association. (Table 6. Low S.E.S 13%,

High S.E.S. 7%, for most serious offences) If the four most serious and the four least serious offences are averaged and compared, a similar trend occurs, although on this occasion the difference is not significant.

Conducting the same type of analysis for those studies showing a provisional negative association between delinquency and socio-economic status, both Gold (1966) and Reiss (1961) appear to make compatible conclusions to their results. Hardt's results (1968), however, appear to make his position even weaker than suggested, if the race of the offender is controlled. Doing this reveals only a marginal association which applies to older boys only.

Belson (1975) concludes, along with Hardt (1968), that only a weak negative association exists, although the consistency of this finding for both frequent offenders and serious offenders suggests a possibly stronger conclusion. (Table 6. 9% Low S.E.S., 1.4% High S.E.S. for most serious offences)

Clark and Wenninger's (1962) confusion of racial factors, strongly affect their conclusions. Controlling for race by comparing white areas, reveals only a slight association, and, if anything, in the reverse direction to the dominant conclusion offered.

McDonald (1969) similarly claims a strong negative association in her conclusions (1969 p.98) and states, 'There are differences between the social classes in rates of admitted delinquency, measured several ways, consistently showing higher rates on the part of the working class boys.' Yet only nine of the possible forty-two relationships were significant for most serious offences, and eight for most frequent offenders. (All but one showing a negative association) It seems the impetus for her statements derive almost solely from what now

seems to be a disproportionate reporting of minor offences by working-class boys, and thus not particularly meaningful if discussing stronger definitions of delinquency.

For studies concluding a positive relationship between admissions and delinquent behaviour, no obvious disparities appear to exist between what is stated in the text and the tabulated results.

Assimilating the preferences of Bytheway and May (1971) for the investigation of the 'facts' rather than the textual comments, it is considered here that the distribution of self-report studies should be reformed to incorporate a more substantial definition of delinquency, which gives greater weight to the influence of serious and frequent offence admissions, than to single or minor offence admissions. The proposed revised distribution of conclusions is thus shown below in Table 8.

Table 8.

REVISED CONCLUSIONS REGARDING THE ASSOCIATION BETWEEN
SOCIO-ECONOMIC STATUS AND REPORTED DELINQUENCY

LOW S.E.S.			HIGH S.E.S.	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
Hardt '68	Gold '66	Nye '58	Christie '65	Empey '66
McDonald '69	Reiss '61	Casparis '73	Williams '72	
Dentler '61	Belson '75	Arnold '65	Voss '66	
Akers '64		Hirschi '69		
		Clark '62		

This move has altered the balance slightly in the direction of favouring the possibility of some negative correlation (Comparing Table 1 and Table 8), between social class

and reported delinquency, at the expense of those conclusions suggesting no association.

b. Race

Treating the racial factor in the same manner as socio-economic status, and giving preference to the notion of delinquency based on the most serious and most frequent admissions, strongly re-shapes the original distribution of conclusions.

Table 9.

REPORTED OFFENCE COMMISSION AND RACE:

ONE, OR MORE OFFENCE ADMISSIONS

(Number of significant associations)

	NON-WHITE	NO ASSN.	WHITE
Forslund '75	5	22	2

Considering first those studies originally categorised as indicating no association, Gold (1966) appears to more strongly suggest some association between most frequent offence admissions and race. This, however, was largely the result of the non-white sample being skewed towards the lower socio-economic categories. Controlling for social class makes the result more compatible with the original 'no association' conclusion. Gould's finding (1968) of no delinquent association with race was also generally supported by the data.

Studies favouring a weak association between race and delinquency are compatible with the data for Williams (1972), and Jensen (1976), although some discrepancies exist for Forslund's investigation (1975). In order to improve study comparability other variables had to be standardised, and thus,

Table 10.

REPORTED OFFENCE COMMISSION AND RACE:

CONTROLLING OFFENCE SERIOUSNESS

(Percentages, or number of significant associations)

OFFENCE	LEAST SERIOUS		MOST SERIOUS	
RACE	NON-WHITE	WHITE	NON-WHITE	WHITE
Jensen '76	(Negro) 47%	53%	(Negro) 12%	6%
Gold '66	(Negro) 27%	33%	(Negro) 25%	21%
Williams '72	(Negro) 47%	58%	(Negro) 53%	42%
Forslund '75	(Am. Indian) 5	2	(Am. Indian) 0	0

where possible sex has been controlled by referring to male racial differences only. Forslund finds no significant association between race and delinquency for male respondents, although sixteen of the twenty-nine comparisons for females were significant. It has been decided, therefore, to continue the sex control and categorise Forslund as indicating a finding of no association between race and delinquency.

Hardt (1968), on the other hand, only tentatively suggests some association between delinquency rates and racially different areas, yet offers relatively strong evidence to support it. Because of this the study has been reclassified as suggesting a strong association between race and reported delinquent behaviour.

The final author in this group, Voss (1963), offers quite a wide range of variation for the six racial categories investigated. The three selected here for comparison show

Table 11.

REPORTED OFFENCE COMMISSION AND RACE:
CONTROLLING FREQUENCY OF OFFENCE COMMISSION
 (Percentages)

FREQUENCY	LEAST FREQUENT		MOST FREQUENT	
RACE	NON-WHITE	WHITE	NON-WHITE	WHITE
Hardt '68	(Negro) 41%	46%	(Negro) 34%	19%
Gold '66	(Negro) 13%	22%	(Negro) 26%	18%
Williams '72	(Negro) 38%	36%	(Negro) 62%	64%
Gould '68	(Negro) 47%	41%	(Negro) 10%	12.5%
Voss '63	(Jap.) 73%	60%	(Jap.) 27%	44%
Voss '63	(Chins.) 54%	60%	(Chins.) 46%	44%
Gould '68	(Oriental) 47%	41%	(Oriental) 13%	12.5%

conflicting results. Comparing Caucasians to Chinese suggests a similar amount of reporting for most frequent admissions, and thus no racial association. Comparing Caucasians to Japanese, on the other hand, shows a relatively strong association. It is for this reason, therefore, that the findings of Voss (1963) have been divided into two comparison groups.

The rearranged distribution for race, giving, as suggested, greater weight to the results of admissions to serious and frequent offence commissions, is indicated below in Table 12.

Table 12.

REVISED CONCLUSIONS REGARDING THE ASSOCIATION BETWEEN RACE
AND REPORTED DELINQUENCY

NON-WHITE			WHITE	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
Williams '72	Hardt '68	Gould '68		Voss '63 (Jap.)
Jensen '76		Gold '66		
		Forslund '75		
		Voss '63 (Chins.)		

c. Age

In the same way that socio-economic status and race were both contentious and problematic, both age and sex appear relatively consistent in terms of data and conclusions drawn. All but one of the studies described in Table 3. conclude a strong positive association between offence reportage and the juvenile's age.

Table 13.

REPORTED OFFENCE COMMISSION AND AGE:

ONE, OR MORE OFFENCE ADMISSIONS

(Percentages, or number of significant associations)

	OLD	NO ASSN.	YOUNG	
Dentler '61	51%		36%	
Casparis '73	1	36	2	
Elmhorn* '65	39.2		9.0	*Index

Table 14.

REPORTED OFFENCE COMMISSION AND AGE:

CONTROLLING OFFENCE SERIOUSNESS

(Percentages, or number of significant associations)

OFFENCE	LEAST SERIOUS		MOST SERIOUS	
	OLD	YOUNG	OLD	YOUNG
Belson '75	90%	84%	8.4%	3.4%
Williams '72	58%	72%	42%	28%
Casparis '73	1	1	0	1
Elmhorn*'65			5.9	1.0 *Index

Table 15.

REPORTED OFFENCE COMMISSION AND AGE:

CONTROLLING FREQUENCY OF OFFENCE COMMISSION

(Percentages)

FREQUENCY	LEAST FREQUENT		MOST FREQUENT	
	OLD	YOUNG	OLD	YOUNG
Belson '75	17%	36%	35%	12%
Dentler '61	37%	29%	14%	6%
Hardt '68	40%	57%	23%	12%
Williams '72	41%	59%	59%	41%

Nothing from Tables 13 to 15 seems to challenge this conclusion. The distribution is therefore suggested as remaining in its original form as shown in Table 3.

d. Sex.

The situation for sex and its association to delinquency, again appears much less problematic than that of social status and race. Comparing Tables 17 and 18, shows, with only the one exception, (Voss 1963), a consistent and strong relationship between boys and more serious and more frequent offence admissions. The distribution described in Table 4, therefore, remains unaltered.

Table 16.

REPORTED OFFENCE COMMISSION AND SEX:
ONE, OR MORE OFFENCE ADMISSIONS
(Percentages)

	BOYS	NO ASSN.	GIRLS
Dentler '61	55%		30%

Table 17.

REPORTED OFFENCE COMMISSION AND SEX:
CONTROLLING OFFENCE SERIOUSNESS
(Percentages)

OFFENCE	LEAST SERIOUS		MOST SERIOUS	
	BOY	GIRL	BOY	GIRL
Jensen '76	53%	31%	6%	1%
Akers '64	48%	45%	20%	3%
Gold '66	33%	70%	21%	2%
Williams '72	57%	77%	43%	23%

Table 18.

REPORTED OFFENCE COMMISSION AND SEX:
CONTROLLING FREQUENCY OF OFFENCE COMMISSION
 (Percentages)

FREQUENCY	LEAST FREQUENT		MOST FREQUENT	
SEX	BOY	GIRL	BOY	GIRL
Voss '63	56%	50%	44%	50%
Dentler '61	43%	25%	12%	5%
Gold '66	22%	41%	18%	2%
Williams '72	35%	68%	65%	32%

5. Methodological problems

So far the results of the various publications have been manipulated with little regard for the processes by which they were generated. In other words, the data has been taken in 'good faith'. It is now necessary to question these methods in order that it may be ascertained the extent to which the distribution of studies are grounded in methodologically adequate research. This is a particularly relevant point for this type of analysis, considering the wealth of criticism that has recently been lodged against self-report techniques.

The following section is designed, therefore, to illuminate the most important of these criticisms, in order that the relative strengths and weaknesses of the various studies may be assessed. The distribution of conclusions pertaining to each of the social factors can thus be compared using only the better self-report analyses.

6. Validity of response

a. General problems of self-report studies

Although many of the criticisms regarding the validity of results obtained through reporting techniques are related to specific studies only, certain general problems apply to all of them. One of the most damaging criticisms requires relatively little imagination to generate; quite simply the respondent might not be telling the truth. The strength of any statement concerning the 'real' behaviour of adolescents, rests on the juveniles' willingness to supply the sociologist, or research worker, with a complete catalogue of incriminating offences. The situation thus arises as exemplified by Gold (1966) in a statement made by a respondent who considered that the interviewer would have, '... enough on me to send me up for thirty years.' (1966 p.32) It seems hardly feasible that a youth at the most suspicious of ages is willing to reveal criminal activities to an unknown person for no more of a reason than the fact that he would be doing him a favour. What seems more likely is that some youths will tell the interviewer the truth and co-operate, while others will not; which profoundly confuses the issue.

The debate concerning honesty in self-report literature has usually been presented in two categories; that of under-reporting (concealment) and of over-reporting (exaggeration).

i. Under-reporting offences

The biggest problem associated with under-reporting, is not so much concealment per se, but the variations that might occur in concealment patterns. Gold (1966) expresses this problem when he states:

We did not know what proportion of our sample would conceal offences; we did not know whether concealment would vary with factors like social status, race, and sex; and we did not know whether certain offences would be concealed more often than others. (1966 p.32)

Gold concludes from this research that over 17% of his sample could be regarded as 'concealers', and 11% at least as 'questionables'. It was also found that concealment patterns did vary, particularly with the type of offence committed. Males predominately concealed 'breaking and entering', and girls most frequently concealed 'fornication' and 'theft'.

Of particular concern is the possibility that under-reporting may be associated with social factors. Box (1971), for example, discusses some contemporary viewpoints to this effect which state, he suggests, that the working-class youth is more likely to be a concealer than the middle-class youth, on the grounds that he will tend to mistrust the middle-class researcher, and fear punishment through double-dealing. The middle-class individual, on the other hand, will identify with the researcher, feel less suspicious, and respond generally more honestly. (From Box 1971 p.72)

ii. Over-reporting offences

In many ways, exaggeration is more of a problem to the researcher than concealment, because it cannot so easily be detected or checked by conventional validity control techniques. Along with this, however, remains the same problem as before concerning the social distribution of over-representation. It could be argued, for instance, that the working-class youth might have a greater desire to display signs of masculinity and courage through exaggeration and boasting, and thus, once again distort the distribution of 'actual' criminal activities. Explanations of this type, nevertheless, are hypothetical

such that the exact distribution of both concealment and exaggeration must remain for the time being as unknown.

iii. Detected act admission

The debate over concealment and exaggeration has the accompanying problem of the relationship between detected and reported offences. Farrington (1973), for example, considers that it seems more likely for individuals to admit to offences for which they had already been caught.

... official delinquents were particularly likely to admit the offences for which they had been convicted. However, this high admission rate may not apply to deviant acts which have escaped detection; for acts might become particularly memorable if they result in court appearance. (1973 p.102)

Alternatively, it could be considered that there is nothing to lose admitting offences for which the individual has already been caught.

b. Problems related to the form of the questionnaire

Self-report methodologies generally use one of two techniques of gathering research data; the anonymous questionnaire, and the personal interview. Both these methods require the respondent to answer a series of set questions concerning the individual's behaviour. This introduces the second major problem of question interpretation.

i. Difficulties of interpretation

Part of the problem of interpretation arises from the presentation of the offence act in the questionnaire, or, as read by the interviewer. Sometimes the item is left in a particularly ambiguous form. For example, Blackmore (1974) makes the point that if the question reads, 'Taking an unknown person's car or motor bike for joy-riding', does this also include scooters or mopeds? An example of this problem is illustrated by Clark and Tiffit (1967) who found that a number of replies

for some offences were incomplete because of the difficulty the respondent had found in interpreting the act. In a footnote, the author's comment, 'Percentages do not add to 100% because of inaccuracies arising from respondents misunderstanding the meaning of the item.' (1967 p.518) As this consistently occurred for only a few offences, it seems more likely that the error was more an expression of the question itself, than of the interpretational abilities of the juvenile. For example, the item, 'Had in my possession pictures, books, or other materials which were obviously obscene, and prepared to arouse someone sexually', apparently baffled nearly one third of the respondents completing the questionnaire.

The same type of problem arises with the instruction notation. If the respondent is requested to reply in the form of 'often', 'seldom', or 'never', variations may once again occur through differences in interpretation. As Farrington (1973) suggests, '... objectively, the same number may be rated 'seldom' by one person and 'often' by another.' (1973 p.100)

ii. Difficulties of definition

The difficulties of definition arise not so much on how the item is understood on reading, but on the personal definition assigned to the act by the individual. Quite simply, one person's definition of an offence might be quite different to that of another. Self-report studies thus become faced with differentiating what Gould (1968) describes as 'perceived' rather than 'actual' delinquency.

This is by no means an academic quibble, as Gold (1966) points out after supplementary probing of responses by the

interviewer.

Indeed, our subsequent analysis of data shows, for example, that half of the acts of property destruction, one fourth of the confidence games, and one fifth of the personal assaults to which our sample initially admitted, could not conceivably be called chargeable offences. (1966 p.30)

In a check for exaggeration, Gold discovered that the degree of distortion, brought about by variations in definition, can be quite considerable.

... some concealed weapons turned out to be Boy Scout pocket knives; some gang fights were nothing more than minor playground scuffles; some instances of auto-theft were only quick spins around the block in the family car. (1966 p.34)

iii. Summary

Unlike the general problems, which might be considered intrinsic to self-report analysis, the problem of interpretation can vary with the quality of the specific research study. The issue of interpretation can best be assessed, therefore, through the individual investigation of the studies involved; favouring, of course, those expressing clarity and simplicity of offence presentation. The second issue of offence definition seems to be the more effectively controlled through the use of the personal interview technique, as opposed to the self-administered questionnaire. Although the anonymity of the latter may encourage individual responses, the quality of these responses may best be controlled through the more detailed enquiries of the personal interview. It is not suggested here that the anonymous questionnaire is to be considered of no value, only that some preference does seem appropriate for the personal interview method of investigation.

c. Problems related to the construction of the questionnaire

The questionnaire structure is possibly one of the most criticised elements of the self-report technique, and also,

one of the most variable.

i. Over-representation of minor offences.

One of the most striking aspects of the items included in many of these questionnaires, both personal and anonymous, is the relatively low seriousness of the offences presented. It is not uncommon to include such activities as, 'Defying parent's authority,' (Gould 1968), 'Had a fist-fight with another person,' (Voss 1966), or, 'Used swearwords or dirty words out loud in school, church, or in the street, so other people could hear me' (Clark 1962). Considering that almost every child is guilty of these 'offences', (Gibson 1970), it is not surprising that a number of studies have tended to emphasise the absence of behavioural differences between social classes.

Some items such as 'letting off fireworks in the street', or 'riding a bicycle without lights after dark', ... were endorsed by a substantial majority of both delinquents and non-delinquents. (1970 p.278)

As opposed to including behaviour which may have some form of official counter-part, many studies have emphasised what Voss (1966) refers to as 'nuisance offences', or as Box (1971) calls simply 'bad manners'.

It seems, therefore, that to make any meaningful contribution to the problem of the epidemiology of juvenile delinquency, self-report investigations must largely direct their attentions towards delinquent activities which are, at least, offences against the law.

ii. Over-representation of class-specific offences

The notion that some crimes are more associated with, and more frequently committed by, one social class as opposed to another, is not without adherents. Vaz (1966), for example, suggests that middle-class delinquency is 'sociable' in quality, where Stinchcombe (1963) emphasises its more private

nature.

Box (1971) offers a speculative assessment of the relationship between social class and specific offences.

... it is certainly known that some offences are more typically committed by one social class. Thus, 'breaking and entering' is more frequently a working class offence, whilst embezzlement is more typically a middle class offence. Property damage is more typical of the working class, whilst car theft or joy-riding, is more common among the middle class. (1971 p.81)

Whether this is, in fact, the case, it is certainly worth noting his advice when he suggests:

Unless care is taken in the selection of items in a self-report schedule, it is possible that it will include a disproportionate number of offences more typically committed by one group rather than another. (1971 p.81)

A number of self-report studies have directly contributed to this analysis by comparing the relationship between class and type of offence. Empey and Erickson (1966), for example, suggest that middle-class delinquents were more likely to commit acts of forgery, theft, and property violation, where working-class delinquents were more likely to be involved in alcohol and drug offences, driving offences, and assault. (1966 p.552)

The absence of any obvious similarity between these accounts by the various authors, indicates that the exact relationship between offence type and social class, is by no means clear. The fact that some relationship does seem at least plausible, however, encourages the need for some attention to be paid to the offence items chosen for the questionnaire. Perhaps an omnibus approach might prove the least problematic, by including as wide a range of acts as possible. If this view is taken, then the reliability of studies using only a small number of offence items, becomes questionable.

iii. Summary

Questionnaire construction is, therefore, of critical importance to the validity of the type of results that can be attained using self-report analysis. In terms of method quality, it seems that some preference should be given to those studies including relatively serious offences, at least capable of invoking some form of official reaction. The problem of class representation is more difficult to resolve, although it may be alleviated somewhat if a wide range of behaviour is included in the questionnaire design; which necessarily involves a fairly large number of offence items.

7. Regional variations

In the same way that the specific study methodology affects the validity of its conclusions, so too does the type of area in which the research is conducted. It seems possible, at least, that the kind of area investigated is related to the kind of conclusions that might arise from the investigation. Clark and Wenninger (1962), for example, suggests:

This apparent discrepancy in the literature can be resolved, however, if one hypothesises that the rates of illegal conduct among social classes vary with the type of community in which they are found. Were this so, it could be possible for studies which have included certain types of community to reveal differential illegal behaviour rates among social classes while studies which have involved other types of communities might fail to detect social class differences.
(1962 p.827)

If this were the case, it would seriously undermine the value of some studies. So far, two important area variations have been considered in the research literature.

a. Area size

A number of self-report studies have been conducted in relatively small, rural areas; but as Clark and Wenninger (1962)

point out, most theories and problems relating to delinquency, have been directed towards large, metropolitan areas. Without wishing to anticipate the next problem of class-structure, it seems unlikely that rural and small urban areas will contain the more usual urban social structure to test for social class relationships. As Clark and Wenninger comment:

Perhaps, it is only here (metropolitan areas), that there is a sufficient concentration of those in the extreme social-economic classes to afford an adequate test of the 'social class' hypothesis. (1962 p.827)

Although these comments are specifically related to class characteristics, the same conditions might exist for other social factors. It does seem, however, that the class consideration is the most important. As Box (1971) suggests:

... it could be argued that, in farm or small-town areas, class stratification differences are so poorly developed that not much inter-class behaviour differences would be expected. (1971 p. 83)

b. Class-structure

The class-structure of an area is, of course, connected in part to the area size; although some independent influences do seem noticeable. Harry (1974), for example, explains:

The diversity of findings on the class-delinquency relationship stems from the variety of different communities or areas studied. I suggest that it is the variation between communities in class differences and in inter-class social contacts which may be determining the extent of the class-delinquency relationship. (1974 p.294)

Harry goes on to produce a theory of school structure and expected self-report findings. He proposes that in middle-class schools and class mixed schools there will be a similarity of group cultures developing, producing little difference between middle-class and working-class reported

delinquency rates. In the case of the predominantly working-class school, its relationship to ubiquitous middle-class norms and values produces a truly heterogeneous culture, and a distinction between working-class and middle-class delinquency patterns should be apparent.

A similar point is made by Clark and Wenninger (1962) who emphasise the significance of the dominant class culture of an area in producing a dominant delinquency pattern; implicitly suggesting that it is the cultural interaction within an area that determines its delinquency patterns.

c. Summary

Considering these two main points encourages the conclusion that studies carried out in small urban, or rural areas, will not favourably compare with the larger metropolitan districts which form the basis of much of the social theorising concerning juvenile delinquency patterns.

The latter issue concerning inter-area class structure, provides a more complex problem however. On the same grounds that a regular metropolitan, or large urban area, was favoured, it seems similarly desirable, with respect to recent theorising and study comparability, that the area should be relatively mixed in terms of social class. If choosing a mixed area does lead to its own specific conclusions, as Harry (1974) suggests, then it is surely this specific conclusion that sociologists are most interested in.

8. Elimination

From this analysis of method quality it was hoped that some insight could be made into the best and worst features of self-report analysis. Assuming that the weakest studies should be eliminated on the grounds that the final distri-

bution of social factors should be based on the strongest possible research methods, two of the most criticised problem areas seem most appropriate for this purpose; the questionnaire design and the region studied.

a. Questionnaire design

The most important criticism of the questionnaire design was the preponderance of minor or 'nuisance' offences and the inadequate distribution of offence types. Certain studies need to be presented, therefore, which are seemingly deficient in one of these respects, either in terms of the over-representation of minor offences, or in terms of the use of a particularly small number of offences which fail to include a suitable range of behaviours.

Gould's study (1968) is particularly bad in this respect. Not only does he use a small number of check-list items, (nine in all), but also fails to include any offence more serious than theft under the value of two dollars. At least six of the remaining eight offences could not in any way be considered chargeable under the law.

Arnold (1965) includes a twenty-one item check-list, which by most standards is relatively large, yet both of his more serious scales of 'vandalism' and 'assault', are particularly weak in terms of including 'real' offences. Admittedly, many of these items would invoke some attention from a passing police officer, but such acts as, 'walking on some grass ... where you weren't supposed to', or 'purposely said mean things to someone...', only barely reach Box's definition of 'bad manners' (1971 p.82).

Akers (1964) uses eight offence items, at least half of which comprise 'nuisance' offences, although does include three theft items, the most serious of which was 'taking things of

medium value, or 'taking a car without the owner's knowledge', which ever is the more costly.

It is significant that, as might have been predicted, all three of the above authors failed to find any association between delinquency and social factors. One of the weaker studies, in terms of questionnaire design, which does find a slight association, is that of Voss (1966) who, although includes one serious offence (theft over fifty dollars), makes up the majority of the remainder with 'school-boy pranks'.

b. Area researched

On a number of grounds, research carried out in small urban, or rural, areas, seems inadequate for the present investigation purposes. Three studies stand out as being deficient in this respect.

Nye and Short's research (1958) was conducted in one suburban and two rural towns with a population not exceeding 2,500, in city areas ranging from 10,000 to 25,000. Casparis (1973) states that, 'Unfortunately we were not able to get permission to study boys from either a metropolitan or an industrial centre', and suggests that only one city covered contained a population of over 10,000 inhabitants. (1973 p.49) Empey and Erickson (1966) confined their research to 'relatively small Utah cities', and concluded that, 'The same research conducted in a large, urban center may have resulted in an entirely different picture.' (1966 p.554)

c. Summary

There are many problems associated with self-report techniques of which only a few have been discussed here, and only a few have been selected as a basis for study exclusion from the final distribution analysis. The grounds for this selection are necessarily arbitrary, although it is felt that some

improvements in terms of both meaning and study comparability have been made as a result.

9. Final distribution

Reforming the distribution of study conclusions concerning the association between admitted delinquency and class, race, age, and sex in terms of method quality, produces the final balance of opinion shown in Tables 19 to 22. The final analysis reconsiders these investigations with respect to their relative merits, rather than weaknesses, with special attention given to studies using personal interview techniques, and those referring to notions of delinquency based more firmly on official or legal definitions of what constitutes delinquent activities.

a. Socio-economic status

Considering first those investigations favouring the personal interview technique, only four of the twenty-one studies used this method, although they are all contained in the final distribution shown in Table 19, (Gold 1966, Reiss 1961, Belson 1975, and Williams 1972). Ironically, three of those four investigations show a strong negative association between social class and delinquency. The fourth (Williams 1972) also finds an association, although this is weak and in the reverse direction.

With respect to the definition of delinquency, all but one of the studies shown in Table 19. (Clark 1962) did refer to either more serious or more frequent offence commissions, although much of this information was extracted or calculated from the data rather than supplied directly by the author. Two of these studies used both more serious and more frequent measuring criteria, and both concluded that there was a strong

Table 19.

QUALITY CONTROLLED CONCLUSIONS REGARDING THE ASSOCIATION
BETWEEN SOCIO-ECONOMIC STATUS AND REPORTED DELINQUENCY

LOW S.E.S.			HIGH S.E.S.	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
Hardt '68	Gold '66	Hirschi '69	Christie '65	
McDonald '69	Reiss '61	Clark '62	Williams '72	
Dentler '61	Belson '75			

negative association. (Gold 1966, and Belson 1975)

One of the weaker studies, on these grounds, was that of Clark (1962), who not only failed to use a personal interview technique, but also chose to display the results in terms of the number of significant associations for one or more offence admissions. The seriousness rating shown in Table 6, was calculated from the data provided, and, although suitable for the stronger definition of delinquent involvement, was not used to its full advantage by the authors. Hirschi (1969), on the other hand, similarly finds no association between class and delinquency, and, although he again favours the self-administered questionnaire, the general quality of the research appears to be generally reliable.

The two studies showing a weak positive association, (Christie 1965, and Williams 1972) seem to run against all expectations. Williams, however, only finds this association for the more serious offences, which he states are theft, car-theft, and assault. Christie, on the other hand, considers that had they used interview or observation techniques, their conclusions might have been quite different. (1965 p.107)

It is possible that variations in study conclusions could be brought about by the same conditions outlined by Harry (1974), and suggested in the conclusions of the official data section in Chapter One, in that crime, and apprehension patterns, may be related to the area investigated, and as such, the differences between conclusions need not be considered problematic. However, from the selected sample of self-report studies investigated here, some favouring does seem apparent towards a conclusion of a negative association between class and delinquency.

b. Race

Treating the issue of race and delinquent association in the same way, does not seem to clarify the situation quite so easily. Only two of the investigations shown in Table 20 use the personal interview method, Gold (1966), who indicates no association between race and admitted delinquency, and Williams (1972), who suggests a weak association in the direction of some non-white over-representation.

Considering those studies classifying behaviour in the form of most serious, or most frequent offence commissions, reveals that only two researches use both techniques; which again turn out to be, Gold (1966) and Williams (1972). The other four authors use at least one of these methods, or present their data in a form whereby either seriousness or frequency may be calculated, yet arrive at quite dissimilar conclusions.

If the data presented on Tables 10 and 11 are compared, however, the differences between Gold (1966) and Williams (1972) do not appear so great. Although basically showing no association between race and delinquency, Gold does suggest some tendency towards the same conclusions as Williams.

Table 20.

QUALITY CONTROLLED CONCLUSIONS REGARDING THE ASSOCIATION
BETWEEN RACE AND REPORTED DELINQUENCY

NON-WHITE			WHITE	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
Williams '72 Jensen '76	Hardt '68	Gold '66 Forslund '75 Voss '63 (Chins.)		Voss '63 (Jap.)

Whereas Williams suggest a slight non-white over-representation for the more serious offences, in terms of the frequency of commission, however, no association is discernable. Gold, on the other hand, only shows a non-significant difference in terms of race for serious offences, although a slighter stronger difference was apparent for more frequent offenders.

If the unexpected result of Voss (1963) is ignored for the moment on the grounds that studying Japanese youths as a non-white category might present a special case, the overall balance of conclusions appears to hinge around suggesting either no association between race and admitted delinquency, or only a marginal relationship. Hardt's strong association (1968), refers primarily to racial areas, of which the structure, both in terms of class and race, is not at all certain beyond the brief description given in the text.

c. Age

The position for age is quite different from the other social considerations in as much as the study conclusions are unanimous in their findings. All five authors suggest

a strong positive association between age and delinquency; both in terms of serious and frequent offence admissions.

Table 21.

QUALITY CONTROLLED CONCLUSIONS REGARDING THE ASSOCIATION
BETWEEN AGE AND REPORTED DELINQUENCY

OLD			YOUNG	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
	Dentler '61			
	Williams '72			
	Elmhorn '65			
	Belson '75			
	Hardt '68			

Two of the five studies use the personal interview technique, Williams (1972) and Belson (1975), and the same two authors present their results expressing both the most serious and most frequent conditions.

This conclusion might not appear surprising, in as much as the older youth has had more time to engage in delinquent behaviour. Some separate control would have to be made to relate age to offence commission during a particular age period, rather than simply measuring an accumulation of delinquent activity over a number of years. Although the concept of age has been treated here as a relative category, comparing relatively older youths with relatively younger youths, these results do appear to suggest that age is likely to be a particularly influential variable in the pattern of delinquent activity.

d. Sex

A similar situation occurs for sex, in that four of the five investigations conclude that boys admit more frequent and more serious offence commissions than do girls. Only Voss (1963) suggests that there is no association in terms of sex, although this result was calculated from his data and was not central to the research.

Table 22.

QUALITY CONTROLLED CONCLUSIONS REGARDING THE ASSOCIATION
BETWEEN SEX AND REPORTED DELINQUENCY

BOY			GIRL	
WEAK	STRONG	NO ASSN.	WEAK	STRONG
	Dentler '61	Voss '63		
	Gold '66			
	Williams '72			
	Jensen '76			

Two of the four studies showing a strong association use the personal interview technique, (Williams 1972 and Gold 1966), and again, the same two authors refer to both delinquency scales. The results thus appear to strongly favour the view that male offenders dominate the delinquent population.

10. Conclusions

It was suggested at the beginning of this chapter, that the results from self-report analysis may be used to substantiate or weaken the findings of official data and observation studies. To support the notions of labelling theory, and to

reject the Hypotheses One to Four, it would have to be shown that, not only was there a reasonable weight of evidence favouring a conclusion of some association between official labelling and class, race, age, and sex, but also that no similar association was found for the distribution of admitted juvenile delinquency. In other words, the official distribution of dispositions has to be shown to be discriminatory and selective in a manner out of accord with the 'actual' distribution of offenders. Reviewing the evidence for both officially selected and 'actual' offenders provides differing support for the labelling proposition depending on the social factor considered.

The results of the official data and observation studies concerning official labelling and socio-economic status provided a combined conclusion of four out of five investigations favouring the view that there was evidence of official class discrimination with respect to the police treatment of juveniles. Because of the small number of studies involved, only a tentative conclusion was proposed. Although social class may not be a dominant factor affecting official disposition, nor a universally applicable one, of the five American based studies analysed the majority supported the view that the working-class child generally fared less well in the system than his middle-class counterpart.

For the self-report investigations to substantiate the conclusion that the working-class child is treated discriminatorily by the police, they would have to show that juvenile delinquency was a universal phenomenon. The ideal situation would be to compare the distribution of admitted delinquency in the same States of America from which the official selection of offenders had been investigated. This, unfor-

Unfortunately was not generally possible, (with the exception of Hardt 1968), although the majority of these researches were in fact carried out in the United States of America. The result of the self-report analysis for socio-economic status did not generally support the view that juvenile delinquency was a universal phenomenon. The majority, and the best, of the studies so far analysed concluded that there was some association between admitted delinquency and low socio-economic status. If working-class youths are proportionately more delinquent than middle-class youths, it would be expected that some over-representation would also be apparent in the official statistics. Of course, this does not necessarily detract from the value of those official disposition studies showing some class differences after legal variable controls, although the validity of these findings are now brought into question. What is weakened by the self-report result is the possibility that the dominant official data and observation study conclusion might be generalised.

It is, of course, not possible to offer any definitive conclusions to this effect because of the continuing contradiction and uncertainty in the results of both official disposition and self-report researches. If it is assumed, however, that the five official disposition studies and the ten self-report do represent a reasonable sample and cross-section of the American situation, then the general impression of official police processing policies may well be viewed as one slightly more discriminating in terms of lower socio-economic youth. Four studies to one suggest some official over-representation, six studies to four suggest some 'actual' over-representation; which may be seen, albeit rather crudely

as the former being marginally stronger than the latter. There might be some grounds, therefore, for supporting Gold's conclusion (1966) when he states:

... behaviour among boys is related to social status just as the much criticised official records have demonstrated over and over again. (1966 p.44)

But,

... the official records exaggerate the differences... (1966 p.44)

From his own official data conclusions, Gold suggests:

About five times more lowest than highest status boys appear in the official records; if records were complete and unselective, we estimate that the ratio would be closer to 1.5 : 1. (1966 p.44)

Unfortunately, the only valid test of this assumption can be realised from the combined results of a substantial number of researches, well above that considered in this, or any other analysis, so far discovered. Until then, any conclusion can only really be based on impression, which at the moment seems to suggest that on some occasions, in some areas, there might appear a slight official over-representation of juveniles from lower socio-economic categories; a conclusion quite independently arrived at, using a slightly different approach to the problem, by Hirschi (1975) when he summarises his own evaluation.

It stands to reason that, at least at some time in some jurisdictions ... lower-class kids ... are going to be more likely to receive extensive processing. (1975 p.194)

The weakness of this association, however, is noted by Tittle (1975) in his own conclusions.

... the available evidence, although suffering from many methodological defects, is contrary to the thesis that disadvantage variables have more influence on criminal labelling than does actual

rule-breaking, but is generally consistent with the view that disadvantage variables have some effect on labelling. Thus, the stringent and more interesting form of the labelling proposition is negated by the data, while the weak and essentially nonnovel form of the proposition is found to have some empirical grounding. (1975 p.170)

The relationship between the official disposition researches and self-report analyses with respect to racial characteristics seem to be slightly clearer than for social class, and tending to favour the labelling position. The combined official data and observation study results indicated a ten-to-two distribution of study conclusions favouring some racial discrimination by official agencies. It was decided in Chapter Two that this represented much stronger evidence of official discrimination, although the same proviso was made that this association would probably vary between areas studied.

If self-report analyses were to show that ethnic minorities were no more likely to commit delinquent acts than were white, the evidence suggesting some police discrimination might be substantially strengthened. Re-examining the distribution of conclusions, shows only one of the seven studies favouring a strong association between race and reported delinquency, with the best two researches, that of Gold (1966) and Williams (1972), indicating either no association or only a weak association. If it may be assumed from this that there is no strong evidence to lead to the conclusion that non-white youths are fundamentally more delinquent than white youths, then it might similarly be assumed that the results of the official disposition studies, and the precepts of labelling theory, have been strengthened with respect to the influence of race on official disposition.

Once again, however, the contradictions and methodological inadequacies of many of these researches reduce this to an impressionistic rather than a categoric statement.

The situation for age and sex are both very similar in terms of both official disposition results and self-report analysis. Only three official data studies concerned with police-juvenile encounters were directed towards the issue of age and the distribution of official dispositions; two of them favouring a conclusion of some association, and one no association. Obviously the size of the sample precludes any meaningful conclusion in this respect. Assuming nevertheless, that this two-to-one balance did indicate official discrimination, how would the evidence of self-report analysis contribute to this? Quite simply, all five research investigations conclude that older youths are generally more delinquent than younger youths, both in terms of offence seriousness and the frequency of offences. Were this result to be a reflection of the actual distribution of delinquency, then the evidence of police discrimination in terms of the offender's age would be further weakened.

In the same way, not only was there little evidence of official discrimination by sex, with both official data studies concluding that there was no association, but also, there was a four-to-one balance of self-report study conclusions favouring the view that boys were in fact more delinquent than girls. Little evidence from either group of studies, therefore, lends much support to labelling theory. Further research, however, particularly using refined methodological techniques and conducted in different areas or countries, might well alter this situation.

The only proper general conclusion to this analysis of all three research methods (official data, observation, and self-report), is, quite simply, that they are largely so inadequate as a group and individually as to be incapable of testing such a generalised set of ideas of the nature contained in labelling theory. They are inadequate in terms of the variable nature of their research method and design, in terms of general study comparability with respect to the area studied or the organisational level investigated, in terms of extraneous variable controls such as police mobilisation patterns, the role of the victim, the complainant or the community, and perhaps the most important, in terms of the sheer lack of an adequate number of investigations available for comparison. Labelling theory can only really be tested in this context on a single situation basis. To extract any more general conclusion from these studies seems somewhat contrived, although some dominant trends do seem to pervade. With respect to class, race and age factors at least, some slight association may be discernable to official labelling. In this sense, the null hypotheses One to Three, (but not Four) are called into doubt, although it is not really possible to categorically support or reject any of them. From the other point of view, however, official discrimination, as far as the police treatment of juveniles is concerned, appears to be much less apparent, frequent or certain as recent sociological theorising might have us believe.

CHAPTER FOUR

THE JUVENILE BUREAU SCHEME AND THE TREATMENT
OF YOUNG OFFENDERS

1. Introduction

The location for the present research project was a large divisional Juvenile Bureau of the London Metropolitan Police District. Every juvenile suspected of an offence commission in the area is referred to, and processed by, this Juvenile Bureau. For purposes of anonymity, the police division referred to is 'I' Division; a letter not used by the Metropolitan Police for divisional notation. Because of the size of the district policed, 'I' Division Bureau comprises three sub-divisional Juvenile Bureaux, covering each of the three London boroughs contained in the area; fictitiously named here as, 'Westborough', 'Northborough' and 'Eastborough'.

The idea that juveniles should be treated differently from adults is not a particularly new concept. Since the early nineteenth century, variations were apparent by way of children's prisons and reformatories. By 1908 a specialised Juvenile Court was established with the Children's Act of that year, and in 1933, the Children and Young Persons Act emerged as emphasising a general welfare perspective concerning the legal procedures relating to juveniles. The first of a number of Juvenile Liason Schemes was started in 1949, which now operate on a regional basis throughout many areas of the British Isles. However, one of the more substantial differences between adult and juvenile processing might well be associated with the introduction of the Juvenile Bureau system now operating in the Greater London area.

The special handling of juvenile offenders is not without consequences for the precepts of labelling theory. If anything, the developments of juvenile processing seem

almost to have been directed by it. The 1969 Children and Young Persons Act, founded on the insights and recommendations of the White Paper, Children in Trouble (1968), appears primarily directed at reducing the effects of juvenile labelling through emphasising the alternative need for care, protection and control. An important element of this operation, at the police level of processing at least, appears to be the ability to withhold criminal sanctions through the procedure of a caution. Although this facility has existed in other parts of the country for some time, it seems of central importance to the operation of the Metropolitan Juvenile Bureau Scheme which utilises this procedure in its own special way.

The system of cautioning allows the less serious juvenile offender to avoid the imposition of the criminal label completely. The criminal, or delinquent, label in this respect refers specifically to the acquisition of a Criminal Record Number (C.R.O.), and the appearance at a Juvenile Court. Although approximately 35% of all offenders processed through the Juvenile Bureau Scheme tend to be cautioned, (Oliver 1973) this is likely to be much higher for offenders with no previous record.

Thus, the Juvenile Bureau system, based on the precepts of the 1969 legislation, is founded on principles of restricted labelling of delinquents, individual juvenile welfare, and, above all else, with the desire to reduce the numbers of future juvenile delinquents. As such, the force of the labelling propositions might seem to be substantially neutralised in the light of recent developments; yet on the other hand these changes have brought about police discretionary decision-making to virtually an unprecedented level.

The fact that the police, in some instances, decide not to enforce the law, is not now, nor since the system of cautioning was officially recognised in this country, a topic of contention, but an open and everyday occurrence. It was suggested in the Ingleby Report (1960), for instance, that strict principles of the law need not necessarily always be upheld.

It is generally accepted that the police are not obliged to prosecute every offender against the law who comes to their notice even when they have a clear case: they may properly exercise discretion in deciding whether to bring proceedings or merely to administer a caution. (1960 p.49)

This was similarly expressed in the 1968 White Paper which clearly stated:

The commission of an offence by a child of this age (10 - 14) will cease to be, by itself, a sufficient ground for bringing him before a court. (Children in Trouble 1968 p.6)

Of course, the same White Paper outlines circumstances whereby criminal proceedings for an alleged offence are most likely, and as such serves to guide police discretionary decision-making. Nevertheless, the police are now in a particularly strong position to make independent judgements regarding whether or not a juvenile is to be officially labelled and summonsed to a Juvenile Court.

The introduction of the Juvenile Bureau Scheme, therefore, appears highly significant for the testing of both main labelling propositions. The extent to which police practices have been affected by these procedures is, of course, part of the research project to be discussed in Chapters Five and Six; as specifically related to the operation of the 'I' Division Bureau. The following, however, represents a more detailed outline of the growth and operation of

juvenile processing both in the general and specific context.

2. The growth of the Juvenile Bureau Scheme

The Juvenile Bureau system represents the result of many years of legislation and research. Excluding the very early legislation relating to the juvenile offender, the more recent origins of the present system was possibly the 1960 Ingleby Committee's report. Part of the request made in this report was to raise the level of criminal responsibility from the age of eight in stages to fourteen, such that the under fourteen year olds could be treated from a welfare rather than from a criminal perspective. The Children and Young Persons Act (1963) fell short of these proposals, but did raise the age of criminal responsibility to ten years of age; as it remains today.

As a sign of the dissatisfaction felt for the 1963 Act, the government continued their research into juvenile treatment and published the 1965 White Paper, The Child, the Family and the Young Offender. The White Paper recommended the replacement of Juvenile Courts with 'Family Courts' and 'Family Councils', and the setting-up of 'Observation Centres' to provide facilities for the assessment of juveniles. The White Paper was rejected, and in 1968 a second White Paper was prepared, Children in Trouble, which proposed a series of suggestions which were to form a large part of the subsequent 1969 Children and Young Persons Act. This too served to govern the present system of legal procedures relating to juveniles.

The emphasis of Children in Trouble (1968) was one in which the offence committed, particularly in relation to the younger offender (10 - 14 years old), was to be given

secondary importance in the recommendation of suitable treatment. Proceedings for the ten to fourteen year old were to be instituted on the basis of care, protection and control, which the paper relates particularly to the conditions of the juvenile's home-life. As far as the older offender was concerned, the police were first obliged to consult with other welfare authorities and the youth's school, and then apply to a Juvenile Court magistrate for a summons or warrant before the child could be sent to court. In cases of more serious offences the individual could still be charged directly as before.

The consequence of these recommendations was, as suggested in the White Paper, to encourage an appreciation by the police and other agencies, of the problems of juvenile delinquency.

One major effect of the proposals described in this Part will be to encourage and strengthen consultation and co-operation between the juvenile court magistrates, the police, the local authority services concerned - including the schools - and the probation service. The regular discussion of individual cases will be valuable in enabling magistrates, police and social workers to appreciate different aspects of the problems of delinquency. (1968 p.7)

Although not all the recommendations of the 1969 Act have so far been implemented, these policy directives have certainly had some impact on the present juvenile justice system.

The operational expression of these last few decades of public opinion, government reports, and legislation, has manifested itself most prominently in the Metropolitan Juvenile Bureau Scheme, although, for some years now, juveniles have been specially handled through the broader based Juvenile Liaison Scheme. As this in many ways represents the predecessor of the Juvenile Bureau system, some special

acknowledgement seems to be warranted.

a. The Juvenile Liaison Scheme

The first of the Juvenile Liaison Schemes was operated as a pilot study in Liverpool, 1949. By 1954, after its workings had been investigated by the Advisory Council of the Treatment of Offenders, and by a conference of chief officers of the police, the Home Office circulated information to all chief constables so that they might decide whether or not the system could be operated in their area. A dozen or so regions soon adopted this scheme, including West Ham of the Metropolitan Police District. This modified Juvenile Liaison Scheme, as it was called, was instituted in this area as a special response to a request by the chief education officer of the borough, and from parents and headmasters of the local schools (Mack 1962). Other than this, no general attempt was made to adopt such a system in the Greater London Area.

Although the operation of the Juvenile Liaison Schemes tend to vary slightly from region to region, the basic procedure largely follows that of the original Liverpool system. The staffing structure of the Liverpool Office was two sergeants and seventeen constables, under the supervision of a chief inspector (Mack 1962). This was reflected in other regions and closely resembles the present day structure of the Metropolitan Juvenile Bureaux; particularly the larger ones. The selection of officers is from experienced police men and women who have a special interest and aptitude to dealing with juveniles. The Ingleby Committee Report (1960) explains these qualifications in terms of, '... high moral standards and a good knowledge of the kind of people living in the area, and of the conditions under which they live.'

(1960 para. 141) Again, this reflects the primary qualifications required of Juvenile Bureau officers.

The emphasis of the scheme, as the name suggests, is one of liaison between the police and all other agencies concerned with the welfare of the child; particularly the schools and welfare departments. Once the young offender has had dealings with the Juvenile Liaison system, a police officer will continue to keep in touch with him, enlisting the co-operation of other relevant agencies where need be. This aspect represents a marked departure from the Juvenile Bureau system which does not in fact keep in contact with individuals once their case has been completed.

Unlike the Bureau scheme, the Liaison scheme can initiate a youth for treatment, either as a result of an offence commission, or as a result of a referral by a parent or teacher on the grounds of, 'playing truant, being unruly, staying out late at night, and so on' (Mack 1962). These are described as 'potential delinquents', which according to Mack represent nearly half of the total referred to the scheme.

The decision to prosecute a youth or to administer a caution and refer him to a Juvenile Liaison Officer, is taken by the assistant chief constable, who generally decides to caution when the youth is a first offender, or secondly, when the offence is a minor one. (Ingleby 1960) If a caution is administered, the Juvenile Liaison Officer will consult with the parents of the youth and establish a follow-up operation which, according to the Ingleby Report, may range from one month to over a year.

b. The Juvenile Bureau Scheme

It was from this background of legislation and established juvenile processing methods, that the Juvenile Bureau Scheme

of the Greater London Area was introduced.

Prior to 1969, the juvenile offender was treated in much the same way as the adult offender, in as much as he was taken to a police station and 'charged' for the offence committed and would then appear before a court. Court referrals were thus the general rule, on the grounds that justice for the young should be certain and swift.

During the time following the 1965 White Paper publication, the Metropolitan Police were considering plans of action which seemed to be inevitable once successful legislation had been prepared. In 1967 the late Sir Joseph Simpson referred two police officers from the Metropolitan Police Research and Development Branch to study the methods and procedures of juvenile treatment in the Metropolitan area, and to compare this to other procedures in this country and abroad. The research team observed closely the reception of the 1965 White Paper and were similarly aware of a new White Paper being prepared. The research paper was presented in 1968 and recommended that the Metropolitan Police Force should amend its procedures concerning the 'charging' of young offenders, and instead summons delinquents, save in exceptional circumstances, and that a small bureau of specially selected and trained officers, headed by a uniformed Chief Inspector of each division, should be established. (Commander Neivens 1971)

An Advisory Committee, consisting of Senior Officers from all departments of the Force, as well as a member of the Police Federation, was set up to study the research paper's recommendations. The Committee recommended that the procedure be changed from 'charging' to 'summonsing' and at the same time to introduce a system of 'cautioning'. In view of the

impending legislation, a concrete proposal appeared to be necessary for dealing with young offenders, and thus, the Advisory Committee extended the research report's recommendations to include the implementation of a co-ordinated Juvenile Bureau Scheme.

On August 30th 1968, a pilot Bureau was established at Eltham Police Station covering the boroughs of Bexley and Greenwich. The pilot scheme proved successful and between February and April 1969 the Juvenile Bureau Scheme was phased in throughout the remainder of the Metropolitan Police District.

3. The treatment of young offenders: general procedures.

a. The structure

Although there may be variations in the staffing of Juvenile Bureaux, depending on the size of the division and the usual work-load that this entails, the general relationship between officers remains similar. At the head of each divisional Bureau is a chief inspector who not only is concerned with the internal operation and decision-making of the Bureau, but also acts as a Community Liaison Officer (C.L.O.) for the division in which he is located. In some of the busier divisions, an inspector may act as deputy to the chief inspector and take on some of the responsibilities of Bureau administration. In all bureaux, there is a sergeant who may take on the role of the deputy in the absence of an inspector, although it is not uncommon for there to be both a sergeant and an inspector assisting the chief inspector. Under these more senior officers are a number of police constables; both men and women. Usually there are about six constables per

division; approximately four police constables and two women police constables, although in the larger Bureaux there might be as many as fifteen in all.

Most divisions, as suggested, have a chief inspector acting as a Community Liaison Officer. These officers are co-ordinated through A7, the Community Relations Branch at New Scotland Yard; the body responsible for the implementation of the Juvenile Bureau procedure throughout the Metropolis. The function of the Community Relations Branch is similar to that of all community relations work, in that a large part of its operation is communication between the police and the public. Although its early frame of reference was largely in connection with race relations and ensuring the smooth operation of the new Juvenile Bureaux, its role now is more expanded than this. As Marshall (1974), the Commander attached to the Community Relations Branch, suggests in his article to New Community (1974):

... its task ... is to help overcome problems of communication and understanding between the Metropolitan Police and the citizens of ... the Metropolis, firstly by interpreting the role and responsibilities of the police ... to all sections of the public; and secondly, by interpreting significant social facts and movements of opinion in the community to police officers to enable them to carry out their duties more effectively with the minimum of friction.
(1974 p.195)

The divisional C.L.O.'s thus play an important role in tapping local community opinion and assisting in making the police aware of these movements. Nevertheless, it still seems to be the case that Community Relations is strongly concerned with race relations, particularly in terms of monitoring racial tensions and where possible keeping the police aware of these tensions.

b. Processing offenders

The step-by-step procedure from the apprehension of a juvenile follows a distinctive pattern, quite specific to the Juvenile Bureau Scheme and quite dissimilar to that for the treatment of adult offenders.

When a juvenile is arrested, he is taken to a police station where it is decided whether or not an offence has been committed and whether there is credible evidence to substantiate the offence in court. After a few formalities the juvenile is usually released into the custody of his parents, although on some occasions he may not be released if the offence is particularly serious, or if the parents refuse to accept custody or responsibility for him. On these occasions the individual would be charged, although this represents a departure from the purposes of the Juvenile Bureau system, and as such occurs relatively infrequently. The arresting officer then submits an outline of the case to the Juvenile Bureau of that division in order to register the juvenile. He gathers together the circumstances of the offence, all statements made, and his report on the conditions of the arrest, and submits this to his station inspector or senior officer, who forwards it on to the Juvenile Bureau.

At the Bureau, a Juvenile Bureau officer is attached to the case and he collates all the information available on the youth from the various agencies concerned with juvenile welfare. These include the Social Services Department of the Local Authority, the Probation Service and the Education Service. He then makes an appointment to visit the juvenile's home, where he interviews the youth and the parents, and at the same time assesses the general environmental and circumstantial conditions of the juvenile's home life. The results

of this visit would be written up in a home visit report and submitted, with all other relevant documentary evidence, including those of previous contacts with the Bureau, to the chief inspector in charge. The chief inspector is then required to read and assess every aspect of the offence and the circumstances, and to finally make a decision either to summons the youth to court or to administer a formal caution.

The existence of these two decision possibilities, to caution or to summons, represents the key-stone of the Juvenile Bureau procedure. It is here, where, with legislative endorsement, the police are conferred with discretionary decision-making powers, and it is with this decision that the youth may experience either the stigma of official labelling, through an eventual court appearance and the acquisition of a Criminal Record Number, or be given a relatively private reprimand at his local Juvenile Bureau Office.

The decision to caution an individual is made by the chief inspector alone, but of course, he too is governed by a variety of directives. A juvenile can only be cautioned, for example, if he admits the offence for which he has been apprehended. Without this admission, the only recourse is to send the youth to court. In certain circumstances, such as when the case is in some way incomplete, it might be decided instead that 'no further action' (N.F.A.) be taken. In the same way, he can only be cautioned if the juvenile's parents or guardians agree to a caution being given, and if the victim, or complainant is willing to leave the matter in the hands of the police.

A variety of directives which were operative at the time the researched data was compiled by the Bureau (1973), have now been amended. Before the end of 1973, any juvenile

apprehended for an offence in conjunction with an adult offender was automatically summonsed, although now the two individuals are separated and dealt with independently. Similarly, before the Spring of 1974, a group of juvenile offenders would be treated as a unit; in other words they would all either be summonsed or cautioned. Now the individual offenders are separated and again assessed independently from one another.

Once these directives have been complied with, the decision to caution is thus reserved for the chief inspector to make, who responds to various recommendations made to him by the Juvenile Bureau officer attached to the case, and by the sergeant in charge of administration. In most cases he will agree to these recommendations, although it is not uncommon for him to over-rule them if he feels in a better position to judge the case.

If a decision to caution is made, the juvenile and his parents are asked to attend a police station where the chief inspector, in full uniform and under formal conditions, will administer the caution. In a small number of cases, such as with minor traffic offences, the caution may be given in a written form and sent to the juvenile by post.

If it is decided that the juvenile should be prosecuted, once again the youth and his parents are requested to attend the police station, but on this occasion the arresting officer will serve the offender with a summons. It is here also where finger-prints may be taken if necessary.

c. Statistical data

There is surprisingly little published information on the state of juvenile crime in the Metropolitan Police District, and much less on the distribution of Juvenile Bureau decision-

making. Some data has been made available by Chief Inspector Oliver in his article published in Criminal Law Review (1973), and as such, much of the following data has been extracted from this.

Table 1.

THE DISTRIBUTION OF POLICE DISPOSITION DECISIONS FOR THE METROPOLITAN POLICE DISTRICT, OVER A PERIOD OF FOUR YEARS

(Juveniles only: Source - Criminal Law Review (1973 p.499))

DISP- OSITION	1971		1972		1973		1974	
	Number	%	Number	%	Number	%	Number	%
Cautioned	11,213	35	10,516	34	11,126	35	13,569	36
Summonsed	11,831	37	12,106	40	12,323	39	15,906	42
Charged	6,144	19	4,814	16	5,108	16	5,122	13
N.F.A.*	2,837	9	3,013	10	3,108	10	3,249	9
(*No further action)								
Totals	32,026	100	30,449	100	31,665	100	37,846	100

Table 1. represents the number of individual cases dealt with by the Metropolitan Juvenile Bureaux in terms of the four main decision possibilities for four of the seven years since its inception.

As can be seen from the table, there is a remarkable degree of consistency concerning the percentage of individuals who are cautioned over those who are summonsed. Averaging the four year period shows that approximately thirty-five percent of all cases are dealt with by way of cautioning, and slightly more than this, approximately forty-percent,

are summonsed to court. Of course, this refers to both first offenders and recidivists alike, such that it would be expected that a higher percentage of first offenders would be cautioned, and a lower percentage of recidivists.

Information for the division studied, 'I' Division, was available only for two of these four years. In 1973, 3079 cases were brought to the attention of the 'I' Division Bureau, nearly one-third as much again as any other Metropolitan Bureau. The distribution of decision-making tends to follow the same percentage distribution as for the Metropolitan District in general. Combining decisions for 1973 and 1974, reveals that 39% of 'I' Division cases ended in a caution, compared to 35% for the Police District in general, and 41% of cases ended in summonses, compared to 40% for the London area. The higher rates for both decisions represents the slightly fewer cases which result in a 'charge' or 'no further action' in the 'I' Division area.

In terms of the frame of reference of the 1969 Children and Young Persons Act, therefore, the situation has now been created whereby approximately thirty-five percent of all offenders are diverted from the normal processes of juvenile justice. This, of course, spares the over-worked juvenile courts a considerable amount of time, but more so, it spares a large number of juveniles from the stigma of being criminally labelled. In many cases, first offenders who had the good fortune to have been cautioned, later recidivate and eventually acquire delinquent identification. On the other hand, in a number of cases the cautioned first offender does not recidivate, and has thus been permanently diverted from criminal processing.

4. The treatment of young offenders: 'I' Division Bureau

a. The structure

'I' Division is the largest of the Metropolitan divisions, and as such, has the largest Juvenile Bureau system and the greatest number of staff. Because of its size, it is subdivided into three separate Juvenile Bureaux, covering the boroughs of Westborough, Northborough and Eastborough respectively. The Westborough and Northborough section is housed in the same building in Westborough, whereas the Eastborough Bureau is separately situated in Eastborough.

The complete complex is staffed by one chief inspector in charge of all three Bureaux, one inspector, two sergeants, one in Westborough and one in Eastborough, and fifteen police constables. The chief inspector has the combined function, as do all chief inspectors or superintendents in charge of Bureaux, of also being the Community Liason Officer for the area. This involves a number of tasks, perhaps best explained by the chief inspector of 'I' Division during a taped interview.

My role as a C.L.O. is to work with the community, particularly the coloured community, the immigrant community, to try and bring about more harmony within society, particularly in my division.

This entails considerable involvement with various services, agencies and individuals outside of the police. This was again explained by the chief inspector.

We try and work as closely as we can with the Social Services, Probation, Education Welfare Officers, the schools, the Education Authority, and as many local organisations that are running that we can get involved with, as many of the immigrant communities that we can get involved with. Virtually, we will try to get involved and work with anyone who is working for the betterment of society.

This heavy workload on the part of the chief inspector, results in much of the day-to-day administration being supplemented by the inspector of the Bureau. Of particular importance, however, is that because of this much of the decision-making concerning the outcome of juvenile cases has to be made by the inspector when the chief inspector is indisposed.

b. Processing offenders

The establishment of the Bureau Scheme was intended, as suggested earlier, to generate more of a welfare perspective to the treatment of juvenile offenders; particularly those of the younger age group. In this sense, the system of cautioning enables some youths to avoid criminalisation entirely. Although being summonsed to a juvenile court might suggest that the offender is seen to be needing punishment, it should be made clear that many individuals are sent to court to benefit directly from the welfare facilities that the courts might be able to offer as a result of the case (ie. being put into care or placed under the guidance of a social worker). This pervading welfare perspective was reflected in the views of both the inspector and chief inspector of 'I' Division when asked of their opinions concerning the aims of the Bureau.

The main aims are to prevent children from receiving criminal records, and the main aim is to see that children are dealt with in any way other than going to court. It is hoped that they can be taught the difference between right and wrong rather than being punished for it.
(Inspector)

The chief inspector similarly says the primary task of the Bureau is restricting the number of juveniles receiving a criminal label, and to provide a basic welfare orientation to their processing decisions.

The general aims of the Bureau are to prevent from going to court children who are not likely to get into trouble again. Our object is to prevent them from going to court, stopping them from getting a Criminal Record Number, setting them back on the straight and narrow. We will do what we can for them in the meanwhile. We will often inform the Social Services if we feel the family is in need of something, or want a bit of help. The idea is always to the benefit of the juvenile and the welfare of society as a whole. As long as we work towards these ends; we view this as our object.
(Chief Inspector)

In many ways, of course, it is the combination of various decisions concerning the type of individual, or conditions, which would most benefit from welfare styled treatment, rather than criminal processing, which in turn defines the distribution of juvenile dispositions.

1. The disposition recommendation

The decision-making process of the Bureau, and the frame of reference in which these decisions are made, are thus critical to the distribution of officially labelled delinquents.

The evolution of the decision to caution or not to caution a particular youth, begins with the Bureau Officer's investigation. This is especially important, as it is more often the case than not that the final recommendation made by the Bureau Officer will eventually be endorsed by the chief inspector or inspector in charge. The officer gains information relevant to his recommendation from the various agencies involved with juvenile welfare and education, and from the arresting officer's report on the circumstances of the offence. By far the most important source of information available to him however, is that gained from the visit to the juvenile's home. During this visit the officer interviews the youth and the parents, and at the same time considers the conditions

and circumstances of the juvenile's home-life.

Once this general impression has been established, and all Bureau directives have been observed, the officer then returns to the Juvenile Bureau and sometime later writes up the home-visit report. An interesting aspect of this report is that it is in fact written up by the officer in his own words. He does not fill in a pre-structured form-sheet, but fully documents his experiences in a semi-journalistic fashion. Depending on the conditions met with, this report could easily run into five hundred words or more.

This procedure is encouraged by the chief inspector, and welcomed by me as a researcher, on the grounds that a more sensitive insight can be obtained on the circumstances of the juvenile. Along with this, the chief inspector also gains greater insight into the interaction of the Bureau officer and the family. As he suggested during a taped interview, 'If they (the Bureau officers) have a personality clash with the parents, they would show it in their reports.' In other words, the observer has access to the conditions of both the researcher and the researched. The chief inspector would then seek to temper any extraneous affects during his own decision-making.

The style of the home-visit report is dominantly that of a long-hand dialogue, although some kind of regular structure is generally discernable in these reports. The opening paragraph usually houses the main objective data significant to the case, which includes the name and address of the family, the type of ownership of the accomodation, and the occupation of the husband and possibly the wife. From this point the actual ordering of the information varies, although its

general content is consistent. A comment on the level of concern shown by both the parents and the youth with regard to the offence, is usually expressed fairly early in the report. This is followed by the situation at school; whether there is any truancy, and general school progress, and the situation at home. This includes the juvenile's behaviour at home, the amount of pocket-money received, what it is spent on, hobbies and interests in general, and out of home pursuits and activities. Various other aspects concerning the circumstances of the juvenile and his home-life are quoted by the individual officer as he feels they are relevant and enlightening to the case. Particular family problems are always outlined in some detail, along with any anecdotes which the officer feels somehow exemplifies the conditions of the juvenile's home-life and general life-style.

The final paragraph of the report is normally taken up with a summary of the conditions and circumstances which have led the officer to his decision regarding the best way to deal with the individual. The recommendation of the Bureau officer then forms the last one or two sentences of the report, where he comes down in favour of either a caution or court proceedings. On the occasions when the officer could not come to a decision, he would fully outline why he did not make a recommendation, and leave the matter to the chief inspector.

ii The disposition decision

Both the chief inspector and the inspector are in a position to make the final outcome decision. The inspector usually carries out this role when the chief inspector is required to perform some other function related to his position. In

both cases, however, the final decision rests with the one officer who must decide, from the information before him, whether the individual should be cautioned at the police station or sent to court.

iii. The disposition procedure

As far as the Juvenile Bureau is concerned, the most important disposition outcome is that of the caution, because in the case of the summons or charge, the procedure is effectively taken out of the hands of the Bureau officer's, whereas the caution is administered at the Juvenile Bureau itself by the chief inspector. This is done especially formally, as it is hoped that the juvenile, and possibly the parents, will be impressed by the procedure, such that it might have some preventative effect.

The child is brought to the police station and then up to the Bureau Office. During this movement he will see police staff carrying out their normal duties, and eventually meet the chief inspector who is always, and for the express purpose of effect, in full uniform.

The actual process of cautioning a juvenile was considered a private affair, and as such was not made accessible to me. However, the chief inspector was willing to depict verbally the type of procedure that might occur. This was stated largely in the third person.

The juvenile is taken in front of the chief inspector who will then first of all make sure that the juvenile admits the offence, so that we are on good grounds straight away. Then he points out to him the error of his ways. Sometimes they are quite mild. You have children in here from ten years old, they've come in for some minor offence and the mother says, 'I'm having terrible trouble with him.' Well, if the offence is there, you would caution him because the mother has asked for it. We get older children, and the cautions are quite severe, to say the least. They're sort of insulting sessions.

The aim of the caution is to point out to the child the error of his ways first of all. Secondly, we try to get him to redeem himself. We do this by pointing out that he wouldn't be getting a caution but for the trust that various people had put in him; because it would be a waste of time if no one had any trust in him.

Cautions are done individually to fit the offence and to fit the individual.
(Chief Inspector)

Thus, the caution when applied may be mild or it may be severe; in some cases it might even reduce the child to tears, but nevertheless, it still remains the 'soft option'. Cautioning is a private reprimand, and as such, does not carry with it the possible stigma and ancillary influences that a court hearing might produce. In the context of the following analysis, therefore, the caution is primarily viewed as 'being let-off'.

c. The location

'I' Division Juvenile Bureau covers three London Boroughs which are quite different in terms of social and environmental structure. During my attachment with the Bureau, I was driven around these areas on a number of occasions by the chief inspector. This was usually en-route to a variety of meetings that the chief inspector participated in his role of Community Liason Officer, and which I had the opportunity to attend. On one of these occasions, I was taken on a fairly thorough tour of the three boroughs, such that I could observe their general character. Other information was supplied in casual conversations with the Bureau officers.

The borough of Westborough is generally considered the least desirable of the three areas. The south-western part of the area was originally highly industrialised, comprising engineering works, ancillary dock-works, ship repairers, sugar refiners, and the usual dock-land occupations. During

the war, this was greatly run down which has resulted in large areas of waste-land and dilapidated buildings. These have been crudely fenced off with wire or corrugated iron, and generally give an air of extreme neglect. At the time of the research many of these iron fences and walls were daubed with 'George Davis is innocent' slogans, which were left untouched for the duration of the research and are probably still there.

The housing of the south-west has been substantially rebuilt, although for one reason or another, has been treated particularly badly by the occupants, such that these too present an overall picture of deterioration. The residents of this area are largely immigrant families, particularly from Asia, although there are a smaller number of migrants from various areas of the British Isles.

The eastern part of the borough is possibly the better maintained sector, with a certain number of owner-occupied properties, and, although most of these were built at the turn of the century, many of them are still in very good repair. Within this area there are small pockets of Asian families, although the majority of the inhabitants are indigenous to the borough. Most of the West Indian and African immigrants to the area live in the northern part of the region.

The statistics for Westborough, as taken from the 1971 Census, shows that of 81,035 total tenures, 26,530 are owner-occupied (33%, compared with 66% for Eastborough), 24,025 are council properties (30%, compared with 23% for Eastborough), and 30,015 are rented from private landlords (37%, compared to 10% for Eastborough). The data levels for immigrant residents in the borough is confused by the 'place of birth' notation

used in the Census, which presumably over-looks the numbers of coloured persons who were in fact born in Britain.

Nevertheless, the numbers of immigrant residents born abroad is certainly much higher than either of the other two boroughs with particularly high densities of West Indians and Asians.

Northborough is the less easily definable area of the three boroughs. During an interview with the inspector of the Bureau, he was asked to describe Northborough and replied that it was, 'one big housing estate'. This is certainly backed up by the data for the area. Over 69% of all property tenures (37,670 in 1971), were rented from the council. The most characteristic feature of Northborough, and possibly connected with the housing structure of the region, is the massive motor vehicle production works located in the area. With its many thousands of employees, the dominant parental occupation taken from the data sample of juvenile offenders, was that of 'car worker', and as such could almost be considered a social class in itself.

In the northern sector of the borough there is a small area of owner-occupied properties consisting of slightly higher valued houses than the rest of the borough. According to the 1971 Census information, there were approximately 13,670 owner-occupied properties in Northborough; around 25% of the total. The number of West Indian and Asian immigrants resident in the area were much less than in the Westborough population.

In general, however, the Borough of Northborough appeared environmentally at a higher standard than Westborough. This might in part be due to the fact that until a few years ago the property of the borough was controlled by the G.L.C. who tended to have stricter standards for housing conditions than

possibly many of the local boroughs. It is now controlled by the borough council who have on the whole maintained these conditions. In terms of social class, however, both Northborough and Westborough are best considered as generally working-class areas.

Eastborough, on the other hand, is largely a middle-class area. Over 66% (53,470) of the tenures in 1971 were owner-occupied, with only 23% (18,845) rented from the council and 10% from private landlords. There is one large council estate which is situated to the north of the borough. The remainder of the area is generally sub-urban in style, and in many instances sporting quite expensive rows of houses; a number of which could easily be valued over £30,000. Many streets flourished an amount of greenery, shrubs, bushes and trees, characteristic of a middle-class environment. The occasional Rolls Royce or Jaguar was not an uncommon sight to be seen lining the verges. On the whole, Eastborough is much more associated with a provincial rather than a metropolitan area.

5. Concluding comment

The three boroughs of 'I' Division thus provide a variety of socio-environmental types. Westborough and Northborough represent two dominantly working-class boroughs, whereas Eastborough, as far as can be discerned from the quality of the housing and the environment, is dominantly middle-class. Westborough is a relatively racially mixed area; over 13% of the population in 1971 was born overseas, whereas Eastborough is more racially homogenous; less than 4% of the population in 1971 were born overseas. (Census Report 1971)

Data on the distribution of juvenile apprehensions and

dispositions for all three areas were collected during the research attachment with 'I' Division Juvenile Bureau, for the year 1973, and forms part of the analysis of the following chapter.

CHAPTER FIVE

LABELLING JUVENILE OFFENDERS
IN A METROPOLITAN JUVENILE BUREAU

1. Introduction

It was suggested in Chapter One that labelling theory could be divided into two main areas of interest based on the distinction between labelling as a dependent and independent variable. In this chapter, some of the propositions relating to labelling as the dependent variable are investigated in the context of my own research at the 'I' Division Juvenile Bureau.

A recurring theme running through many of the observation based researches in particular, is the disparity which seems to occur between thought, or belief, and action. As Hagen (1974) suggests:

There seems to be no escape from the persistent paradox of a sharp disparity between police beliefs and police behaviours... (1974 p.158)

In practice this was shown to present a serious methodological problem, in that the results obtained from researches relying heavily on police depictions of what police think they do, tended to be at variance to researches investigating what police actually do. Reiss (1970) for instance, suggests:

Although more than three-fourths of all white police officers made prejudiced statements about Negroes, in actual encounters the police did not treat Negroes un-civilly more often than whites. (1970 p.147)

This difference was similarly reflected in the researches of Skolnick (1966).

Examining the work of traffic policemen, however, the contrary (to acting out prejudices) appears to be true. Followed on his rounds, the warrent policeman seems to use relatively objective criteria. (1967 p.89)

The irony of the situation is that the police seem to suggest more biased behaviour in their attitudes, than possibly occurs in their behaviour. There is, of course, a number of possible explanations for this. Specific prejudices and harsh attitudes, may in fact be no more than, 'the kidding around

among men', suggested by Skolnick (ibid p.82), and not representative of a bitter hatred for certain social groups. Secondly, there are a number of social and legal constraints which prevent thought materialising into action.

It should not be construed from this that research methodologies relying on attitudes and verbal depictions of supposed behaviour, such as the interviewing technique, should be disregarded as worthless. There may well be an inter-relationship between thought and action, which although may not be immediate discernible is nevertheless significant. What should be learnt, however, is that the distinction between what police say they do and what they actually do, should be kept quite separate in everybody's mind.

Because of the significance of this difference, much of the following has been organised around the distinction between what police think and what police do. This has been extended to include also the difference, of particular relevance to observation studies, of what researchers think police think, and what researchers think police do.

2. Apprehension and arrest:

what we think police believe, what police say they believe

One of the most illuminating and encompassing concepts which has emerged of relevance to both police beliefs and police actions, in relation to deployment, apprehension and arrest policies of police departments, is the notion of 'police theory'. This was originally expressed in this form by Paul Rock (1973 pp. 176-180), although a number of writers have referred to similar ideas of a 'working philosophy' (Box 1971), 'ways of looking at the world' (Skolnick 1966), or methods of 'pragmatic induction' (Werthman and Piliavin 1967).

Like any bureaucracy, suggests Rock, the police have to organise knowledge about itself and the outside world, in order to simplify and make comprehensible the chaos of activity around them. The police thus evolve a 'lay sociology' (Rock 1973) of crime and the criminal, which may be used to guide and direct their actions. Rock continues:

This lay sociology may be called the police theory. It will stress certain themes.
(1973 p.176)

These themes include where to look and who to look for.

(Certain) cues suggest who might have committed an offence. Certain groups are assumed to be in a much higher risk category than others. Wearing particular clothes, associating with certain people, and, in particular, possessing a police record are likely to lead to interrogation. The police theory's conception of typical criminal processes prompts officers to look for an offender amongst the ranks of those who have committed the same offence in the past.
(1973 p.178)

Apprehension and arrest of juvenile suspects, therefore, involves a specific process whereby the officer does not simply ask himself, 'Has the person I am confronting committed an arrestable offence?', but, in the words of Box (1971), 'Does the person I am confronting resemble a delinquent? Does his behaviour, deportment, demeanour, speech, etc., signify that he really is a law-breaker?' (p.189).

Much of contemporary theorising on this issue can be equated with the broader principles outlined under the one heading of 'police theory'. The majority of the observation studies analysed in Chapter Two, for instance, hypothesised that the police are more responsive to the characteristics, appearance, and behaviour of the suspect, than simply the fact that an offence had been committed.

An analysis of police beliefs and perceptions, therefore, may reveal some elements of 'police theory' which might serve

to guide police actions in the selection, apprehension, and arrest of juveniles for processing. This has been organized around the specific characteristics which observation researches have indicated as important directives for police operations.

a. Social class

A number of the observation and interview based researches have assumed that police beliefs are strongly oriented around the notion that the working-class individual is inherently criminal. Wilson (1968) for example states:

The patrolman believes with considerable justification that ... lower income persons commit a disproportionate share of all reported crimes. Patrolmen believe they would be derelict in their duty if they did not treat such persons with suspicion, routinely question them on the street, and detain them for longer questioning if a crime has occurred in the area. (1968 p.40)

And conversely, it has been suggested that they are similarly hesitant to arrest middle-class individuals.

Asked to specify the kinds of people they would rather not be faced with arresting, officers listed ... affluent and influential people.

Class status very clearly carries with it an implied threat.

(Bayley and Mendelsohn, 1969, pp.101 & 102)

The view that the police do believe that working-class individuals are more criminal than other social groups, was examined through a tape-recorded, semi-structured interview with eighteen Juvenile Bureau officers. All of these officers have worked on foot or mobile patrols for at least five to ten years prior to their attachment with the Bureau. Similarly, the majority of these men were transferred to the Bureau in the last two or three years, which means they have all spent a major part of their working lives as ordinary police constables or sergeants.

It goes without saying that a sample of just eighteen

men might not be representative of all police officers; which of course is probably true. Admittedly these men were selected to the Bureau because of their special (ie. different) qualities. But other than this, they are exposed to the same dominant cultural milieu of the Metropolitan Police Force as are all police officers, and thus might perhaps be viewed as reflecting those special features of all police staff. However, it is not really intended that the results obtained from this research should be generalisable beyond the structures of the Metropolitan Juvenile Bureau scheme.

As part of a half-hour interview, each of the eighteen officers were asked, 'Generally speaking, what kind of person is a juvenile delinquent?' This was supposed to be an open-ended question which could promote discussion and an extended reply. It was also hoped that a more open response might be attained than would be possible through a direct class-oriented question. The question was based on a similar inquiry conducted by Westley (1970), in which he asked thirty-eight police officers, 'What kind of a person is the criminal anyway?'

Surprisingly, the eighteen responses obtained were at some variance to that suggested from earlier writings. Twelve of the eighteen replies (67%) gave answers to the effect that the juvenile delinquent could be any type of person.

You can't say what type of person is a juvenile delinquent, because any child can become a juvenile delinquent.

(Respondent 18)

Anybody can be a juvenile delinquent.

(Respondent 15)

They come from every source.

(Respondent 9)

I don't think you can generalise.

(Respondent 4)

It was also apparent that the social class implications of the question had not been over-looked.

I don't think you can put it down to any particular type of person really. We go to policemen's houses, we go to the firemen's houses, we go to the local toe-rag's house who we know is a criminal, and we also go to a good class home. I think it's very difficult to say it's any particular sort of person.

(Respondent 1)

And more specifically,

Well, a juvenile is just an ordinary person. I think they come from all walks of life; upper-class, lower-class.

(Respondent 5)

Family and environmental conditions were similarly considered before judgement was made.

I don't think there is a particular kind of person. I've been here for two years now and I've dealt with most kinds of children and families, and I think they are of such a cross section. I don't think you can say what type of person becomes a juvenile delinquent, because, on the one hand you get the kid down the road who has been in trouble from the word go, has no stable family, his home is perhaps very, very poor, and there might well be trouble between mum and dad. At the same time, you get a boy from the other end of the ground who is committing the same offences from the same age, and has got a good home and he's had everything a kid can want.

(Respondent 2)

Of the remaining six responses, three of the eighteen (16%) saw the juvenile delinquent as someone who was intellectually or educationally backward.

I think they are below average intelligence.

(Respondent 11)

He is educationally low.

(Respondent 10)

Just a mindless person.

(Respondent 12)

And three of the eighteen (16%) saw the delinquent as coming from a broken or otherwise inadequate home.

It sticks out a mile; kids from broken homes are the most common offenders.

(Respondent 3)

Generally, the delinquent does come from a rather bad home.

(Respondent 13)

I would say seventy-five percent of cases you get older brothers or parents that have gone the same way before.

(Respondent 6)

As a double-check to this, the eighteen officers were also asked the supplementary question, 'If you were asked to depict a typically law-abiding youth, how would you describe him? Four did not reply as they considered that they had already answered the question previously. Five of the fourteen respondents again stressed the difficulty of distinguishing between law-abiding and delinquent juveniles. One of these officers suggested that no one is completely law-abiding.

Are there any? We've all got a little streak in us somewhere.

(Respondent 5)

Other responses reiterated the earlier themes.

You can't depict between the two.

(Respondent 15)

I don't think there is any difference at all.

(Respondent 9)

Once again, the class reference recurred.

You've got crime in the upper and middle-classes, so you can't really say any juvenile is more or less crime free.

(Respondent 13)

And perhaps more topically:

What about our great friend Mr. Stonehouse M.P., a man reputedly of the highest, and yet to my mind one of the biggest villains this country has ever seen.

(Respondent 14)

Of the nine remaining responses, seven made references to the level of parental control with no specific class implications, one suggested that the working classes were in a better position to produce law-abiding children, and one suggested that they were in a worse position.

Why should the majority of these replies be so different from the kind of statements made in the observation studies? One reason may be that the majority of these studies presented their results in the form of 'impressionistic statements' with few systematically tabulating the events. Westley (1970) however, did present his sample of interview results in this form of percentage responses, and came much closer to the conclusions reached above. Forty-four percent of Westley's sample saw the criminal as the 'average man' as compared to sixty-seven percent of the 'I' Division sample. Nineteen percent of the sample saw the criminal as mentally or intellectually deficient, compared to sixteen percent of the 'I' Division group. From this point, however, the similarity reduces, although we have already considered over half the total replies.

It is possible that some of the disparity between these and other studies may result from methodological differences, in as much as, 'What researchers say police believe', might

be at variance with 'What police say they believe.' In this sense, the use of impressionistic accounts may be misleading.

b. Social class of area

The second well documented aspect of 'police theory' is the significance of the social class of the area. Werthman (1967), for example, tells us:

Past experience leads them (the police) to conclude that more crimes are committed in the poorer sections of town than in the wealthier areas. (1967 p.75)

Similarly, Bayley and Mendelsohn (1969) write:

Policemen do believe that crime emanates from the disadvantaged more commonly than from members of the Dominant or well-to-do community. (1969 p.93)

In order to examine if this belief was held by the 'I' Division police, they were asked, 'In what social or geographical areas do you think juvenile crime is typically more prevalent?' There was indeed no uncertainty in their replies. Twelve of the eighteen officers referred categorically to working-class areas.

In the working-class areas.

(Respondent 11)

I think probably the lower-class areas.

(Respondent 1)

Undoubtably in the poor areas there is more.

(Respondent 4)

Four of the eighteen referred implicitly to working-class areas.

Where there are large housing estates and lack of amenities.

(Respondent 7)

In the deprived areas.

(Respondent 15)

And two of the eighteen named specific working-class regions in the Metropolitan area.

There is, of course, an important consideration to note; namely that 'I' Division operates over some of the most delapidated slum areas of the Metropolis, covering one of the largest working-class communities, and housing one of the largest amounts of juvenile crime in London. Obviously it is not intended that the hypothesis under test should be prejudged. In other words, it could be assumed that these high levels of juvenile crime are the result of police labelling; but this remains to be seen.

Again, a double-check question was asked to the same officers. 'Are there any social or geographical areas where juvenile crime is particularly low?' The results were generally similar. Twelve of the eighteen officers referred either explicitly or implicitly to middle-class areas. This was subdivided into the following: five categoric references to class...

Well I think where you've got the professional classes.

(Respondent 10)

Good middle-class residential areas.

(Respondent 13)

Well, the so called better class areas.

(Respondent 14)

... five mentioned private estates...

Where you get people who've got private dwellings.

(Respondent 12)

... and two mentioned better environmental areas.

I think there is less crime where the environment is good.

(Respondent 4)

The remaining five answers related to the population density of the particular region.

We are immediately faced with a second problem of why do the respondents of 'I' Division believe that the juvenile delinquent can be from any social class, yet simultaneously believe that delinquency is most prevalent in working-class areas? The main answer to this is that there need not, in fact, be an inconsistency here. The police were asked, 'What kind of person is a juvenile delinquent?' not, 'Who commits more crime, the working-class or the middle-class?' The question was thus framed in an open fashion to encourage impressions rather than facts, and to invite the use of stereotypes. On the other hand, the question relating to area was structured in a manner which could more easily be answered in accordance with what was actually known, or felt to be known. What seems to be the case, is that the police of 'I' Division tended to answer both questions directly, without the flourish shown in the American police studies, and to refer specifically to what was 'known' to exist.

If we take this view, it appears all the more surprising that, faced with the knowledge that the working-class area in which most of them were dealing had one of the highest rates of juvenile crime in the Metropolis, this was not assimilated into the first question. As it happens, it seems that from their experiences they 'know' that all social groups have been involved in criminal activities, and they 'know' that areas like parts of 'I' Division do have high local crime rates. There is not evidence from this, therefore, that the police do hold prejudiced beliefs or stereotypes.

concerning the social class of the person or the area, as nothing was said which could not be directly related to the 'facts' of the situation. Possibly the use of different questions might have produced different results.

c. Co-operation and attitudes

The importance of co-operative, respectful demeanour during the decision-making process has been outlined in some detail by Piliavin and Briar (1964).

Other than prior record, the most important of the above clues was a youth's demeanor.

The cues used by police to assess demeanor were fairly simple. Juveniles who were contrite about their infractions, respectful to officers, and fearful of the sanctions that might be employed against them tended to be viewed by patrolmen as basically law-abiding or at least 'salvageable'. (1964 p.210)

It does seem possible, however, that the middle-class delinquent may be in a better position to realise, through his superior social training, that the best way to get-off lightly with anyone in authority, is to be at least polite towards them. Applying his knowledge of social encounter management, he may be better equipped to challenge the officer's attempts at identifying him as a typical juvenile delinquent. As Box (1971), for example, suggests:

... by engaging in dramaturgical manipulations and putting on a display of middle-class propriety, coupled with a flattering recognition of the policeman's authority, many suspects are able to convince their inquisitors that they are not really criminals, even though the evidence that they have broken the law is considerable.

A more middle-class stance towards authority may, therefore, result in a much less severe police disposition. (1971 p.190)

If this is the case, there could exist a class bias in juvenile arrest rates, based, not so much on related appearance, but on related behaviour. In order to assess whether the officers of '1' Division did indirectly believe that

certain individuals were more delinquent in terms of behavioural types, they were asked, 'Would you be more inclined to make a harsher decision if an individual was disrespectful and unco-operative?' The responses to this were equally divided, with seven of fourteen officers suggesting that they would take harsher action...

If he has committed an offence, and in addition refuses to co-operate, I would not hesitate to deal with him for that offence.

(Respondent 5)

If he's defiant and disrespectful to me, then obviously you're ... on the best side of the law to take him in.

(Respondent 6)

... and seven of the fourteen suggesting that it would make no difference.

I wouldn't personally, no. I expect a certain amount of resentment from a person being questioned.

(Respondent 12)

... it is no offence being disrespectful or even rude to a policeman.

(Respondent 2)

Thus, for the time being, it seems better to assume that there is some uncertainty in the contribution of behavioural characteristics, although this will be discussed again later in the section 'what police do'.

d. Race

The suggestion that persons of ethnic minority status are believed to be more criminal by the police than members of the dominant society, is possibly one of the best documented characteristics relating to police arrest decisions.

There can be little doubt that policemen are sensitised to minority people. ... they believe that the involvement of minorities with crime is greater than for other ethnic groups. (Bayley and Mendelsohn 1969 p.96)

For the police the Negro epitomises the slum-dweller, and he is considered inherently criminal both culturally and biologically. (Westley 1970 p.99)

It is difficult to devise a question which might facilitate the expression of a belief in racial discrimination without affronting police sensibilities through appearing underhand. A fairly open and vague question was finally elected; one which was more general than specific and would promote discussion. Eleven officers were thus asked, 'Do you think that immigrant offenders are more of a crime problem than other juvenile offenders?' Nine officers thought they were about the same.

Not now-a-days; because a lot of these immigrant families, they were born in this country and brought up here. They speak better Cockney than a good Cockney in the east-end.

(Respondent 5)

I don't think there is any difference. I just think they copy the badder elements of the white population.

(Respondent 11)

One of the eleven thought they were more of a problem, and one stated that he did not know what the position was.

Again, the anomaly between these responses and other contemporary writings seems related to the tendency for these officers to answer in accordance with what they 'know' to be the case in their particular area. Officers from Eastborough, for example, where the immigrant population was less than four percent in 1973, quite clearly confined their responses to this area, and even with some encouragement by way of supplementary questioning, failed to make any generalisations.

Officers from Northborough and Westborough, on the other hand, were involved with larger immigrant communities, although there were not racially 'hot' areas of the Metropolitan district. It is surprising, therefore, that at the time of writing this there were intense racial problems between police and immigrant groups in other parts of London, and yet this was not incorporated or generalised into some kind of typified response to a question of this nature. Obviously, the generation of stereotypes and beliefs is an area of which we know very little about.

e. Summary

The analysis of police beliefs through the 'I' Division sample, have shown a sharp difference to what might have been expected from many of the American writings. The explanation for this could be that this is an isolated uncharacteristic sample, although there is no good reason as yet to believe that this is the case. It was apparent during the interview that the officers of 'I' Division were generally interested and serious in their replies, such that, although they may express harsher attitudes in the company of their colleagues they appeared concerned to answer the questions in a manner which fairly represented their beliefs. It should be remembered that Skolnick found no evidence that these hard-line beliefs of the American police were ever manifested in practice. However, there is a substantial weight of evidence which does suggest that police behaviour is discriminatory, and it is thus towards police behaviour to which we shall now turn.

3. Apprehension and arrest:

what police say they do

The basis for this analysis so far has been the distinction between thought and action, or beliefs and behaviour. The previous section has dealt with beliefs, so ideally this section should be dealing with behaviour; what police actually do. In fact, as the sub-heading suggests, this is not as easy as it may seem. The arrest situation, unlike the final decision-making situation, is often private and transitory. The most suitable methodology for this type of investigation would preferably be the observation technique, although contemporary efforts in this area have generally been disappointing. Observation research would be more valuable if its results were more thoroughly codified or tabulated instead of maintaining the insistence of providing impressions as representative of concrete situations. It is particularly difficult to discriminate what the researcher has perceived and selected to be significant, as compared to what is happening on a wider and more general basis.

For all their failings, however, observation techniques do provide an interesting approach to the nature of the arrest situation. During my attachment with the 'I' Division Bureau, it was not possible to carry out 'in the field' observations of this kind. In order to obtain some insight into what police actually do, a second-best technique was adopted. This was originated by Leslie Wilkins (1965) and developed by Sullivan and Siegal (1972), and is referred to as the 'information board'.

a. The information board method and police decision-making

Although Sullivan and Siegal give great credit to the original idea by Leslie Wilkins, much of the development of the

information board can also be attributed to them. Basically this is a hypothetical, retrospective test relating information to decision-making, which according to Sullivan and Siegal:

... can not only simulate the real-life use of information but also reach the degree of experimental control necessary for a rigorous empirical approach to decision-making.
(1972 p.255)

Sullivan and Siegal constructed an information board containing twenty-four hinged over-lapping cards with the name of the information topic on the card visible to the respondent, and the details of the information hidden on the rear of the card. With all the cards facing in the same direction, only the twenty-four topic names are visible, such that each card has to be lifted in turn to reveal the details underneath.

The topics used refer to the kind of information the police officer might need in the arrest situation, such as, the time, the place, area of the offence, the attitude and appearance of the suspect, and the number of juveniles involved. Thus the time or the place would represent the topic name, and the information, '12-30 a.m.' or 'in the city centre' would represent the hidden topic details.

The subject of the board was a case of a fourteen year old, drunken and abusive youth, and the officer tested was required to build up a picture of this situation through selecting topics in the order that he thought relevant, until he felt that he could make a decision. The order of information topics selected, the decision reaching topic, and the decision arrived at, were all recorded.

The results of the Sullivan and Siegal test are not directly relevant here, although will be brought in later in the analysis. What is important is the methodology used and it

was from the basis of this that the 'I' Division information board was constructed.

b. The information board and the 'I' Division sample

It was stated earlier that this method approaches a real-life situation and provides a degree of experimental control. Perhaps another way of looking at it is that what is lost in terms of real-life may be gained in terms of experimental control. Although Sullivan and Siegal only use the one board with the one offence situation, it seemed possible that with a number of boards a sophisticated series of controls could be established. Two situational characteristics were selected as independent variables; the social class of the subject, and his attitude and level of co-operation in the arrest situation. Four separate information boards were thus necessary for the dichotomised characteristics. All other information topics were held constant, such that some form of experimental control could be operated. In order to test for the independent contribution of offence seriousness and class related characteristics, the four offence cards were methodically and surreptitiously moved around the four situations depicted on the 'situation' cards. It was therefore possible to relate separately 'on-the-street' decision-making with offence and social factors, and, in accordance with the distinction made by Tittle (1975), be in a position to assess which gave the greatest contribution.

The actual boards used, comprised twenty information topics and one offence card. These topics were largely based on the Sullivan and Siegal information board, although they were amended slightly for the purpose at hand. The following topics were thus chosen and randomly distributed on the boards in the order shown.

1. Place (area of offence)
2. Presence of an audience
3. Previous knowledge of the offender as a trouble-maker
4. Attitude of the offender
5. Sex
6. Age
7. Number of associated offenders
8. Dress
9. Employment
10. Time of day
11. Race
12. Degree of co-operation
13. Offender's area of residence
14. Father's occupation
15. Armed
16. Cleanliness
17. Alone, or with another officer
18. Physical size
19. Other duties to perform

The social class of the offender was mainly represented by the topic 'Father's occupation', although the 'Place', 'Dress', 'Employment', and 'Area of residence' and 'Cleanliness' were also related to social class, perhaps rather crudely, through typified versions of either working-class or middle-class individuals. The basis for these impressions of class-related characteristics derive from my own experiences of cultural stereotypes as presented through the mass-media and other sources.

The topics, 'Attitude of the offender', and 'Degree of co-operation', were intended to express the interactional state of the individual at the time of possible arrest. Both these sets of criteria were allowed to vary such that the four boards represented the conditions of: 1. a middle-class co-operative youth, 2. a middle-class unco-operative youth, 3. a working-class co-operative youth, and 4. a working-class unco-operative youth. Through this distinction, the influence of social class could be assessed independently from behaviour, thus removing the confusion between specific class effects and

related behavioural effects. The age, sex and race of the juvenile were all included as information, but could not be controlled in this manner without considerably more boards being used.

Four minor offences were devised, which might have elicited a variety of responses from a police officer on the street. ² These included: 1. a minor theft, 2. an unlawful entry, 3. a traffic offence, and 4. a suspicious person.

Thus, each of the nineteen Bureau officers were presented with the four information boards. The four offence situations were fixed, and therefore related to the specific boards, 1,2, 3, and 4. The four 'offence cards', 1,2,3, and 4, slotted in transparent envelopes at the top of the 'situation cards' were variable. Thus, the first officer was given the situations 1,2,3,4 with the offence cards similarly ordered, 1,2,3,4,. Before the second officer arrived, the offence cards were moved around one board position, so now the situation cards all had different offences relating to them; in this instance, boards 1,2,3,4, were matched with offences 2,3,4,1,. The offence cards were moved around one position for each new respondent, such that each of the four class and attitudinal situations at some point had all four offences relating to it, and conversely all offences had all situations referring to it. It was therefore possible to assess if disposition decisions were correlated with either the situation or the offence.

The officers were then asked to look at all the topic names and the offences shown, to familiarise themselves with the layout of the information board. They were then told to select information as they required it, recording on a recording sheet the number of the topic they had referred to as they

referred to it. They were to keep selecting cards until they thought they could make one of four decisions; 1. release on the street with a warning, 2. take the suspect into custody but release later, 3. arrest, 4. any other decision. When they had recorded on their sheets that a decision had been made, and the nature of the decision, they were asked to continue looking at the remaining cards to see if they would change their mind in the light of the extra information. If they did, this too was to be recorded.

Thus, we have a rather crude but interesting alternative approach to compare the relationship between what police believe and what police say they do. This, of course, is far removed from the ideal of observing and comparing what they actually do in the arrest situation, but does offer an alternative double-check to interviewing methods.

One of the simplest results obtainable from the information board test was the total number of referrals to the various information topics. The top four referral topics were 'age' with 56 referrals 'place' with 51, 'time of day' with 48, and 'previous knowledge of the offender' with 43. This compared to the Sullivan and Siegal results of; 'previous record' top of the list with 20 referrals 'presence of an audience' next with 18 referrals and 'place' with 15. The average number of referrals per offence was 5.27 compared with 5.0 for the Sullivan study.

A more significant analysis might be to look instead at the 'decision topics'; that is, the last topic referred to before a decision was made. The highest scoring characteristic in this sense was the 'attitude of the offender', which was the decision topic on 13 separate occasions. This also corresponded to the Sullivan and Siegal test which quoted

attitude as the most frequent decision-making piece of information. The third most frequent decision topic was the associated degree of co-operation, with the remaining class associated characteristics appearing fairly low in the hierarchy.

The race of the individual seemed to play a very minor role, both in terms of total referral and decision topics, being right at the bottom of both lists; and correspondingly so for the Sullivan and Siegal research. Age was referred to more than any other variable, but became a 'decision topic' on only six occasions. The other social factor, the sex of the offender, appeared half-way down the total referral list and was never used as a decision-making topic.

At first glance, the behaviour of the juvenile during the interaction sequence seems more important to the police than his appearance or social class. As suggested earlier, however, styles of behaviour and social class may be related. The race and sex of the juvenile seemed to play a relatively unimportant role in decision-making, although some influence appeared to be exerted by the age of the individual.

The most important aspect to investigate, however, is the significance of situational criteria in relation to the type of offence committed. As each of the offence cards had been moved around the four situations, it was possible to assume that any association apparent for each board would be related to the situation and not the offence. Considering first the class of the individual regardless of his behaviour, presents the distribution shown in Table 1. Boards 1. and 2. were combined to provide the non-manual section, and 3. and 4. to provide the manual. Each class category thus contained both co-operative and unco-operative elements. The severity of decisions were ranked as shown, and, although decision

possibility 4. was in fact 'any other decision', this was unanimously stated as being a release with some form of action taken.

The number of arrest decisions for youths from non-manual as compared to manual backgrounds was roughly the same, although the number of custody decisions for manual workers' sons was over twice that for non-manual workers' sons. The two release decisions slightly favour the non-manual workers' sons.

Table 1.

THE DISTRIBUTION OF DISPOSITION DECISIONS SHOWING
CLASS VARIATIONS REGARDLESS OF BEHAVIOUR

DISPOSITION	NON-MANUAL	MANUAL
{3} Arrest {2} Custody (Severe disp.)	15	21
(4) Release (with action)	23	17
(1) Release (no action) (Lenient disp.)		
TOTAL	38	38

Combining the two severe and two lenient dispositions, as shown in Table 1., suggests some movement in the direction hypothesised by labelling theorists, with a greater number of severe dispositions for manual workers' sons, and a greater number of lenient dispositions for non-manual workers' sons. These differences are not, however, substantial and may well have occurred by chance. The effect of reversing the two main variables so that the influence of behaviour could be observed

regardless of social class is shown in Table 2.

Table 2.

THE DISTRIBUTION OF DISPOSITION DECISIONS SHOWING
BEHAVIOUR VARIATIONS REGARDLESS OF CLASS

DISPOSITION	CO-OPERATIVE	UNCO-OPERATIVE
(3) Arrest (2) Custody (Severe disp.)	17	19
(4) Release (with action)	21	19
(1) Release (no action) (Lenient disp.)		
TOTAL	38	38

Other than a slight spurious tendency, there seems to be no independent behaviour effect. What is surprising from this is the obvious significance paid by the police to the two attitudinal and behavioural information topics, both in terms of total referral and more important in terms of decision topics, and yet they seem to have such little importance to the final decision outcome. To examine this anomaly further, the class and behavioural components have been represented separately in Table 3. (Severe dispositions only)

Again, the movements are in the hypothesised direction, with the co-operative youth from a non-manual background receiving the least number of severe dispositions, and the unco-operative youth from a manual background receiving the greater number, but, as before, these differences do not appear especially striking.

Table 3.

THE DISTRIBUTION OF DISPOSITIONS FOR CLASS AND
BEHAVIOUR COMBINED: SEVERE DISPOSITIONS ONLY

BEHAVIOUR	NON-MANUAL	MANUAL
Co-operative	7	10
Unco-operative	8	11

To examine the influence of offence on decision-making the four offences were compared to disposition outcome as illustrated in Table 4. below.

Table 4.

THE DISTRIBUTION OF DISPOSITION DECISIONS FOR
VARIATIONS IN OFFENCE COMMITTED

DISPOSITION	OFFENCE NUMBER*			
	1.	2.	3.	4.
(3) Arrest (2) Custody (Severe disp.)	6	0	15	14
(4) Release (with action)	13	19	4	5
(1) Release (no action)				
TOTAL	19	19	19	19

* 1. minor theft, 2. unlawful entry, 3. Traffic offence, 4. suspicious person.
(See note 2. for details)

It clearly can be seen that a substantial amount of

'following the offence' has occurred, even though the offence cards were moved around all four situations, and considerable attention was paid to equating the offence examples in terms of seriousness and decision outcome possibility.⁴ Thus, the police of 'I' Division apparently take far greater notice of the type of offence committed than any social or situational factors.

c. Summary

In terms of both police beliefs, as expressed through the interview responses, and police behaviour, as indicated hypothetically through the information board test, little attention was seen to be shown towards the social class of the individual; although in both cases some concern was shown for his behaviour. The tendency for the police to respond to the demeanour of the youth, as reflected in both the interview and in the frequent choice of this topic on the information boards, seems to be of no more significance to decision outcome than say the similar propensity to refer to the 'time-of-day' topic. Interest, quite apparently, need not be related to decision outcome.

Although the influence of ethnic origin could not be tested in the same controlled manner, there was again no indication from police beliefs or police behaviour that this was crucial to decision-making. In terms of 'what police say they do', there is little evidence so far to suggest that they respond unfavourably to the social characteristics of the offender.

It has to be reiterated, of course, that the information board technique suffers from a number of methodological

inadequacies. The police are presented with a hypothetical situation in which they have to imagine, and say, what they do; which may not in fact be equated with what they actually do. Similarly, the information available for the police to arrive at a disposition decision is limited, structured, and possibly not quite in the form that the officer might have desired. Nevertheless, it was the intention of this section to produce a second-best methodology, in the absence of being in a position to observe police encounters with juveniles, which might give some insight into how police behave, and which might be compared to the results obtained through interviewing techniques.

Considering the original distinction made by Tittle (1975) between social factors having some effect on disposition, or having a major effect, it seems that at this point no support is forthcoming for either of these propositions. From both the interview section, comprising police beliefs, and from the selection test, comprising hypothetical police behaviour, there has been no strong indication that social or situational criteria have any important influence on outcome decision.

4. The disposition of offenders processed by the Juvenile Bureau

Where most of the research relating to the arrest situation was derived from observation studies, the majority of investigations concerning the final disposition decision can be found in official data researches. It also will be remembered that although there was no degree of unanimity shown in these results, some preference was shown towards the conclusion that there was a slight association between social factors and

police referral decisions. This tendency, however, was generally unequally applied, such that the sex of the offender appeared least strongly related to disposition, and the race of the individual appeared most strongly related. The age and socio-economic status of the juvenile only marginally favoured the conclusion of some association to outcome.

In the following analysis the distinction between what police say and do has been maintained, although on this occasion the latter is considered before the former. The outcome disposition is here divided into the more lenient 'caution', where the juvenile does not acquire a criminal record number and does not appear publically in connection with his offence, and the more severe 'summons' and 'charge', where the individual does experience the conditions generally associated with official labelling.

Three different methodologies have been used to assess this problem. Firstly, a data sample of 984 juveniles were gathered from the Bureau files for the year of 1973. These files were particularly detailed and illustrative, such that a number of social and legal criteria could be associated with each juvenile and each decision outcome. Secondly, the Bureau staff were again interviewed in connection with their views on the causes of juvenile crime, and what they looked for during their home visit from which their outcome recommendation was based. Thirdly, a sample of home-visit reports were taken as a means of collating what police do, as determined through the data sample, and what they believe, as expressed through the taped interview.

a. What police do: the data sample

The sample of 984 juvenile offenders was selected from the 'I' Division Juvenile Bureau files, and, because of the nature of their filing system, the structure of the sample was very much affected by it. Juvenile offenders were filed in accordance with the year of their first offence commission and, although subsequent offences were added as they occurred, the individual remained so classified. The sample selected was taken from all the existing cases of juveniles who committed their first offence in 1973. Because these were all first offenders in that year, the corresponding number of 1973 recidivists have, therefore, been excluded.

The sample remains incomplete in a number of other ways. Once the juvenile reaches the age of seventeen his record is prepared for destruction as he is no longer part of the Bureau jurisdiction. This is usually completed before the youth is seventeen and one half. Consequently the 1973 sample only contains the 10 - 15 year olds who would not have had their records destroyed by 1975, the year of the research. Secondly, a number of files were being used by Bureau staff for juveniles who were committing offences at the time of data gathering, which were inaccessible therefore and excluded from the sample. Other than this physical absence of cases, the sample was further depleted by the exclusion of all offences which were recorded as resulting in 'no further action' (N.F.A.). These offences were considered by the Bureau Chief Inspector as in some ways incomplete, such that the guilt of the individual had not satisfactorily been established.

The sample is misrepresentative of the population of offenders, therefore, in terms of the emphasis on first offenders, although subsequent offences were included, in terms of the 10 - 15 year old age group, as the older groups would have been destroyed, and by the absence of those individuals who were guilty of committing a further offence during the time of data gathering. Because both the offence record and the age of the offender represent two of the main variables which are to be controlled, these excluded cases will possibly make little difference to the nature of the results.

Five criteria relating to social factors, father's occupation, area of residence, race, age and sex, and two variables relating to the legal circumstances of the case, seriousness of offence and the juvenile's prior record, were extracted and coded for computer analysis. The first five criteria are henceforth referred to as social factors, and the latter two as legal variables. Before the results of this analysis are outlined, however, some comment needs to be made of the nature of the coding.

The sex of the offender, of course, was non-problematic. The juvenile's age was originally coded into nine categories, from under eleven to fifteen plus, in half yearly increments. This was eventually simplified by a mid-way dichotomisation into a young group and an old group. The area of residence relates directly to the three London boroughs, Westborough, Northborough and Eastborough. Six race categories were originally used based on the race code system used at the Juvenile

Bureau. The small number of individuals in some of these categories, however, resulted in the use of only White, West Indian and Asian racial groups.⁵ The class of the juvenile was directly linked to the father's occupation, based on the Registrar General's six point scale of occupations. Again, this was simplified by combining the first three categories as non-manual occupations, and the last three as manual occupations.⁶ These, on occasions, have been referred to in the text as middle-class and working-class respectively.

The seriousness of offence, the first of the two legal variables, was originally classified by referring to the same offence types used by the Juvenile Bureau. This provided details on twenty-four separate offences. Rather than consult an external version of an offence seriousness hierarchy, as for example the reputable Sellin and Wolfgang index (1964), the Chief Inspector of the Bureau was asked on two separate occasions to rank the offences that he was dealing with in order of seriousness. As the Chief Inspector was the main source of official disposition decisions, a seriousness of offence scale as he saw it seemed distinctly appropriate. The two results were averaged, producing one hierarchy of twenty-four items. These were subdivided into five categories and coded as such for computer analysis. This ranking appeared to fall roughly into the five categories of; 1. actual threat to the person, 2. potential threat to the person, 3. property offences, 4. anti-social behaviour, and 5. victimless offences.⁷

This could also be collapsed further into the more familiar divisions of 'offences against the person', 'offences against property', and the residual category of 'other offences'. The prior record of the offender was coded in relation to each offence. As will be seen later, because of the shortage of multiple recidivists, this variable generally has been divided into first offenders and second offenders.

To test the labelling propositions, and in particular Tittle's distinction outlined above, these variables were cross tabulated in turn using both legal and social factor controls. All the results from the Bureau data have been tabulated and presented in the Tables 5 to 10 below. These are shown in terms of the percentage number of police cautions for each of the social factors and legal variables discussed above.

It can be seen from Table 5 that of the 984 first offenders, 76.4% were cautioned by the 'I' Division Juvenile Bureau in 1973. How this was divided in terms of fathers' occupational status, juveniles' area of residence, race, age, and sex, is shown in Tables 6 to 9. Nearly 90% of juveniles from non-manual backgrounds (Table 6) were cautioned compared to 77% of children from manual backgrounds. This difference was calculated to be statistically significant on a chi-squared test, with $P < .001$. The margin for significance is considered throughout this chapter as $P < .05$ ⁸. The area of the juvenile's residence (Table 7) seemed to have much

Table 5.

PERCENTAGE CAUTIONS FOR FIRST AND SECOND-TIME OFFENDERS
CONTROLLING FOR OFFENCE SERIOUSNESS

PRIOR RECORD	OFFENCE	%	N
No previous offence	Most serious	60.7	234
	Least serious	81.3	750
	Total	76.4	984
	Theft only	81.9	537
One previous offence	Most serious	22.8	114
	Least serious	26.5	162
	Total	25.0	276
	Theft only	27.0	100

Table 6.

PERCENTAGE CAUTIONS FOR FIRST AND SECOND-TIME OFFENDERS

CONTROLLING FOR SERIOUSNESS OF OFFENCE AND FATHERS'

OCCUPATION *

PRIOR RECORD	OFFENCE	NON-MANUAL		MANUAL	
		%	N	%	N
No previous offence	Most serious	78.6	28	61.7	149
	Least serious	91.8	98	81.8	501
	Total	88.9	126	77.2	650
	Theft only	92.9	70	82.7	365
One previous offence	Most serious	30.0	10	21.3	75
	Least serious	8.3	12	27.4	113
	Total	18.2	22	25.0	188
	Theft only	0	6	29.2	72

* (Totals do not add up to the sample total because of the exclusion of the non-classifiable categories of; the unemployed, fatherless families, and the omission of occupational details from the files.)

Table 7.

PERCENTAGE CAUTIONS FOR FIRST AND SECOND-TIME OFFENDERS
CONTROLLING FOR SERIOUSNESS OF OFFENCE
AND AREA OF RESIDENCE

PRIOR RECORD	OFFENCE	WESTBOROUGH		NORTHBOROUGH		EASTBOROUGH	
		%	N	%	N	%	N
No previous offence	Most serious	56.7	97	59.2	49	65.9	88
	Least serious	80.5	293	80.2	202	83.1	255
	Total	74.6	390	76.1	251	78.7	343
	Theft only	81.6	206	80.7	140	83.2	191
One previous offence	Most serious	13.7	51	25.8	31	34.4	32
	Least serious	25.0	68	27.8	54	27.6	40
	Total	20.2	119	27.1	85	30.6	72
	Theft only	30.0	40	20.0	35	32.0	25

Table 8.

PERCENTAGE CAUTIONS FOR FIRST AND SECOND-TIME OFFENDERS
CONTROLLING FOR SERIOUSNESS OF OFFENCE
AND RACE *

PRIOR RECORD	OFFENCE	WHITE		WEST INDIAN		ASIAN	
		%	N	%	N	%	N
No previous offence	Most serious	61.1	221	70.0	10	0	2
	Least serious	81.9	676	62.5	32	86.1	36
	Total	76.8	897	64.3	42	81.6	38
	Theft only	83.1	473	61.5	26	84.4	32
One previous offence	Most serious	24.5	102	0	7	20.0	5
	Least serious	29.1	148	0	9	0	5
	Total	27.2	250	0	16	10.0	10
	Theft only	30.0	90	0	8	0	2

* (Totals do not add up to the sample total because of the exclusion of race codes containing only small numbers of representatives, ie. 'dark-skinned Europeans' and Arabs.)

Table 9.

PERCENTAGE CAUTIONS FOR FIRST AND SECOND-TIME OFFENDERS
CONTROLLING FOR SERIOUSNESS OF OFFENCE AND AGE

PRIOR RECORD	OFFENCE	YOUNG		OLD	
		%	N	%	N
No previous offence	Most serious	71.0	93	53.9	141
	Least serious	86.9	321	77.1	429
	Total	83.3	414	71.4	570
	Theft only	88.5	234	76.8	302
One previous offence	Most serious	30.4	46	17.6	68
	Least serious	32.9	76	20.9	86
	Total	32.0	122	19.5	154
	Theft only	33.3	51	20.4	49

Table 10.

PERCENTAGE CAUTIONS FOR FIRST AND SECOND-TIME OFFENDERS
CONTROLLING FOR SERIOUSNESS OF OFFENCE AND SEX

PRIOR RECORD	OFFENCE	BOYS		GIRLS	
		%	N	%	N
No previous offence	Most serious	61.0	218	56.3	16
	Least serious	80.4	521	83.4	229
	Total	74.7	739	81.6	245
	Theft only	80.2	328	84.7	209
One previous offence	Most serious	22.5	111	33.3	3
	Least serious	28.6	140	13.6	22
	Total	25.9	251	16.0	25
	Theft only	30.0	80	15.0	20

less influence on outcome, with Westborough, Northborough and Eastborough showing very similar cautioning rates of 74.6%, 76.1% and 78.7% respectively. Some percentage differences were discernible with respect to the race of the offender, suggesting that West Indian youths are cautioned less than whites, and Asians more than whites (Table 8.), although this was not statistically significant. The age of the juvenile (Table 9.) was shown to be significantly related to cautioning with 83.3% of the young category, and 71.4% of the older category receiving cautions ($P < .001$), and so too was the sex of the offenders (Table 10.), with 74.7% of boys cautioned compared to 81.6% of girls ($P < .025$).

It will be remembered that in Chapter Two it was stated that a statistically significant relationship between social factors and official outcome need not provide support for labelling theory because these groups of individuals might, quite simply, be committing proportionately more serious crimes, and in a sense deserve more severe dispositions. To correct for this, the seriousness of the offence needs to be controlled. This has been done in each of the tables, with a single offence control, theft, and through a dichotomised range of offence control, represented as 'most' and 'least' serious offences. The previously mentioned five point scale was collapsed into 'offences against persons' and 'offences against property and other offences'. The latter category was combined in this way as 'other offences' failed to contain sufficient numbers of items to operate as a separate control. Theft was chosen as the single offence control mainly because it encompassed the largest category of offenders, but also because it represented a medium serious offence which was hopefully not too biased in the social distribution of its

commission.

The total percentage number of cautions for first offence theft was seen to be slightly higher than the average rate for all offences, standing at 81.9% compared to 76.4%. The previously significant class relationship remained significant but at a reduced level ($P < .05$). The juvenile's area of residence continued to be non-significant with the addition of a theft control, although the race of the offender moved from a position of non-significance to a position of just being significant at the $< .05$ level. This difference was largely brought about by the particularly low levels of cautioning for West Indian juveniles, with 83.1% of all white first offence theft cases resulting in a caution, compared with 61.5% of West Indian. Asian offenders experienced even higher cautioning rates than for whites with 84.4% of all such cases ending this way. The age of the offender was unaffected by the inclusion of the offence control, maintaining the higher rates of cautioning for the younger offender, and a chi-squared significance equal to $P < .001$. The sex association, on the other hand, was eradicated once the theft control had been introduced.

Thus, with the addition of a specific offence control there remains three significant associations to the distribution of police cautions; age ($P < .001$), fathers' occupation ($P < .05$), and race ($P < .05$).

What single offence control gains in terms of the quality and comparability of control, however, might be seen to be lost in terms of the degree to which it may be representative of other offence types. The second form of control, the range of offence, seems to be a desirable alternative, and additional method. In this instance, the range of offences has been

confined to just the two categories.

It can be seen from Table 5., that 60.7% of all 'most serious' offences ended in a caution compared to 81.3% of 'least serious' offences. The slightly significant relationship for social class and disposition shown for the theft control is maintained and increased somewhat for 'least serious' offences, with a chi-squared probability of $\angle .025$. No association was apparent for 'most serious' offences. The area of residence showed no signs of a relationship to juvenile cautioning for either level of offence seriousness. The race of the offender continued to be significant, this time at the $P\angle .025$ level, although this also was for 'least serious' offences only. Age was particularly significant at both levels of seriousness control, indicating a probability of $\angle .01$ for 'most serious' offences, and $P\angle .001$ for 'least serious' offences, and the sex of the juvenile continued to be non-related to outcome disposition.

Because of the nature of the Juvenile Bureau filing system, the 984 juveniles selected here for analysis were all first-time offenders. This means that the previous record of the offender has automatically been controlled. After all, it could be argued, in the same manner as for offence seriousness, that any social group association to cautioning practices may have been brought about by the commission of a greater number of previous offences. In other words, certain social groups may be more frequent offenders, in the same way as they might have been the more serious offenders. Police disposition decisions, therefore, would be seen as based on 'legal' rather than 'social' considerations.

The results above have thus been controlled in terms of the two most important legal variables, offence seriousness

and prior record, yet still continue to show social factor relationships. The most significant of these was the apparent association of cautioning practices with the age of the offender; in excess of the chi-squared $P < .01$ for two types of offence control, and a prior record control. Both social class of the offender, as represented through the fathers' occupation, and the juvenile's race, were shown to be significant at the $P < .025$ level, for least serious offences only. The offence theft would also be included in the category of 'least serious' offences, and does not really constitute a completely independent association.

So far nothing has been said concerning the second-time offender and how this might relate to official cautioning. Of the 984 first offenders, 276 of them went on to commit at least one further offence. Only the second offence effects have been discussed here, as so few juveniles go on to commit three or more offences that the sub-samples would become too small for social factor controls. After all the social factor and legal variable controls have been made, no association approaches near to the level of statistical significance for second offenders. This is due to some extent to the small number of individuals involved, as for instance, the very small numbers of juveniles from non-manual backgrounds who recidivate. Similarly, the small percentage of non-white youths compared to white youths in the original sample means that a relatively small number will go on to commit further offences. But, perhaps a more important reason is the apparent change in cautioning practices for the second-time offender. Whereas 76.4% of all first offenders were cautioned, only 25.0% of all second offenders were cautioned. This sudden low rate of diversion of juveniles from the juvenile processing

system is represented for both 'most' and 'least' serious offences, which suggest basically similar cautioning rates. (Table 5) What discrimination and flexibility of proceedings which appeared to occur for first offenders seems to be reduced for second-time offenders. This introduces the issue of the comparative influence of legal variable to social factors, and in particular Tittle's distinction (1975) concerning the minor and major effects of social labelling.

The fact that some social factors are related to police cautioning does not by itself indicate how this compares to the relative influence of 'legal' variables. The police may still be predominantly responding to basically legal criteria. Were this the case, social factors could only be viewed as having a 'minor' influence on social labelling. The data shown in Table 5, indicates the independent effect of offence seriousness, and suggests that 81.3% of 'least serious' first offenders were cautioned, compared to only 60.7% of 'most serious' cases. The chi-squared calculation for this difference was $x^2 = 42.7$, well inside the .001 probability level, and far greater than the significance ratings given for either the age, class, or race associations. The offence effect for second-time offenders, however, was below the levels of significance, although so too were all the social factor relationships.

The independent influence of the previous record of offences can also be calculated from Table 5. Comparing the two totals for first and second-time offenders, shows the staggering difference of a 76.4% caution rate for the former, yet only a 25.0% caution rate for the latter. It was not possible to conduct a chi-squared significance test on this relationship as the items involved were not independent. Nevertheless, it

seems apparent from the percentage differences involved that the dominant predictive factor of outcome decision is formerly whether the juvenile has a previous record.

This is not entirely fair to Tittle's proposition, however, when he states:

A valid test would 1. hold constant actual rule-breaking and observe the relationship between labelling and disadvantages, and 2. compare the magnitude of that association with the one observed when disadvantages are held constant and the level of actual rule-breaking and labelling are associated. (1975 p.164)

In other words, the social factor has not yet been held constant. As we are only interested in the relative influence of the previously significant factors; age, class, and race, in comparison to legal variables, it is only these which have been calculated in this way in the following Tables 11 to 16.

Table 11 shows the relative effect of the juvenile's age and the seriousness of offence, holding constant legal variables and then social factors, as suggested by Tittle, and comparing this influence on cautioning rates. On both occasions the association between labelling and offence seriousness was shown to be greater than that for labelling and age. In other words, the seriousness of the offence committed is the better predictor of outcome decision, and the social factor only emerges as having a minor influence on outcome. As before, a significance test could not be used to compare the relative effect of prior record and social factors on police disposition decisions, although in terms of the percentage differences involved the original influence of the offender's previous record appears to have been preserved.

Conducting the same test for social class and the two legal variables, suggests a more complicated relationship. Table 13

Table 11.

COMPARING THE DIFFERENCE OF ASSOCIATION
BETWEEN AGE AND OFFENCE, AND PERCENTAGE CAUTIONING

OFFENCE	YOUNG		OLD		x^2
	%	N	%	N	
Most serious	71.0	93	53.9	141	$x^2 = 6.6$ $P < .01$
Least serious	86.9	321	77.1	429	$x^2 = 11.6$ $P < .001$
x^2	$x^2 = 11.9$ $P < .001$		$x^2 = 28.9$ $P < .001$		

Table 12.

COMPARING THE DIFFERENCE OF ASSOCIATION
BETWEEN AGE AND PRIOR RECORD, AND PERCENTAGE CAUTIONING

PRIOR RECORD	YOUNG		OLD	
	%	N	%	N
First offenders	83.3	414	71.4	570
Second offenders	32.0	122	19.5	154

Table 13.

COMPARING THE DIFFERENCE OF ASSOCIATION
BETWEEN CLASS AND OFFENCE, AND PERCENTAGE CAUTIONING

OFFENCE	NON-MANUAL		MANUAL		χ^2
	%	N	%	N	
Most serious	78.6	28	61.7	149	$\chi^2 = 3.8$ $P < .1$
Least serious	91.8	98	81.8	501	$\chi^2 = 5.7$ $P < .025$
χ^2	$\chi^2 = 4.3$ $P < .05$		$\chi^2 = 26.2$ $P < .001$		

Table 14.

COMPARING THE DIFFERENCE OF ASSOCIATION
BETWEEN CLASS AND PRIOR RECORD, AND PERCENTAGE CAUTIONING

PRIOR RECORD	NON-MANUAL		MANUAL	
	%	N	%	N
First offenders	88.9	126	77.2	650
Second offenders	18.2	22	25.0	188

Table 15.

COMPARING THE DIFFERENCE OF ASSOCIATION

BETWEEN RACE AND OFFENCE, AND PERCENTAGE CAUTIONING

OFFENCE	WHITE		WEST INDIAN		ASIAN		x^2
	%	N	%	N	%	N	
Most serious	61.1	221	70.0	10	0	2	x^2 cannot be calc. *
Least serious	81.9	676	62.5	32	86.1	36	$x^2 = 8.2$ $P < .025$
x^2	$x^2 = 39.7$ $P < .001$		$x^2 = 0$ $P < 1.0$		x^2 cannot be calc. *		

* (More than twenty-percent of the numbers in the matrix fall below the number '5')

Table 16.

COMPARING THE DIFFERENCE OF ASSOCIATION

BETWEEN RACE AND PRIOR RECORD, AND PERCENTAGE CAUTIONING

PRIOR RECORD	WHITE		WEST INDIAN		ASIAN	
	%	N	%	N	%	N
First offenders	76.8	897	64.3	42	81.6	38
Second offenders	27.2	250	0	16	10.0	10

indicates that the largest effect occurs for the seriousness of offence committed, when controlling for juveniles from manual-worker backgrounds. However, when offence is compared to differences in cautioning for juveniles from non-manual backgrounds the relationship is not as great as the class effect for 'least serious' offences. Unfortunately, Tittle does not advise what to do in these circumstances. Perhaps a more impressionistic perusal of Table 13, on the other hand, might sustain the view that the major influence seems to occur for the legal variable, and thus only offers support for the weaker version of labelling theory. The influence of prior record similarly appears to be a much stronger force than that of social class.

For both Tables 15 and 16 the situation is not so clear because of the small numbers involved, although again the legal variables still appear to be the dominant influence on outcome decision.

Thus, three social factors have been shown to be related to police cautioning practices; the age of the offender, which was considered strongly associated and remaining significant after two forms of offence control and a previous record control, the social class of the juvenile, as measured through the father's occupation and which was just significant for 'least serious' offences, and the individual's race, which was once again just significant for 'least serious' offences. Both the two legal variables; the seriousness of the offence committed and the offender's previous record, appeared to be more strongly related to outcome disposition than social factors, and remained so after both legal and social factors were independently controlled.

Although some support might be forthcoming from this for the precepts of labelling theory, it seems that this can only be for Tittle's weaker, and less significant, version of the approach. Nevertheless, there are some grounds for arguing that it was only this 'weaker' version which labelling theorists were advocating anyway. In other words, on some occasions, in some instances, official labelling might be related to these social factors; which seems to be a reasonable summary of the first half of the analysis of Chapter One. As the four hypotheses relating to social considerations were similarly phrased in this way, there may be some grounds for considering the rejection of at least three of them. On the other hand, it has to be considered that both the class and race associations were rather weak. It would certainly be difficult to conclude from the basis of these two results that the police were acting discriminatorily. I would, therefore, like to leave these two results as marginal, suggesting, rather than proclaiming, a feature of police processing. The age of the offender seems to be much more firmly related to disposition outcome than either social class or race. However, although it does seem that in this instance the police could be viewed as acting discriminatorily, it should be remembered that the 1969 Children and Young Persons Act emphasised a welfare styled, rather than punitive, treatment for the younger offender. It could be argued, therefore, that in a sense the age of the offender could be treated, if not as a 'legal' variable, as a 'legalistically' based factor, which would not only reduce further the idea of misuse of police discretionary powers, but would also bring

these results in line with those from the previous section concerning the arrest of juvenile offenders.

b. What police say they do: taped interviews

In the earlier part of this chapter, police beliefs were analysed before police behaviour in order to assess how far the latter related to the former. In this section police behaviour has already been discussed, such that it is now necessary to investigate the issue of what police say they do as a possible means of explaining some of the findings obtained in the data analysis above.

Police beliefs about how and why they act in certain situations were examined through taped interviews with the staff of the Juvenile Bureau. During the investigation of the circumstances of a case, the Bureau officer visits the home of the youth in order to gain information from which to base his recommendation to 'caution' or to 'summons' the juvenile. The final outcome decision is thus affected by the structure of these recommendations. It is important, therefore, to ascertain what exactly the police look for when they make this visit. All the officers were asked the same question; 'During your visit to the juvenile's home, you gather information which assists you in your recommendation to caution or summons an individual. What kinds of thing affects your decision-making?' It was hoped that this question was sufficiently open to allow a range of answers specific to the officer's own predilections.

The results of this enquiry produced fifteen extended, wide-ranging and colourful accounts of the conditions which

police regard as important in their assessment of the juvenile's home-life, and which might have some effect on their final recommendation decision. From the nature of these replies, it became apparent that only the behavioural, attitudinal and possibly social class influences could be assessed as potentially relevant factors. The significance of race, age and sex of the offender will thus have to be left for the time being to be examined by one of the other methods of investigation.

The problem at hand is fundamentally the same as that outlined by Cicourel (1968) in his own analysis of factors leading to police decision-making and police actions. How can the researcher organise, select and decode statements made by officers which will accurately reflect police dispositions towards certain situational factors? In other words, there is the problem of 'objectification', or the 'observers' and the actors' attempts to convince the reader (or listener) of the credibility of the properties or elements being attended and labelled 'data' for purposes of making inferences and taking further action.' (Cicourel 1968 p.2), and 'verification', or 'interpreting the materials labelled data as supporting a prior and ad hoc proposition about why and how something happened or is constituted according to specifiable procedural rules...' (Cicourel 1968 p.2)

My intention, and problem, is to assess from the statements made by fifteen Juvenile Bureau officers which features of the juvenile's home-life, his parents, and the juvenile himself, are important to the officer's perception of the situation, general 'police perspectives', and final decision recommendation.

Cicourel (1968) considers that the only justifiable method by which the researcher can present his impression of 'what

is happening' as reflective of that experienced by the actor, and avoiding simply representing statements as 'data' or to implicitly interpret meaning and impose organisation by 'fiat', is for the researcher to state clearly how he made sense of what the respondent said. This may be done, suggests Cicourel, by referring to, '... how the researcher makes sense of the subject's remarks, while also invoking features of the action scenes or past scenes felt to be relevant to the subject and observer in deciding what is happening, or how some descriptive account by either the subject or researcher was reached...', and by, '... revealing unstated and the seen but unnoticed background expectancies included or left out as a particular case ... is analysed over time.' (Cicourel 1969 p.15)

In other words, the researcher must make explicit his assumptions concerning his interpretation of what the respondent states, he must attempt to link these accounts to other relevant statements and actions, and in turn, relate these to 'background expectancies' and everyday perspectives of the actor's world. Although it is not intended to adhere rigidly to Cicourel's every-word, or for that matter to align myself totally to phenomenalism, there does seem to be considerable merits in this approach, and its more general principles will attempted to be followed.

The replies to the question given to the Juvenile Bureau officers seemed to be organised around a number of recurring themes, which, following the principles outlined by Cicourel, might be viewed as depicting regular categories of perception and experience. These were; 1. the home structure, 2. the attitudes of the parents, 3. the behaviour of the parents, 4. the attitude of the juvenile, and 5. the behaviour of the

juvenile.

Throughout this analysis, various features of the situation, particularly the five conditions above, will be scrutinised with the intention of revealing any existence of class bias with respect to the officers' selection and interpretation of factors considered relevant to his perception and recommendations of juvenile cases. This necessarily involves making assumptions as to what does and what does not constitute evidence of a class relationship. The basis of these assumptions, unfortunately can be no more scientific or objective than my own perceptions of aspects of social class as acquired through shared cultural experiences, the mass media, and to a lesser extent certain professional insights, propositions and hypotheses. Where possible, however, I will follow Cicourel's directives and try to link these assumptions with my own and the officers' general perspectives.

Of these five themes, it seems more likely that if there was excessive attention to details relating to the social class of the family, that this would be observed in the manner in which the officer described the conditions of the home, and the home structure. Following Lemert's (1951) and Scheff's (1969) emphasis on the 'visibility' of deviance and associated characteristics, it seems that the 'quality', and 'type' of home environment would be the most easily visible indicator of social class, if in fact this was of particular interest to the Bureau officers, and that this interest would be reflected in the nature of the responses.

Eight of the fifteen officers did refer to the conditions of the home in their replies.

Well, visually, when you are invited into the living-room, or whatever, you look around, and you can quickly sum up, and you think to yourself, well here is a well kept house; ... you can look from the material things in the home, from the way the boy is dressed, that here is a family who is trying, that here is a family who are normally law-abiding.

(Respondent 6.)

At first glance, this appears to be class oriented; ie. the more you have got, the more law-abiding you must be. But the quality of the home is not necessarily important to the Bureau officer quite in this way.

A family can come from a banker's house, right down to a dustman's house; this doesn't matter. You can walk into a dustman's house and their home surroundings are alright.

(Respondent 5.)

We are not all lucky enough to have a job and earn lots of money. Then again, people can be clean without being filthy dirty. If the place is filthy dirty, is it because of laziness on the parents' part, they don't want to know, they're not bringing their children up properly?

(Respondent 1.)

The recurrent emphasis on the 'cleanliness', 'tidyness' and general 'care' that has gone into the home does not seem to be directly class-related here. The 'quality' of the home appears to have quite a specific meaning to the Juvenile Bureau officer, based on the apparent levels of which the family seem to be 'trying'. Failure to 'try' may be seen perhaps to indicate other failures. Similarly, obvious concern shown for the home and the family may be seen to reflect a general regard for certain standards and values. On a tour of the area with the Chief Inspector of the Bureau, for instance, a number of homes which would normally be considered decrepit in comparison with normal housing standards, were praised by the Chief Inspector because some attempt had

been made by the inhabitants. This could be expressed in a cultivated garden or newly painted window frames. Levels of 'care', therefore, were not necessarily viewed by these officers as related to material resources.

You've only got to look around to see whether the people care about the way they live. Not necessarily if it's a big house with expensive furniture; this doesn't make any difference.

(Respondent 11.)

Well, let's say, if you haven't got any money, the furniture and decorations are secondary as far as I'm concerned; as long as the home is clean and it's looked after. You don't have to have a posh three-piece-suite to be a good citizen, so long as it's clean and tidy and the kids are well cared for.

(Respondent 8.)

The continual qualification that:

We are not all lucky enough to have a job and earn a lot of money.

(Respondent 1)

Not necessarily if it's a big house with expensive furniture...

(Respondent 11.)

You don't have to have a posh three-piece-suite to be a good citizen...

(Respondent 8.)

... seems to be emphasising the point that these statements are not intended to be class-specific.

Of the five themes mentioned earlier, the home structure was not, in fact, the most frequently referred to characteristic which the police regarded as important to their decision-making, but the attitude of the parents. This criterion is discussed here in some detail because, not only would it represent an important non-legal influence on disposition outcome if it was found to be especially significant to the

police officer's recommendation, but also it might be considered as a further indicator of the possible existence of social class bias.

The attitude of the parents was mentioned as an important consideration by twelve of the fifteen officers, and the most frequently recurring feature of this attitude was related to the level of general concern expressed by the parents.

I am essentially impressed by the parents' concern. I want to see that the parent is concerned about the child. I am impressed by parents who are more concerned with what the child has done, than the parents who are more concerned with the fact that he got caught doing it.

(Respondent 4.)

Well, we go to some homes and the parents are at loggerheads at one another for a start. They've no interest in their children whatsoever. They're allowed to go out late at night, they don't care when they come home, pocket money is practically non-existent. This all leads to the boy or girl going out and taking things that they want, because the parents are just not interested.

(Respondent 8.)

The general concern of the parents can be manifest in many ways. Two common themes were the feeling that there was love in the home, and some signs of remorse or shame shown during the interview.

The things they say, whether they are worried about the child getting a record, if there is love in the home, if they really care. You can tell straight away from the stress they show. If they're concerned, usually the parents are very distressed.

(Respondent 11.)

The other important element of the parent's attitude, which might also be seen as related to general concern, is the level of respect they show to the officer. If this respect is absent the officer may consider this as generally indicative of the type of family he is dealing with.

People are quite willing to just sit therewith the television blaring out. 'Turn it down Johnny', and Johnny still leaves it on, and the boy is looking at the television and the parents are looking at the television, while I'm talking over the top of it. I mean, this to me shows an absolute lack of interest in what I've come for and what's happened. So this must affect my decision.

(Respondent 1)

Undoubtedly it is possible that the general presentation of the self, which would include expressions of attitudes, levels of concern for the welfare of the child and the upkeep of the family, and apparent respect for the officer of the law, may be class-related. After all, the interview with the officer operates as a transitory period of negotiation over the outcome of the juvenile's case, and assuming that it is the usual intention to desire the least severe sanction, basic interactional techniques are required to bring this about. These techniques of 'impression management' (Goffman, 1959), 'dramaturgical techniques' (Box, 1971) and general interactional abilities, may well be class-associated. The middle-class, for example, may have more highly developed social skills, and would not therefore make any silly slips like leaving the television on during an interview with a police officer, or appear uninterested or unconcerned about the welfare of their child or his offence. If this is the case, the slight class association determined in the data analysis section might have been brought about by class-related conditions associated with general interactional abilities, rather than because the Juvenile Bureau officers were singling out the working-classes for specialist attention. This, so far, remains conjecture, although some of the other aspects of the interview situation may be seen as substantiating this view.

Whereas we have just been dealing with general parental attitudes, the perceived level of 'control' in the home is perhaps better categorised as parental behaviour. The two may operate complementarily, however, in that the level of parental control might be seen as a manifestation of the general concern displayed by the parents.

If I thought, during the course of my short interview, that dad, even in his wildest dreams, had absolutely no control over this boy, nor had mum for that matter, then if I thought there was none forthcoming, then I've got to start thinking along the lines of taking him to court, and get the control that the courts should be able to give.

(Respondent 2.)

The importance of control was similarly reflected in a second question put to the Bureau officers, 'What do you think causes juveniles to become criminal?' The reasons for asking this tie in closely to the ideas contained in the notion of 'police theory' discussed earlier in this chapter. If police believe that juvenile crime is caused by certain environmental or individual factors, their behaviour might be affected by it. In other words, if the juvenile's home environment reflects the conditions which the officer believes are ideal for the generation of juvenile delinquency then he might recommend accordingly.

Box (1971) analysed a similar set of results concerning police theories of crime causation for the Westley findings (1970) and concluded that they generally tend to fit in with professional theories developed by social scientists. He classified the majority of the causes mentioned into five well known theories of criminal aetiology; 'socialisation theory', 'differential association theory', 'social disorganisation theory', 'anomie theory' and various 'pathological theories'. The results of the 'I' Division sample similarly fitted these

categories plus three others; Matza's theory of 'drift', 'control theory' and 'labelling theory'. Juveniles were seen to be delinquent by Bureau officers because; 'they've been brought up wrongly, their sense of values are different' (socialisation theory), 'they follow the villain' (differential association theory), 'they don't join any clubs or go to discos' (social disorganisation theory), 'they want something and they're not willing to work for it' (anomie theory), there 'is an inherent leaning to wrong' (pathological theories), 'every juvenile is a potential criminal at certain ages, some are tempted, others are not' (Matza's notion of 'drift'), 'it's a lack of parental control and concern' (control theory) and, 'not all of them get caught, you only catch so many, and it's these we look at' (labelling theory). The most frequently referred to was a version of control theory, whereby the juvenile could only be expected to follow his natural anti-social desires if he were not governed and guided by his parents. An ill-disciplined home, was considered a disrupted home, where the normal social pressures had lost their influence.

To my mind, all children are born anti-social, and they must be taught the difference between right and wrong, and this must continue throughout their life.

(Respondent 18)

People who go wrong are those who haven't any moral codes, laws, religions, anything like that.

(Respondent 12)

Thus, once again, the impression gained from the parents in terms of the control they display over their children seems to be a significant factor influencing police perceptions. Throughout these interviews the role of the parents decidedly dominated the most frequently referred to, and in accordance

with the prescriptions of Cicourel (1969), quite probably the most representative categories used by the police in 'making sense' of the juvenile's home situation. This is not to say that the attitude and behaviour of the juvenile was ignored, however, which it was not, simply that the Bureau officers chose to answer this particular question mainly from the perspective of the parents. The reason for this might be that at the time of entry into the home, the officer is primarily concerned with the parental side of the case as he already has a certain knowledge of the juvenile and his offence. The position of the parents thus fills his mind at that point in time, although this does not mean that at the time of the final decision he will not then reassess what he knows about the juvenile, and combine the two. The write-up of the home-visit, contained in the home-visit report, seems to substantiate this view; as discussed in the next section.

In conclusion, it seems that the home-visit provides much more information to the officer than simply the juvenile's social class position. Conditions which were more likely to determine an unfavourable recommendation would almost certainly be where the parents showed little concern about their child or their family in general, and where, quite possibly, this was simultaneously expressed in the lack of discipline and control over them. This would suggest to a Bureau officer the need for external control by way of a court appearance.

Although there may be some grounds for arguing that the family's ability to present a favourable impression in front of the Juvenile Bureau officer, which no doubt would include the display of signs of concern and control, may be 'class-related', it does not follow that these characteristics will be 'class-specific'. It would be expected, therefore,

that were this so there might be a slight, although not consistent, relationship between labelling and social class; a point of view offered some support from the analysis of the Bureau data in the previous section.

c. What police report they do: case-study examples

In order to link together 'what police do' (data results) and 'what police say they do' (taped interviews), it was possible to analyse a sample of home-visit reports, which clearly outline the Bureau officer's impressions and recommendations. As in the majority of cases these were consolidated by the Chief Inspector, the depiction of thought processes leading to the officer's final recommendation was indeed of special interest.

From a systematic sample of every twentieth case history, forty-five examples were drawn for analysis. As the majority of all offences were of medium seriousness (offences against property) only those in this category were selected. If the twentieth case was not in this category, the next medium seriousness offence was included instead. All the offenders were filed in terms of their first offence commission, and as such the final sample had a built-in previous record and seriousness of offence control.

Certain recurrent themes dominated these home-visit reports. Although the officer illustrated a number of straightforward situational conditions of the juvenile and his environment, he appeared to be primarily concerned with the level of desirability of four key information topics. These were; 1. home conditions, 2. parental attitudes including general concern, 3. parental control, 4. juvenile attitudes including general concern. These features were rarely ever depicted by the officer in neutral terms, but rather in either a

positive or a negative manner, such that it seemed that the balance of these conditions largely reflected in the final recommendation decision.

To test this, the forty-five case-histories were divided into those resulting in a caution (32 of 45, or 71.1%), and those resulting in a summons (13 of 45, or 29.9%). This was not far removed from the total percentage distribution of first offence cautions (76.4%), which perhaps could be viewed as suggesting a representative sample. The two groups were then compared in terms of positive and negative depictions of these four factors. The results of this, and the ranking order, are shown below.

Table 17.

PERCENTAGE OF NEGATIVE REFERENCES MADE TO FOUR INFORMATION TOPICS, BY TYPE OF DISPOSITION

INFORMATION TOPIC	SUMMONS		CAUTION	
	%	N	%	N
Juvenile attitude	84.6	13	12.5	32
Parental control	38.5	13	15.6	32
Parental attitude	38.5	13	6.3	32
Home conditions	30.8	13	6.3	32

As can be seen from the table, the attitude of the offender is more strongly related to disposition than the attitude of the parents. During the interview section, it was concluded that the reverse was the case, where the attitude of the parents appeared to dominate. This change of emphasis

between what police say they do, and what they produce in a written report, is not immediately explicable. It could be the case, that as the investigation is primarily concerned with the juvenile and not the parents, during the official report this fact has to be re-emphasised. After all, it is the juvenile and not the parents who is on trial. Generally, however, it might be safest to assume that both the conditions of the juvenile and the parents are apparently important to the Juvenile Bureau officer.

Other than this, it can be seen from Table 17, that there is a strong association between negative references to these four topics and the likelihood of a court outcome. For the thirteen summonsed cases, there was a total of 29 negative references and 17 positive references, and for the 32 cautioned cases, there was a total of 13 negative references and 76 positive references.

Comparing this situation for social class, reveals that of the 20 cautions for youths from non-manual backgrounds there were 4 negative and 52 positive references, and of the 12 cautions for juveniles from manual backgrounds there were 9 negative and 24 positive references. Thus, although the general trend is in the same direction there are proportionately more negative references found in the manual background cautioned sample. A similar comparison for summonsed cases could not be made as there were only two cases of non-manual background court recommendations in the sample.

From the limited number of sample cases some recurring features emerge which seem to reinforce the statements made in the interview section concerning general interactional abilities and how this may be class-associated. On this

occasion, however, the situation is improved somewhat through the knowledge of the father's occupation. The first characteristic which arises, is the greater number of times the officer makes favourable comments when dealing with a family in which the father's occupation is traditionally classified as middle-class. This might be seen as reflecting the success of the manner in which the family was able to present itself.

The following, for example, is the Bureau officer's response to an interview with a business owner's son.

I found him to be a very polite and well-mannered lad who apologised for all the trouble he had caused, and stated that he would never do wrong again. I think he would benefit from a caution, and recommend accordingly.

The family of a department store manager, similarly generated a favourable impression, which resulted in more than one reference to how much the police officer liked them.

I like all of the members of this family and their home surroundings. I would quite sincerely say that they are as fine a family as it would be possible to be concerned with

His parents both describe him (the offender) as excellent. I can well believe this. I like this boy.

The middle-class family appeared generally to be more capable of presenting a respectable and law-abiding image. On one occasion, for example, even the church was mustered to the juvenile's defence.

Attached to this report is a letter from Reverend ..., who corroborates the fact that this offence was committed out of character. I think, therefore, that this is a suitable case for caution.

(Son of a clerk)

It is not being suggested, however, that the working-class family always make a hash of it, and the middle-class

always get it right; it is only intended here to explain the slight association found between outcome and social class in the data section. There did seem to be some tendency, however, for the working-class parent to make more frequent interactional blunders. The problem of the television, for example, has already been mentioned.

The television was on during the time I was speaking to Mr ..., and, although on two separate occasions I asked him to turn it off, he merely turned it down fractionally on each occasion. The presence of Mr. ...'s daughter did not help either, as every now and then she would burst out giggling or rudely interrupt.

The second feature which appeared to be class-related and to the detriment of the working-class juvenile, was the willingness of manual-worker families to play down favourable characteristics relating to their child, and to introduce, sometimes unnecessarily, unfavourable ones. On the other hand, many of the non-manual families interviewed by the police presented their child in a favourable light by emphasising the law-abiding side of the juvenile's behaviour.

They (the parents) do not consider that this was an offence in keeping with her normal character. She is a girl they can place trust and faith.

(The daughter of a bank-clerk)

The manager of a building society had obvious success from a similar depiction.

They are intelligent, well oriented parents, and have kept the incident in its true perspective; that is against her normal rational outlook.

(The daughter of a building society manager)

On the other hand, it was not uncommon for manual-worker families to speak derogatorily about their child in the presence of the Juvenile Bureau officer.

The mother told me that part of the trouble was that ... could not speak a word of truth.

(Son of a factory worker)

Mr. ... had given up chastising the boy as it seemed to have no effect. Generally the boy couldn't care less.

(Son of a factory checker)

Her mother describes her as bone-lazy and will not help in the house.

(Daughter of a tiler)

It has to be reiterated, however, that this is only likely to be a marginal influence on the total disposition pattern. After all, it is not completely out of the question for the working-class family to show concern for, or control over, their children. Similarly so for the way in which the child is presented by the parents to the Bureau officer. These variations are only likely to explain a minority influence of social class factors on outcome decisions, which is perhaps why the official data analysis section did not find a very strong association between occupation and police treatment.

The second slight association which requires some explanation is the tendency for Asians to experience slightly higher rates of cautioning than whites, and for West Indians to experience slightly lower rates. For first offence theft, and least serious offences, the difference between the police treatment of Asians and West Indians was statistically significant.

There were no minority group case-studies available for summonsed individuals, although the few that were cautioned did reveal one strong difference between police perceptions of their visits to Asian and West Indian homes; that is, the levels of social (family) control. In the case of Asian

families the level of control was often severe and involving the whole family.

... has received a severe thrashing from his elder brother for this offence.

(An Indian family)

Rather violent forms of supplementary punishment for criminal offences seemed quite widely accepted amongst the Indian sample.

I fully explained the Juvenile Bureau procedure to both parents. When I stated that a Chief Inspector of the police normally administered the caution, Mr. ... said, 'Is he the one that does the hitting?' I then explained that the caution was verbal, to which Mr. ... showed surprise.

One of the more unusual aspects of this amplified control process, is the involvement of the whole family; brothers and sisters as well.

... told me that the whole family experienced shame when they found out what ... had done. During our conversation ... would turn round on his sister and tell her what a terrible thing she had done and that she would be sent to court and never get a decent job.

(An Indian family)

The difference between the level of family control in Asian and West Indian families and communities, and the influence that this may have on police perceptions and police treatment, was outlined in an article by Michael Banton (1974). He suggests that, '... there is so much more friction in relations between the police and citizens with a West Indian background than in relations between the police and Asians.' This might be explained in terms of the traditional strength of the respective family structure.

The Asian immigrant in Britain comes mostly from rural societies which are structured primarily by ties of descent and kinship ... When conflicts arise, people attempt to solve them within this framework. ... West Indian immigrants come from a society with a weak family structure. (ibid.p.168)

As the police view parental control as a particularly desirable characteristic which could serve to reduce the need for external influence, the difference between West Indian and Asian families could be significant. Similar ideas were expressed during the taped interview.

Pakistani's tend to think that their children are letting the whole family down, they are more family conscious than the average Englishman or average West Indian.

(Respondent 15.)

From Indians especially, very often we've found that when we've gone to the home they have often been already punished by the parents far more severely than what the police force would do to them.

(Respondent 6.)

One example perhaps illustrates this more vividly in that retribution can sometimes be most severe.

They've (Indians) got very strict backgrounds. I've known one father who caught his child stealing, or his child was caught stealing, and he put her hand over an open gas ring to stop her stealing again.

(Respondent 8.)

The conclusions to be drawn from this are similar to those of the interview section. The officer is not primarily directed by the race or the social class of the individual, but seems to be more interested with the general attitude of both the juvenile and the parents to the fact that an offence has been committed, to the law, and to the police. A particularly salient indicator of both these attitudes is the manifest expression of social control in the family household; in other words, the parents would be showing the right

attitude to give it, and the juvenile would be showing the right attitude to receive it.

The slight class association and race association has arisen, it appears, indirectly from these more relevant conditions, and has possibly little independent effect. The strength of parental concern and control, and the corresponding response of the juvenile, might tend to favour the middle-class as opposed to the working-class, and the white and Asian communities as opposed to the West Indian. There is no reason to believe from this that these social criteria are any more directly related.

5. Conclusions

The various methods of investigation employed here to some extent may be seen as concurring in their results. The information board study showed that although officers were obviously interested in certain non-legal criteria such as the juvenile's attitude and the level of co-operation, the final decision was more affected by the legalistic conditions of the offence. The prior record of the offender was the second most influential decision topic and the seriousness of offence was the most highly correlated of the controlled variables to the final decision to arrest or release.

The distribution of outcome decisions as analysed in the official data section was considered the most important series of results, not only in terms of the greater sample size concerning what police actually do rather than what can be inferred, but also in terms of providing an adequate test for the labelling proposition. To caution or not to caution may be seen as representing the difference between not being officially labelled and being officially labelled. The con-

clusions reached substantiated the general conclusions of the official data analysis in Chapter Two. Only the age of the offender was strongly related to labelling, once all the legal variable controls had been performed, and even this contributed less to official outcome than either of the two legal variables. Further, it seems doubtful, in the context of the 1969 Children and Young Persons Act whether age should, strictly speaking, be viewed as a non-legal characteristic.

The final interview and case-study sections again consolidate the view that, even during the Bureau officers' home-visit, where police discretion is at its highest, there was no strong indication of excessive or specific emphasis on these social factors. Possibly following the spirit of the 1969 Act, the police are more concerned with the levels of 'care, protection and control' that the parents offer the child, than punishing the child or the family for the offender's misdemeanours.

In accordance with the conclusions drawn during the official data analysis in Chapter Two, it could be the case that the precepts of labelling theory are area, police division, city, specific. A similar research investigating the police treatment of adults, in another area, or even in another country, would almost certainly produce different results to this. These differences, I feel, are to be expected, rather than explained away, particularly in the British and American cases where policing is regionally organised. Labelling theory is unlikely to find universal support in its present form, and it seems contrary to individual sensibilities and a vast amount of professional studies to offer any more than a specific conclusion to an isolated case.

In the context of the 1969 Children and Young persons Act and the fact that the research was directed towards juveniles in a relatively new juvenile Bureau committed to treating the needs of the individual rather than any crude implementations of the law, plus the fact that all outcome decisions were finally made by one Chief Inspector who was also a trained Community Liason Officer, and motivated to be aware of, and reduce, social tensions rather than exacerbate them, it seems less surprising in retrospect that this region of British policing was not found to be rife in prejudice and discrimination.

CHAPTER SIX

RESEARCH RELATED TO LABELLING AS AN INDEPENDENT VARIABLE:

THE CONSEQUENCES OF BEING LABELLED

1. Introduction

Much of the delinquency research done so far has been focused on the personal, social and environmental characteristics of the individuals involved. Even with the recent growth of interest in labelling theory there has still proven to be ample opportunity, as the present research bears out, to direct attentions to the biographical details of selected individuals. The early writers in this tradition (Lemert 1951, Kitsuse 1962, Erikson 1962, and Becker 1963), however, did not particularly share this focus, but concerned themselves primarily with the process of deviancy production itself. By far the most developed aspect of labelling theory, therefore, is the consequences that emerge from publicly branding a person as deviant or criminal.

Unlike many contemporary writers, labelling theorists were not generally concerned with the initial acts of deviance. These were referred to by Lemert (1951 and 1967) as 'primary deviations', the causes of which were considered, 'many and diversified' (1951 p.75). Of greater importance was the development and compounding of deviant behaviour to the state of the stabilised deviant career, or 'secondary deviance'. It was the progression of this process that was seen to be affected by, and dependent upon, the public labelling of the individual as a 'deviant'.

Each elucidation of the process in which labelling was shown to be related to the production of secondary deviance by labelling theorists, tended to vary in its account; although certain themes did emerge. A simplified summary of the general impressions gained from these various ideas might proceed as follows. A juvenile, or any individual, might commit a

deviant act for a variety of reasons best known to the individual himself. If this action goes unnoticed, no further implications will arise from it and the youth may eventually grow out of that form of behaviour. If the community or law-enforcement system respond to the behaviour, and he/she is publicly denounced for his/her actions, the individual may take this definition to heart, and begin to question his/her normal law-abiding identity. Should the behaviour be repeated, and the experience of being labelled enhanced, the youth may get caught in a spiral of official and social reaction pressures restricting, rather than encouraging, the resumption of normal behaviour and the normal identity. The preferred deviant identity of which he/she is confronted may be seen as the easiest and most commensurate alternative lifestyle, and may become involved in the repeated deviancy of which it is part.

Although some of the writers mentioned continue this process to include the influence of deviant subcultures and the effects of institutions (Lemert 1951, Becker 1963, and Goffman 1961), which involves the acquisition of new skills, rationalisations and adaptations for the maintenance of the deviant identity, in many ways the key components of the theory have already been expounded. The precise relationship between these components, however, still remains generally unclear. Before an empirical evaluation of the labelling theorists' position is possible, it is first necessary to consider three relevant problems. First, what is the relationship between official and unofficial social reaction? Second, what is the relationship between identity transformation and unofficial social reaction? Third, how far does labelling

cause repeated deviance?

The issue of what constitutes social reaction has already been discussed to some extent in Chapter One. For the early writers, labelling meant the social response to proscribed behaviour; although it was not really clear whether this implied formal or informal sanctions. Gibbs (1972), for example, discusses how societal reaction could be viewed at either the official or unofficial levels, or both. Kitsuse (1962) and Erikson (1962) seemed to give greater importance to informal sanctions, whereas Matza (1969) clearly states the necessity of official labelling.

To become more fully deviant the subject ought to experience more tangible and direct contact with the state. More generally, his deviation should become known or public - open to authorised disapproval. (1969 p.155)

Schur (1971), on the other hand, considered that societal reaction, or labelling, operated on a number of planes particularly at the organisational and interpersonal levels; that is, both officially and unofficially.

The conclusion formed in Chapter One was that the notion of labelling was best understood in terms of both elements; the general public denunciation and the specific individual interpersonal reaction. For the purposes of research, therefore, a labelled individual in this sense should be viewed as one who has perceptibly experienced both parts of the process. If this view is adopted, then implicitly, official labelling as such may not be sufficient to produce all the effects associated with labelling theory. In other words, it would also have to be shown that the individual involved was actually experiencing the 'problems' of this pronouncement, otherwise its effects might presumably be lost.

The second problem requiring clarification refers primarily to criminal deviance and is the relationship between personality and social forces subsequent to the official sanction. General, or official, labelling supposedly initiates the process which progresses through the interaction of 'self' and 'others' towards the committed deviant life-style. One special problem facing research in this field is whether or not individual identity transformation begins and develops before any consolidating social reaction, after social reaction, or whether the two operate conjointly.

Looking at both early and later elaborations of the labelling position, again suggests some confusion in this respect. Erikson (1962), for example, implies that societal reaction precedes identity transformation.

The community's feeling that deviant persons cannot change, then, may be based on a faulty premise, but it is repeated so frequently and with such conviction that it eventually creates the facts which 'prove' it correct. If the returned deviant encounters this feeling of distrust often enough, it is understandable that he too may begin to wonder if the original verdict or diagnosis is still in effect - and respond to this uncertainty by resuming deviant activity.
(1962 p.312)

Matza (1969) on the other hand, gives particular emphasis to the growing deviant self-concept long before any official labelling. The very fact that the deviant act has been 'banned' may evoke feelings of guilt and personal doubts, even in the absence of any direct public accusation.

A more realistic impression of all these writings, however, is one where deviant identity and social reaction simultaneously grow, reciprocate, and strengthen one another. With regard to any research in this field, it would seem wise to question and leave open the exact point where the new

deviant identity is supposed to develop, and not simply assume that it will necessarily result from a single fleeting contact with the state. This suggests, therefore, that any tests made on identity transformation should be considered over a reasonable time-span to take into account the vaguaries and imprecisions of the original concepts from which they are operating.

Finally, it has to be clearly determined whether social labelling always results in recidivism. The idea that labelling someone as deviant leads to a process of identity transformation and social reaction is central to the approach. But other than a few indirect passages and implicit suggestions, there is little in these writings which directly indicates how far, and under what conditions, labelling increases deviance. This lack of clarification and detailed specification tends to confuse the labelling theorists' position, yet much of the available research on the subject is directed towards the straight-forward proposition that labelling increases deviance.

Whether this interpretation is a fair representation of the labelling theorists' position, is of course debatable, although it does serve the useful purpose of operationalising a more complex system of ideas, and thus, not only makes empirical evaluation possible, but also provides a positive starting-point from which to assess the no doubt more complicated nature of the labelling process. The two hypotheses offered by Mahoney (1974) seem to be useful for this purpose, and approximate quite closely to the Hypothesis Five generated in Chapter One. Mahoney thus proposes:

1. a juvenile who commits an offence and is apprehended is more likely to commit further offences than a juvenile who commits an offence and is not apprehended.

2. the more severe a youth's disposition in the court, the more likely he is to commit additional offences.

(1974 p.586)

Although this simplification may come close to the intentions of labelling theorists it still has to be determined if they are suggesting that this is always the case, usually the case, or sometimes the case. The suggestion that labelling always causes recidivism, however, gives the approach an air of determinism which is possibly not justified. Becker (1963) clearly emphasises that not everyone need follow the lines prescribed.

Obviously, everyone caught in one deviant act and labelled deviant does not move inevitably towards greater deviance. (1963 p.36)

Similarly Matza (1969) suggests:

... why would the signified subject collaborate in widening the meaning of his deviant acts; why go along with a spread that confuses or equates the things he sometimes does with what he is? ... we must first appreciate that often enough he does not. (1969 p.159)

Perhaps more important than the sporadic loss of occasional clients, could be the operation of social power factors which were suggested as being important in the original selection of offenders. In other words, the powerful may attempt more forcibly to prevent the process of deviant identification from developing. Lofland (1969) indicates that there are differences between social class and the willingness to accept police surveillance.

... the better-off classes are unlikely to abide any extension of imputational activity that might make them significant objects of concern. (1969 p.139)

The same resources that may be put to use to prevent the initial labelling act could conceivably be mustered to ward-off subsequent conditions which might result in adverse social consequences.

Research into the effects of labelling needs to be aware of the possibility that labelling theory predictions may be circumstantial and affected by a number of extraneous variables, particularly the same social criteria which were found to be significant in the original distribution of official labels. Without other-variable controls the value of any results from these investigations would necessarily be limited.

The three problems discussed effect the way in which research into the consequences of labelling might be perceived. In the first instance, it seemed doubtful whether official labelling alone could produce compounded deviancy without the support of subsequent social reaction. Although many studies do focus on the official responses of control agencies, it has to be assumed that further developments are necessary in order to produce the hypothesised result. Secondly, the relationship between the subsequent social reaction and deviant identity building is not necessarily sequential but reciprocal and reinforcing. Thus, the actual identity transformation leading to the deviant career may occur at some unknown point later, and not necessarily emerge fully flourished immediately after the individual's first contact with the law-enforcement system. Finally, although recidivism is assumed to be the hypothesised product of social labelling, this relationship may well be variable such that the social circumstances of labelled individuals need to be clearly

defined and accounted for, if relevant extraneous influences are to be controlled.

2. The nature of current research

It goes without saying that to carry out research based on such general concepts as contained in labelling theory, there will necessarily exist simplifications and crudifications of the original intentions. Any operationalisation of an abstraction will produce problems of this nature. However, the methods of interpreting theory into research need to be closely scrutinised.

From the available research which specifically relates to the consequences of labelling youths in the juvenile justice system emerge two important subdivisions. In the first instance there are those investigations which concentrate on the self/other progression in the post-labelling phase. Because of the diversity of studies and approaches, the definition and interpretation of what constitutes social labelling is often variable. The operation of the 'self' and 'other' components generally comprise the effects of societal reaction as a restrictive force to the resumption of conventional role performance, and the problems of identity maintenance in the face of competing definitions of who the individual really is. Societal reaction is most often divided into community reaction, in the form of the effects generated by employers and schools, and family reaction, which sometimes includes the effects of close friends. The influence of adverse social reaction on individual identity is largely dealt with in the research in terms of the subjective meaning of the labelling experience at the official level, and the reduction of self-esteem that develops in the post-labelling phase.

The second group of studies over-look the complexities of the processes involved in delinquency production, and concentrate on the broader notions that labelling causes recidivism. The approach to the problem is usually in terms of testing labelling as a means of producing or enhancing recidivism, or from a deterrence perspective, testing labelling as preventing or reducing recidivism.

The following is an analysis of the present state of research in this field. Although some outline of studies relating to the processes of societal reaction and identity transformation is provided, the main interest lies here with the second group of investigations concerned with labelling and recidivism. The reason for this emphasis is that the relationship between official labelling of delinquents and recidivism represents the topic of investigation in Chapter Seven, in which the data collected from the 'I' Division Juvenile Bureau is re-examined with respect to juvenile dispositions and offence repetition. The first section to be discussed, however, is the nature of the research connected with the process of deviant recidivism; that is, societal reaction and deviant identification.

3. Research relating to the process of deviant recidivism

It was suggested in the previous section that investigations are divided into those concerned with the social response and those concerned with identity transformation. Social response may be subdivided into community reaction and family reaction, and identity transformation may be subdivided into the subjective meaning of labelling and the evaluation of self-esteem.

a. Social reaction

i. Community reaction

Although official labelling may appear to be a very private affair, instituted perhaps in a court-room, it is rarely possible to keep such information entirely secret, especially as far as future employers are concerned. Two studies test for the effects that criminalisation may have on job possibilities.

Schwartz and Skolnick (1962) conducted an experiment on one hundred employers in order to determine whether the knowledge that a prospective employee had a criminal record for assault affected their attitudes towards him. Four hypothetical types were developed, different only in respect to whether the individual had been previously convicted for assault, acquitted with a letter of confirmation from the judge, acquitted without such confirmation, or had never been convicted for any offence. The results gave some support for this aspect of labelling theory, in as much as nine, or thirty-six percent of those with no criminal record received positive responses, that is the employer showed some willingness to consider the applicant. Of the twenty-five cases of a convicted applicant, only one employer expressed any willingness to consider the individual. Further, there was some evidence to suggest that even being acquitted for an offence, which presumably means that the individual was legally considered innocent, still produced stigmatising employment responses.

A similar investigation was carried out by Buikhuisen and Dijksterhuis (1971) which was specifically related to the job opportunities of delinquents. One hundred and fifty fictitious letters of application were sent to employers in

the Netherlands. These were classified into three types; those individuals who were once convicted for theft, those convicted for drunken driving, and those with no criminal record. Other than this, all conditions were identical for each of the applications. The results once again offered some support for labelling theory. Fifty-two percent of non-convicted, or non-labelled, youths received positive responses from the employers, whereas ex-delinquents received proportionately less. Only thirty-two percent of youths convicted for theft, and twenty-six percent of youths convicted for drunken driving received favourable responses from employers.

The amount of research available which directly relates to this issue is particularly sparse. Investigations concerned with the influence of the school, the other main source of community reaction, are similarly few in number. Again, only two studies have been located. The first of these, by Balch (1972), is an unpublished Ph.D. dissertation and has been summarised by Mahoney in his article (1974). This study compares teacher and student reactions to five hypothetical descriptions of juveniles. In the experimental groups they were described as delinquents, and in the control groups they were described as non-delinquents; in all other respects they were identical. It was concluded that although the labelled examples were perceived less favourably than the non-labelled youths, neither the teachers nor the students tended to act punitively towards them.

Fisher's 1972 research into stigma and its effects on school careers, concluded that although there was some association between school performance and labelled delinquency, this occurred prior to, and independent of, the official labelling.

Obviously the influence of community reaction to the public identification of the delinquent varies. From this brief overview, it appears that there is more evidence of discrimination in the employment situation than in the school situation. It seems unwise, however, to draw any conclusions from such a small number of investigations. It might be better, therefore, to include a larger sample of studies for appraisal by investigating societal reaction as a whole, which means first assessing the influence of the family as a contributory force.

ii. Family reaction

Although employer or teacher reaction may be meaningful to the young offender, traditional sociology has always stressed the importance of 'significant' others on individual response. In other words, emotionally close social interaction may be far more meaningful to the development of the youth's self-definition than that of relative strangers. Thus, it might be assumed that the results obtained from researches concerned with family reaction to delinquent labelling would be the more informative.

One of the first studies which can be brought to bear on this was published in 1956 and followed up in 1957 by Reckless et al, and analysed the role of the self-concept in the development of delinquency. They suggested that 'bad boys' or potentially delinquent boys had a lower self-concept than 'good boys'. More important however, was their conclusions that the mothers of the potentially delinquent boys tended to agree with their son's less favourable social definitions. Reckless goes on to suggest that the family may serve to reinforce the juvenile's negative view of himself. In the 1956 publication, where only 'good boys' were

investigated, the authors' found that the higher self-esteem of the non-delinquent youths was similarly reinforced by the individual's family.

With the Reckless studies, there seems to exist the implication that family reaction emerges as a dependent variable; the result of the youth's prior concept. As it happens, the authors do not specifically state the sequence of events, but leave the situation as a co-existence of reinforcing perceptions.

O'Neil (1969), on the other hand, comments on the development of feelings of guilt and social paranoia by parents whose sons had been incarcerated in the Iowa State Training School. O'Neil gives this development a certain independence in its effect by suggesting that these feelings can be eventually dysfunctional and lead to further delinquent behaviour. In other words, the youth, or members of the family, may sense this change in parental perceptions and presumably alter his or her perceptions accordingly.

Snyder (1971) interviewed a sample of boys on their experiences of a court hearing. A number of the youths mentioned that the greatest harm that they felt resulting from the court appearance was that other people would find out about it. Although no public announcements were made, the children considered that others would still know about it, especially their family and friends. Many felt that their parents were ashamed of them. Foster (1972), on the other hand, found that seventy-three percent of the boys he sampled did not consider that their parent's attitude had changed as a result of the court appearance, and that parental attitudes were fairly well fixed before the juvenile went to court.

Not only is there some disagreement between these studies relating to family reaction, but there is also a notable difference in their approaches. Reckless (1956 and 1957) and O'Neil (1969) actually interviewed the mothers of delinquents, whereas Snyder (1971) and Foster (1972) simply asked the youths what they thought their parents' felt. On balance it might seem that parental attitudes might reinforce delinquent perceptions, but this result is inconclusive due to the large number of theoretical and methodological problems that have not been resolved.

The most important variable control required for this sort of analysis is surely the nature of family interaction or parental attitudes prior to the juvenile's labelling experience. As Foster (1972) suggests:

Parents who regard their sons as troublesome express no surprise at the police arrest or juvenile court referral so their opinion is correctly reported as not changed. Likewise, the parents who consider their children basically good continue to believe so despite what happened with the police. (1972 p.204)

Without the knowledge of prior conditions, it is not possible to state that negative parental response is a result of, or in any way connected with the fact that their child has been labelled. Secondly, there is only a relatively loose linkage between feelings of 'guilt' (O'Neil 1969), or 'family conflict' (Reckless 1956), and the type of identity reinforcement suggested in the theoretical writings on labelling theory. Vague notions of 'parental attitudes' (Foster 1972) do not indicate the nature of family reaction or response in quite the manner which would be desired. This leads to the third point, that an expression of 'negative' responses does not indicate the overall balance of reactions reinforcing the

deviant identity to those that may be attempting to neutralise or eliminate it. A mother who feels ashamed of what her child has done may still wish to repair the situation rather than aggravate it.

Summarising research into societal reaction as a whole, that is, combining both the community reaction and family reaction, produces a most unsatisfactory group of investigations. One of the main problems emerging is that often these studies are only indirectly linked to the testing of the precepts of labelling theory. They have been brought in as evidence in the absence of any more rigorous attempts to link empirical research to a body of theoretical writings. Because of this, some of the more relevant questions that need to accompany research of this nature have been overlooked. Controls for the various stages of the labelling process, the conditions prior to official labelling and the factors that might conceivably vary rather than support these contentions, have not been made. Research concerned with the effects of labelling on individual identity seems to suffer from similar problems.

b. Identity transformation

The consequences of labelling on individual identity have usually been researched from two perspectives; the subjective meaning of the experience of being labelled delinquent for the juvenile, and the effect that this might have on the individual's self-image or self-definition.

i. Subjective meaning

The main purpose of research relating to the subjective experience of labelling is to determine whether an individual feels stigmatised as a result of official treatment in the sense of

being set apart from conventionals. Many of the investigations that come close to testing for this often seem to bypass the issue by concentrating on emotional responses during the police or court encounter, and the juvenile's views on school and employment prospects.

Snyder (1971), for example, examines the impact of a Juvenile Court hearing on forty-three youths who had been recently placed on probation. The boys interviewed stated that they felt fear and shame in the court situation, although none of them mentioned any feelings of guilt. Snyder considered that the feelings of fear and shame were largely instrumental, in as much as the youths were more concerned for the consequences that might follow from their actions, rather than the fact that they had broken the standards of others and were being publicly chastised for it. Some feelings were shown to the idea that other people would find out about it, and perhaps not hold them in such high esteem; although this awareness, suggests Snyder, tended to subside markedly over time.

Similarly, neither Baum and Wheeler (1966) nor Foster (1972) suggested that any of their subjects expressed genuine feelings of isolation or segregation from conventional society as a result of their experiences with the law enforcement system. Many of the reactions were again instrumental in that the youths were mostly upset by the possible effects that might be generated for employment prospects. Generally, suggests Foster (1972) juveniles did not indicate that they felt that official contact would significantly effect interpersonal relationships.

None of these three studies conclude that the labelled youth feels stigmatised, or in any way isolated from normal

society. This may be because the interview questions were really only peripherally related to a test of this kind. Although a few of the questions asked were relevant to this issue, such as those relating to social or interpersonal problems emergent from official contact, the response from the youths were more concrete than abstract. They revealed little concerning possible inner feelings of isolation or estrangement, but instead focused on specific problems associated with school and employment opportunities. In order to reveal whether a child feels subjectively different, or experiences a subtle identity transformation, seems to require quite different forms of approach than those considered here.

ii. Self-image

In strict accordance with the propositions contained in labelling theory, self-image or self-definition ought to relate to the extent that a juvenile defines himself as a delinquent. A large part of the research which is usually equated with these propositions, is concerned more with individual self-esteem or self-appraisal, which appears as a vertically moving variable changing mainly in terms of whether it has risen or fallen as a result of official intervention, or is higher for non-delinquents than for delinquents.

Reckless et al (1957) investigates the differences in self-concept between potentially delinquent boys, as evaluated by teachers, and non-delinquent boys similarly evaluated. They conclude that the 'good' boys tend to have a more favourable self-concept than the 'bad' boys. Self-concept in this sense was suggested through an illustration of the perceptions of 'good' boys.

They conceived of themselves as obedient sons who did not frequently behave in a manner contrary to their parents' wishes. They evaluated their families as being good or better than most families and the relationships in the home as harmonious and cordial. (1957 p.569)

Although this obviously relates to the self-concept envisaged by the labelling theorists, in as much as the individual has to consider whether he is basically law-abiding, Reckless uses this notion in a slightly different sense. The self-factor is part of the process which he describes as 'inner containment' (1967 p.517), and contributes to delinquency through its absence and ineffectiveness in allowing natural anti-social elements to express themselves. In the context of labelling theory, the self factor is seen to operate in a more positive sense in that it serves to define, direct and promote further delinquency. It might be seen from the other studies that the interpretation of self-image and the role it plays, is quite variable from one writer to another.

One of the more enlightening studies of this section was done by Jensen (1972) who similarly criticises the present state of interpretation and definition of the self-concept. A number of writers refer to 'good' and 'bad', or 'high' and 'low' self-images, suggests Jensen, without really stating the basis for these evaluations. It seems that they are more likely to reflect the projected evaluations of the researchers themselves, than that of the subject's own self-evaluation. He further points out that the notion of self-concept is quite often linked with delinquency both as a dependent and an independent variable. Some theorists focus on the consequences of deviance for self-image, and others focus on the consequences of self-image for deviance. Paralleling this distinction with that of social reaction and self-image, it

would seem to be the more profitable to view the relationship of both sets of variables as interdependent.

In his own research, Jensen represents one of the few investigators to consider identity transformation specifically in terms of whether the individual perceives himself as being delinquent. From this he goes on to compare as separate variables, delinquency evaluation, self-esteem and official delinquency with respect to both race and class variables. Controlling for two or more offence commissions, white delinquents were shown to sometimes consider themselves as delinquent almost twice as often as a comparable group of black youths. Subdividing these groups into three educational levels, as an approximate indicator of social class, revealed that the fairly low delinquency evaluation of the black youths persisted, and was more or less constant for each educational level. The white youths, however, showed that seventy-eight percent of the lowest educational category sometimes considered themselves delinquent compared to only forty-nine percent of those educated beyond High School. Thus, the lower class white youths were shown to respond much more readily to influences which might suggest that they were delinquents. It could be the case, suggests Jensen, that both middle-class and black communities are capable of insulating or neutralising the effects of official definitions and hence make them less significant for the individuals involved.

The results of a comparison between self-evaluation and self-esteem suggested, as might have been expected, that the two concepts need not necessarily be equated. As Tangri and Schwartz (1967) suggest, the delinquent self-concept need not always be a negative concept. Generally, however, Jensen showed that there was some association between delinquency

evaluation and self-esteem, although this was not particularly strong.

A criticism which can be made against the Jensen study, is that there is still no way of knowing whether self-image, or perceptions of delinquency, actually preceded official labelling. As Mahoney (1974) suggests:

One difficulty ... is the lack of defined time sequence. It is impossible to know whether a youth's low self-esteem or self-definition as delinquent preceded or antedated his first being officially labelled as delinquent. Unless his self-conception changed after his first brush with the law, it is hard to attribute the effect to labelling. (1974 p.607)

Ageton and Elliot's longitudinal study (1974) to some extent overcomes this problem. They refer to the emergent deviant identity as a change in individual 'self-concept', but suggest that this is likely to be the eventual result of an intermediate period of an increasing 'delinquent orientation'. They test for evidence of this increase in orientation to delinquency, resulting from legal processing, through the Socialisation Scale of the much used California Psychological Inventory. The results indicate, that over a four year period, the main changes in orientation occurred only at the police contact level of official processing. These changes were specific to certain types of individuals. Both male and Anglo youths indicated that they were significantly affected by police contact, in as much as their delinquency orientation had increased. No such change was observed however for females and non-white youths. Contrary to Jensen's findings (1972) there was no significant class difference in self-perceptions, although they did concur on the relative immunity of black youths to delinquent labelling.

Two other studies make some contribution to this debate.

Newton et al (1975) investigated the relationship of the self-concept to a number of social and legal factors. The most significant finding was the association between the level of deviant reinforcement, that is the degree of official and unofficial labelling, and delinquent self-concept. Newton concludes that support is forthcoming for some aspects of labelling theory, although the exact relationship and contribution of elements of the process are as yet uncertain.

Culbertson (1975) considered the relationship between incarceration and self-concept, and suggested that this association is dependent on the previous record of the offender. Boys not previously incarcerated expressed a general decline in self-concept over the period of confinement. On the second occasion, this reduction was halted with a fairly static self-concept scoring during incarceration, but after two or more previous detentions the self-concept generally rose to almost its original level. Culbertson concludes that the association between incarceration and self-concept appears to be 'U' shaped. This would similarly concur with other studies (eg. Snyder 1972) which imply that the self-concept may vary over time, such that the initial negative effects may eventually erode and perhaps become eliminated.

c. Summary

In this section the primary issue of whether official labelling leads to recidivism has been put to one side, investigating only the hypothesised process by which contact with the law-enforcement system may complicate social relations and confuse individual identities. In other words, the focus has been directed towards the preconditions for recidivism rather than the nature or extent of recidivism itself.

The contribution of available researches which in some way relate to the various parts of the process, have provided conflicting results.

The influence of societal reaction, as interpreted through the responses of employers, teachers and the family, has been shown to vary depending on which of these elements is being considered. It was suggested that some employers might discriminate against delinquents, although a much fuller investigation is required over a range of occupations and individuals.

The influence of the family was shown to be thoroughly confused by the fact that there was little temporal control for parental attitude and child behaviour. Further, negative emotions or attitudes on the part of the parents, need not add up to the reinforcement of the delinquent identity. Again, a different kind of approach seems to be required, which perhaps would include more relevant family reactions.

In terms of identity transformation, the level of stigmatisation and perceptions of isolation from conventional society, is not clearly equated with the emotional reactions of youths a few weeks after their court appearance. The degree of delinquent identification on the other hand, is possibly one of the more useful components of this process, and to which most studies seemed to agree in that some re-orientation does occur. The exact nature of this is not completely clear, although possibly entails a reduction of self-esteem, or social worthiness, and a change in self-concept, in that the individual increasingly views himself as a delinquent. The biggest problem with this group of researches, however, is the lack of extended time sequence of the social, legal and psychological career of the youth involved. There

is some evidence that identity effects may vary, and possibly decline, over time. (Snyder 1971, Ageton and Elliot 1974)

An overall problem of the combined analysis is the lack of investigation into the situation where labelling does not seem to have any influence. There are admittedly two concurring studies (Jensen 1972, and Ageton and Elliot 1974) who both suggest that black youths are less influenced by deviant identification than whites. The conditions of de-labelling, neutralisation, insulation, and the circumstances where labels do not 'stick', or the stages of the process where labelling is least likely to be effective, however, has generally not been adequately considered. Whether labelling theory is a reasonable perspective in which to view the process of delinquency amplification, is still in some doubt. It needs now to be considered how research relating to deviant recidivism can contribute to this situation.

4. Research relating to deviant recidivism

It often goes unnoticed by proponents and researchers of labelling theory, that alongside their pursuits seeking to link official labelling with increased criminal activity, is a similar group of writers seeking to link official labelling with decreased criminal activity. This second group of investigations might loosely be referred to as connected with the 'deterrence perspective'. It seems surprising that this rather healthy orientation with strong historical linkages, is so often ignored in the labelling debate. It was, after all, over a century ago when Bentham and the Utilitarians proffered their 'rationalistic' approach to criminal behaviour, in that man would avoid such activities if there was

a certainty, severity and swiftness of punishment resulting from it. In other words, if the costs of criminal behaviour appeared to outweigh the rewards, then it was assumed that the behaviour would therefore be avoided. (Bentham 1843, and 1948)

A more suitable approach to the problem of recidivism might be to consider both of these perspectives simultaneously; assuming for example, that the success or failure of one must have consequences for the other. The following analysis of current research needs to consider therefore three general hypotheses, albeit implicitly, regarding whether labelling increases criminal activity, decreases criminal activity, or has no effect whatsoever. Before this is done, however, some comment needs to be made regarding the present state of the deterrence perspective.

Within the deterrence debate has emerged a distinction which seems to be critical to the understanding of deterrence, and that is the difference between 'general' deterrent effects, and 'individual' deterrent effects. Bentham, for example, states that, '... determent is equally applicable to the situation of the already punished delinquent and that of other persons at large.', and the distinction between, '... particular prevention which applies to the delinquent himself, and general prevention which is equally applicable to all members of the community without exception.' (Bentham, 1843 p.392 and 396) 'General prevention' or 'general deterrence' has grown up to be viewed as the threat of punishment which serves to deter potential offenders from committing an offence of which they might have otherwise committed. 'Individual prevention', or 'specific deterrence' (Chiricos 1970), or 'special

deterrence' (Morris 1966) refers to the effect of actual punishment on offenders.

One of the early writers of contemporary origins on this subject, Johs Andenaes (1952), re-emphasises this distinction.

By general prevention we mean the ability of criminal law and its enforcement to make citizens law-abiding. General prevention may depend on the mere frightening or deterrent effect of punishment - the risk of discovery and punishment outweighing the temptation to commit crime. (1952 p.179)

By individual prevention we mean the effect of punishment on the punished. (1952 p.180)

Although this distinction certainly serves a heuristic purpose, there is some disagreement over its practical implications. Andenaes (1952), for example, goes on to suggest that individual prevention or deterrence, may be no more than a different form of general prevention. A motorist who is fined for illegally parking, has experienced, '...that the law means what it says', (ibid p.180) and thus the individual and the general effect blend as one. In other words, the actual punishment simply reminds the offender of the general threat of the law. This gentle reminder may reinforce general deterrence and restrict future acts of deviance. Zimring (1973) however, considers that these two elements should not really be regarded as part of the same process. A storm warning, he suggests, is not the same as a storm. Ewing (1970) attempts to overcome this problem by redefining these terms as 'deterred' to mean the effects on persons other than offenders, and 'reformatory' to cover the effects on the offenders themselves. If punishment prevents an offender from committing further acts, then he has been reformed not deterred. Although, Zimring (1973) considers that this attempt of clarification further confuses the issue as neither terms adequately

describe the nature of the process inferred.

The complications of this debate are not really relevant to the problem at hand, although the distinction between the effects of punishment on actual offenders and the threat of punishment on potential offenders needs to be kept in mind. As it is intended to utilise research relating to the deterrence perspective in order to complement empirical evaluations of labelling theory, this distinction becomes important. The primary concern has to be with 'individual' or 'specific' deterrence, and the relationship that might occur between labelling and actual offenders, not potential offenders. The following, therefore, investigates the proposition that labelling causes recidivism from the dual position of research relating to labelling and recidivism, and labelling and deterrence.

a. Labelling versus deterrence: general approach

It was suggested earlier in this chapter, that although the theoretical writings varied slightly on the exact nature of the relationship between labelling and recidivism, the hypotheses developed by Mahoney (1974), seemed both to approximate the general impressions of these accounts, and the Hypothesis Five generated in Chapter One. It would be expected, suggests Mahoney, that a juvenile who is apprehended for an offence is more likely to recidivate than one who is not apprehended. Similarly, the more severe the court disposition for that offence, the more likely he is to recidivate. It may be that a number of problems have been overlooked, particularly the implicit definition of labelling as apprehension compared to any other point in the process, and that differences in severity of treatment only occur at the court level, compared to the police level, of processing. However, the general format

that both labelling and degrees of labelling may be relevant to recidivism seems to be a reasonable starting-point. Thus, bearing this in mind, there seems to be no reason why both the labelling and deterrence perspectives should not be tested using the same hypotheses to orient the investigation, in that they are equally concerned with the relationship between labelling and recidivism.

In line with the distinction between labelling and degrees of labelling, Tittle (1975) has suggested that in order to test empirically this relationship, it would be necessary to organise the investigation in such a way that either a comparison is made between those labelled and those not, or between individuals experiencing different degrees of labelling. In other words, it would be necessary to compare, 1. those individuals officially labelled with those who are not, or, 2. those individuals receiving a less severe official disposition with those receiving a more severe official disposition, in terms of subsequent criminal behaviour.

From the available evidence on this problem, however, there does appear to be a third possible method of approach; that is, the comparison of official recommitment rates for released incarcerated, with some hypothetical expected rate. This idea was offered as such by Tittle (1975), and referred to as an 'alternative strategy' (1975 p.173). The validity of this approach will be discussed in the context of the analysis.

Throughout the majority of these investigations, and, for that matter, the majority of the evaluative accounts so far considered, recidivism has been defined in terms of re-arrest, or recommitment data, and not in fact whether the individual actually repeats the offence. It has already been

discussed that not all offenders are caught, and not all individuals caught are offenders. The alternative possibility of determining if the offender repeats the offence without recourse to official data, is to utilise the imperfect but expedient self-report technique. Of all the studies mentioned in this analysis, only Gold and Williams (1969) and Farrington (1977) use admissions to repeated delinquency as a criterion of recidivism. Thus, a comparative analysis between the two methodologies is not really feasible, although the inadequacies of official data as the major indicator of actual behaviour should be borne in mind.

The following aims to investigate the support offered for both the labelling and deterrence approaches with respect to the comparison of; 1. those labelled and those non-labelled, 2. degrees of labelling, and 3. recommitment rates.

b. Comparing those labelled with those not labelled

From the analysis of actual research studies, or from the summaries of other writers, there have emerged a number of investigations which compare groups of individuals labelled with groups not labelled. The study by Klein (1974) fits rather loosely into this category, in as much as he compares low diversion police departments, that is, those forwarding relatively high percentages of juveniles to the next stage of judicial processing, to high diversion departments who tend to release a relatively high percentage of juveniles out of the processing system. Low diversion departments might be referred to as high labellers, and high diversion departments as low labellers. Although Klein does not directly compare labelled individuals with non-labelled, he does compare differentially labelled groups with respect to the specific police departments. The results of his investigation tended to lend

support for both the labelling and deterrence perspectives. Although high diversion police departments (low labellers) produced less recidivating first offenders than the low diversion departments (high labellers), the reverse was true for juveniles with a prior record. The high labelling department appeared to produce less recidivism for previous offenders than the low labelling departments, and thus could be seen as upholding the deterrence perspective, but for first offenders Klein does lend some support for labelling theory.

Definitions of what constitutes labelling are many and various. By extending these still further, it may be possible to include the two studies of Carney (1967) and Metzner (1963) in this analysis. Carney (1967) investigates the factors most associated with recidivism, in terms of commitments to a medium security correctional institution in Massachusetts. If it can be assumed that those who have not been previously incarcerated represent a non-labelled comparison to those who have been previously committed, then some use might be made of their results. These indicate that the second most associated variable to recommitment, next to the age of the offender, was whether the individual had been previously incarcerated. Sixty-two percent of all individuals with such a prior record recidivated, compared to only thirty-nine percent of those who had never been incarcerated.

A similar study by Metzner (1963) arrived at almost identical conclusions from the investigation of another Massachusetts correctional institution. He showed that sixty-four percent of all those who had previous commitment records recidivated within the follow-up period, compared to thirty-three percent of those with no previous record.

Although these two studies offer some support for the

labelling hypothesis, there are a number of methodological problems involved. The term recidivism, for example, applies to the recommitment of an offender for any reason. This might be as trivial as a parole violation or as serious as a major criminal offence. In fact, the majority of commitments were for parole violations, which means that this distribution possibly could have been brought about by the greater scrutiny given to those who had been previously incarcerated and recidivated, making them more susceptible to being returned once again to the institution.

The two self-report investigations concerning labelling and recidivism both use the method of comparing groups of individuals labelled with those not labelled. The first of these, by Gold and Williams (1969), attempts to test the proposition that a youth who is apprehended for an offence will commit a greater number of subsequent offences, than a comparable youth who has not been apprehended. They compare two groups of juveniles, one who has at some time been apprehended for their offences and a control group who has never been apprehended. Unlike Klein (1974), who operationalised the concept of labelling as being moved further into the legal processing machine beyond the original apprehension, Gold and Williams have equated labelling with apprehension. Either interpretation is justifiable so long as the distinction is kept in mind. As a result of operating a number of social factor controls, the final sample of youths capable of being matched in such a way, was reduced to 35 pairs; that is, 35 apprehended offenders and 35 comparable non-apprehended offenders. The results showed that for 20 pairs the apprehended youth had committed more subsequent offences than the non-apprehended youth, for 5 pairs the level of recidivism was

approximately the same, and for 10 pairs the apprehended youths actually committed less offences than the non-apprehended youths. Although the balance was 20 favouring the labelling hypothesis compared to 15 either not supporting or rejecting it, the authors conclude that their evidence does give some support for labelling theory.

The second and most recent self-report analysis of admitted recidivism rates by Farrington (1977) compares a sample of 285 non-labelled youths (no previous court appearance) with 98 juveniles who had previous court experience. He concludes, 'In agreement with the deviance amplification hypothesis, the 98 publicly labelled youths had very significantly higher self-reported delinquency scores ... than the remaining 285 non-labelled youths.' (1977 p.114) Farrington went on to investigate the influence of repeated official labelling on admitted recidivism rates and found that multiple labelling had a cumulative effect on deviance.

Self-report offers an interesting alternative means of testing the correlation between labelling and offence repetition, but suffers from a multitude of problems; some of which have already been outlined in Chapter Three. Farrington is well aware of these draw-backs and explains that some of the respondents investigated may have concealed, exaggerated, or forgotten offences, while others may have interpreted the questions idiosyncratically. Although he goes on to suggest that self-report methods nevertheless are reasonably good predictors of delinquency rates, the level of concealment of offences in his own study, revealed by repeating the investigation, was particularly high. In this sense, it cannot properly be argued that self-report studies are any more

accurate measuring devices of delinquent behaviour than official data, and thus no special importance ought to be given to the results of either of them.

An important problem with the majority of these researches, is that there has been no account made for the seriousness of the offence committed by these youths. It may be the case that offenders who commit more serious offences are more likely to be labelled delinquent. That applies to both apprehension and ultimate disposition. It is also likely that those juveniles who commit the more serious offences are more 'criminally minded' than the minor offender and thus may be similarly more likely to commit further offences. Whatever the actual argument may be, there is a chance that offence seriousness and recidivism may be linked quite independently of official labelling, and as such needs to be adequately controlled. Klein (1974), for example, attempted to control for offence seriousness by considering the mean level of seriousness for each of the police departments investigated. Although this might be such an approximation as to render any results useless, he did find that the most serious offences were committed in the low diversion departments. In other words, the previous association between 'high labellers' and recidivism, might have been brought about as a function of the type of offence committed in those departments, and not as a relationship between labelling and recidivism.

From this selection of investigations, only two give some favour to the deterrence perspective. Klein (1974), it will be remembered, found that low diversion police departments, or high labellers, experienced lower levels of multiple offender recidivism than did the low labelling departments. This difference, however, was not statistically strong.

Perhaps the more commanding results favouring the deterrence perspective were those indicated by Ward (1972) in his analysis of the 1968 F.B.I. Crime Report Data. He suggests that approximately 91% of non-labelled individuals, that is, those released from police custody with no charge, were re-arrested, compared to a range of 36% to 74% for the various categories of those who were labelled, (incarcerated, fined, or placed on probation). Tittle (1975), who analysed this research in his article, considered that, although it was not ideal, this data represented some of the best available, and it was strikingly different to the propositions of labelling theory.

No conclusive results emerge from this brief analysis of a few available investigations. One of the biggest problems is that of study comparability, particularly with respect to definitions of labelling and even definitions of recidivism. More important than this perhaps, is the lack of detailed investigation into the applicability of either of these theoretical perspectives, in the sense of when assumptions are more or less likely to occur. After all, there is no reason to assume that either theory intends to operate in an absolute sense. Tittle (1975), for example, considers that the characteristics of the offender might represent particularly salient variables in terms of the consequences of labelling.

It is easy to imagine that being punished will affect the futures of people with different social classes, ages, sexes, races, social visibilities, and power, in different ways, just as anticipation of possible sanction is likely to have a differential impact on these categories of persons. (1975 p.406)

Not only are there likely to be variations in the extent of the effect of social labelling, but there is also a chance that there may be variations in the direction of that effect.

Mahoney (1974), for example, suggests that for some youths labelling might operate negatively, in that it may invoke recidivism, while others it may operate positively, and actually deter the individual.

As important as these variations which may occur due to the social conditions of the individuals concerned, is the effects of different legal circumstances of the case. The seriousness of the offence has already been discussed as a possible influence on recidivism rates; so too therefore may be the conditions and nature of any prior contact with the police or the courts. Both legal and social criteria thus need to be considered. Unfortunately, it is doubtful whether the remaining researches relating to degrees of social labelling and recidivism rates improves on this situation substantially.

c. Comparing degrees of labelling

In this section those studies are considered which have compared recidivism rates for various degrees of official labelling. In other words, they have analysed the relationship between recidivism and police or court disposition. In practice, most frequent comparisons are made between the disposition of probation and incarceration, and the differential impact that this might have on subsequent criminal behaviour.

Considering first those investigations which lend some support to the labelling hypothesis, it becomes apparent that more of the available studies do in fact tend to favour this conclusion to that of the deterrence hypothesis. As many of the key researches in this field are American in origin, many of which are unobtainable in Britain, much of the details of the following studies have been taken from the summaries of other authors. One of the more cogent of these expositions is that

of Levin (1971).

Levin compares a number of these American investigations with respect to the 'success' or 'failure' of probationers compared to incarcerated. He concludes that on the whole the type of treatment an individual receives has a major impact on his subsequent behaviour. Although, after saying this, he goes on to suggest that both legal and social criteria, such as the type of offence, prior record, race and age of the offender, similarly effect the chances of recidivism. In his conclusion, however, Levin does make one particularly important point, in that court disposition and future recidivism may not only be linked through the process described by the labelling theorists. The court may decide that because the individual's offence record or current offence, and the nature of his present circumstances, indicate that he probably will not recidivate, they may be more willing to suggest a more lenient disposition. Thus, the court is serving to link disposition and the probability of recidivism in a manner quite independent of the process hypothesised by labelling theory.

The growing mass of significant and dependent variables coupled with the apparent inability or reluctance of many of these studies to make the controls necessary to isolate their influence, bodes unfavourably for the prospects of generating an acceptable conclusion to this section.

One of the better studies in this group which does include a number of variable controls is that of Beattie and Bridges (1970), summarised by Levin in his 1971 article. They compared the difference of a probation disposition to an incarceration disposition for a sample of offenders dealt with by thirteen Californian counties. Reverting their results from 'success' rates to 'failure' rates indicates that

after a one year follow-up period, 34.2% of probationers recidivated compared to 51.4% of incarcerated. Recidivism in this context refers to offender re-arrest for any reason. Controlling for a variety of social factors, and for prior record and type of offence committed, they conclude that both younger offenders and Negroes were more likely to recidivate for both dispositions, and that prior record and the type of offence similarly effected recidivism in both cases.

These conclusions were supported, although to a lesser degree, by the Davis study (1964), again quoted in Levin (1971). He found that less than 44% of all those offenders granted probation decisions were re-arrested, whereas 51.4% of those sent to jail returned. This difference in effect is obviously not so significant as the Beattie and Bridges result (1970), which was further weakened by the absence of other variable controls.

Another of the better studies of this section was carried out by Thornberry (1971) and is summarised by Mahoney in his 1974 article. Thornberry used four disposition categories, including probation and incarceration. As a result of controlling for sex, race and socio-economic status, plus offence seriousness, he concludes that the level of support given to either of the two theoretical perspectives (labelling or deterrence) depends on which of these dependent variables are selected. Support for labelling theory occurred when the offender was white, male and from the upper socio-economic groups. When the youth was black, of lower socio-economic status, initially committed more serious crimes, and particularly if the youth was incarcerated, then the deterrence perspective seemed of greater relevance.

McEachern's study (1968) similarly brings some support to both perspectives, depending on the type of disposition given. Youths who were requested to contact a probation officer, whether or not they were made wards of court, committed more subsequent offences than those who had no contact with a probation officer. Those who were made wards of court, experienced a decrease in criminal activity compared to those who were not made wards of court. Unfortunately, there is a readiness to agree with Mahoney's conclusion (1974) to this investigation, when he says that, '...the reader is left with the feeling that there must be some important explanatory variable which has been left uncontrolled in this study.'

(1974 p.594)

The final study supporting labelling theory, is somewhat archaic in origin, and is directed at the consequences of whipping prisoners on subsequent recommitment rates. Other than the specific nature of its interests, Caldwell's 1944 publication represents quite a sound investigation, in that both legal and some social conditions have been controlled. From a sample of 320 prisoners who had recently been whipped for their offences supplementary to their prison sentence, and 67 who might have been whipped but were not, Caldwell compared their subsequent conviction histories. Of those prisoners who were whipped, 62% were recommitted (52% white and 65% Negro), compared to 51% of those who were not whipped (53% white and 49% Negro). Controlling for prior record, it was found that 57% of those who had been already whipped once were recommitted, comprising 50% white and 58% Negro. Thus, Caldwell concludes that subsequent criminal behaviour increases with those prisoners who have been whipped, and that Negroes recidivate more than white after whipping although less than

white if there is no whipping. Although seemingly out of date in its interests, the study does strengthen slightly the argument favouring the labelling perspective; particularly as the disposition involved was especially visible in its nature and carried out at a public whipping post.

The only two investigations discernible found favouring the deterrence perspective have already been discussed, and were shown to be divided in their conclusions; supporting both points of view. McEachern's study (1968) has been criticised on the grounds of being unconvincing in its results, and Thornberry's conclusion (1971) that black youths are more frequently deterred than white youths, is directly contrary to the findings of Beattie and Bridges (1970), and Caldwell (1944), who both consider that Negroes are more likely to recidivate following labelling than white individuals.

Support for labelling theory appears to be more readily available than that for deterrence theory, although this is somewhat marred by the methodological problems involved; plus the fact that a sizable number of investigations find no support for either perspective. Babst and Mannering (1965) compare the violation rates of probationers with those of parolees, in relation to a variety of extraneous variables, including type of offence and prior record. No controls were made, however, for race or socio-economic status. The greatest difference in new violations occurred for offenders with no previous record, where 25% of probationers recidivated, compared to 32.9% of parolees. For cases of one previous record, 41.8% of probationers committed new offences, and 43.9% of parolees, and for two or more previous offences, 51.8% of the former recidivated, compared to 48.7% of the latter. Generally, therefore, there appears to be little difference

in future behaviour whatever the official disposition.

In his evaluation of existing researches relating to the consequences of being officially labelled, Hirschi (1975) cites three studies which test for the effect of introducing more lenient methods of dealing with juvenile delinquents. Data taken from the Cambridge-Somerville Youth Study by McCord and McCord (1959), shows the difference in effect of a sophisticated community treatment programme and a control group of juveniles experiencing no such treatment. They concluded that both groups of youths were equally likely to commit further criminal acts.

In the same way, the Silverlake Experiment by Empey and Lubeck (1971) compared community treatment and institutionalisation for a matched group of juveniles, and the Provo Experiment by Empey and Erickson (1972), both concluded that the outcome for the experimental and control groups was essentially the same.

The results analysed so far have suggested that there might be a slight preference in favour of the precepts of labelling theory. Some of the ideas outlined by Tittle in his 1975 publication, however, tend to over-shadow the impact of these results. These ideas emerge from what he refers to as an 'alternative strategy'; the third method of investigation.

d. Comparing recommitment rates

Tittle (1975) argues that the recidivism rate for labellees may be compared to an estimate of recidivism for all those who commit crimes, thus providing a further method for analysing this aspect of labelling theory. Unfortunately Tittle's logic seems to suffer from a number of pit-falls. He suggests that if general recidivism were determined by chance, the odds

of being a repeater would be 0.5. The origins of this figure seem to derive from the probability that if a labelled and non-labelled group were compared, the chances of recidivism, other things being equal, would be the same. Translating this into the vernacular 'fifty-fifty', has left Tittle with an unsound assumption that unless labelled offenders are seen to recidivate at a level higher than 0.5 (50%) then this would not substantially exceed the probability of the non-labelled group expected recidivism rate of 0.5 (50%). He goes on to compare the recidivism rates from a number of studies investigating recommitment rates of incarcerated, and concludes that this generally fell short of 50% and thus produced no stronger association than the hypothetical non-labelled group. Thus, little support would be seen as forthcoming for the view that labelling increases deviance. The argument itself seems untenable, although it does suggest an opportunity to examine the recommitment rates of incarcerated for the most 'severe' form of official labelling.

From the two studies of Carney (1967) and Metzner (1963), it can be seen that recommitment following release from incarceration, presumably the most severe form of labelling, resulted in 54.5% recidivism in the case of Carney's study, and 55.9% in the case of Metzner. This implies, that of all those offenders most severely labelled, 44% failed to respond, or at least get recommitted, in the manner hypothesised. Similar accounts summarised by Tittle suggest even lower rates of average recidivism. Ward's analysis of F.B.I. crime data (1972) showed an overall 30% to 35% recidivism rate, and Glaser's review of eleven recommitment studies produced an average of 35% recidivism. Both Kolodney (1970) and

Simon and Cockerhan (1974) gave very much higher rates of 67% and 68% respectively, and Kasserbaum (1971) found a slightly lower rate of 56%

Combining all of the 16 studies analysed by Tittle produces an average recidivism rate of 44%, ranging from 24% to 68%. Regardless of the original argument put forward by Tittle, these results do seem to weaken the possibility of labelling having a major influence on future criminal behaviour. Perhaps a more pertinent question at this stage, is to enquire when, and under what conditions, is labelling likely to be most influential in its effects. This brings us again to the need for social and legal factor controls.

5. Conclusions

From this brief overview of available research, it becomes apparent that too little attention has been paid to the variability of official labelling and its effects. The few investigations which have operated other variable controls have generally found them to influence the results obtained. But unfortunately these studies have produced conflicting results.

Compiling evidence from both sections concerning the processes of recidivism, and actual recidivism rates, shows that the contribution made by the race of the offender is almost unfathomable. The two most thorough investigations relating to the process of labelling and recidivism, Jensen (1972) and Ageton and Elliot (1973), both suggest that black, or non-Anglo youths, were less affected by delinquent self-definitions than were white youths. Jensen proceeded to explain this in terms of the relative immunity, or insulation, of the black community, to what amounts to white definitions.

When this is compared to the recidivism results, two of the three studies that include a race control (Beattie and Bridges 1970, and Caldwell 1944) conclude that black offenders recidivate more than white; although Beattie and Bridges suggest that this was the case for each of the two levels of disposition severity. Thornberry (1971), on the other hand, considered that Negroes were generally less influenced by the type of disposition given, in terms of offence repetition, than were whites. It seems that very little sense can be made from these kind of results.

Conducting the same kind of appraisal for socio-economic status reveals a similar problem, although less studies actually refer to this factor. Jensen (1972) finds that youths with less than High School education were much more susceptible to delinquent self-definitions than were either those educated beyond High School, or black youths. According to labelling theory, it would be assumed that lower status youths, equating educational level with social class for the sake of comparison, would therefore be more likely to recidivate subject to being officially labelled than would higher status youths. It is surprising to find that the only study testing for recidivism rates consequent to official labelling in terms of social class, that of Thornberry (1971), concludes that lower socio-economic boys were generally not influenced by the severity of official dispositions in terms of their propensity to commit subsequent offences, although upper socio-economic status boys were affected.

The influence of legal variables in this relationship appear to be similarly confused. Jensen (1972) suggested that delinquent self-concept was enhanced with increasing prior record of offences, although Culbertson (1975), who uses prior

incarcerations as a guide to previous record, concludes that delinquent self-concept may in fact be 'U' shaped, eventually decreasing with prior incarcerations. From the recidivism research, Beattie and Bridges (1970) and Caldwell (1944) both indicate that the level of an individual's prior record generally increases the probability of recidivism, although Klein (1974) showed that first offenders committed more subsequent offences after being labelled than did multiple offenders.

Finally the influence of the type of offence committed indicated a greater agreement, although only three studies can be used as evidence (Beattie and Bridges 1970, Davis 1964, and Thornberry 1971), and these all favour the least expected hypothesis that the more serious the initial offence, the less likely the individual is to commit further offences.

At the time of writing this account, there were two excellent similar articles evaluating the state of present research with respect to this aspect of labelling theory; Mahoney (1974) and Tittle (1975). Both arrive at basically the same conclusions drawn here, and therefore it might be interesting to refer to the type of concluding comments that they make. Tittle (1975), for example, states:

... the data concerning this question are extremely poor. Not only has there been comparatively little research, but that which has been done suffers from crippling methodological defects. Not a single good test of either of the major propositions of labelling theory exists in the criminological literature. Moreover, most of the research does not even attend to the most fundamental requirements of scientific methodology. (1975 p.175)

However, like Tittle, it is easy to feel that through the mist of chaos there remains the feeling that, 'something may be there', and it is largely a matter of understanding how to go about obtaining it. Mahoney (1974) considers that this process requires, '... a need for a study of the dynamics and

effects of labelling on the interpersonal level.' He goes on to list some possible questions that ought to be considered.

How does official labelling of a youth modify his interactions with family and friends? ...
As the youth goes through the juvenile justice system, what experiences, in addition to the court hearing itself, stand out in his mind as being most important and most demeaning? ...
Are only some youths affected by court labelling? Are some affected positively while others are affected negatively? ... How do youths resist or neutralise official labelling experiences.
(1974 p.610)

There is obviously a wide range of other factors which effect the basic labelling to recidivism relationship, which in part could be seen to explain the variety of differences in results found in the previous studies. Until more of these are adequately controlled, the conclusions of such investigations must remain open. The following chapter attempts to reinvestigate the consequences of labelling on youths in the juvenile justice system, with the hope that some of these extraneous variables can be controlled. It is unlikely, however, that at the present state of knowledge, any one study will be able to overcome all the problems facing this type of research.

CHAPTER SEVEN

LABELLING AND DELINQUENT RECIDIVISM

1. Introduction

Elaborations by labelling theorists of the conditions under which labelling may bring about recidivism have been shown to be imprecise and ambiguous, such that most of the testable hypotheses that have emerged originate from other sources. Mahoney (1974) in his evaluative article of current researches, it will be remembered (Chapter Six), presented two hypotheses which operationalised this aspect of labelling theory. He suggested that, 'a juvenile who commits an offence and is apprehended is more likely to commit further offences than a juvenile who commits an offence and is not apprehended', and 'the more severe a youth's disposition in the court, the more likely he is to commit additional offences' (1974 p.586) Tittle (1975) similarly emphasises these same two elements when he suggests that research relating to the consequences of official labelling should either be directed towards a comparison of individuals labelled with those not, (Mahoney's first hypothesis) or a comparison of degrees of labelling, (Mahoney's second hypothesis).

These two propositions have been taken as a basis and directive for the present research. Mahoney's first hypothesis has been reinterpreted to apply to the police decision stage of the process, in terms of whether the juvenile is summonsed to court (defined here as being labelled), or 'let-off' with a caution (defined here as not being labelled). The second hypothesis has been left as formulated by Mahoney, and relates to the differential impact of differences in court disposition on future delinquent behaviour. For the purpose of the following research analysis these may be more conveniently expressed in the null form as:

1. Juveniles who commit an offence and are summonsed to court (labelled) are no more likely to recidivate (be rearrested) than those who commit an offence and are cautioned (not labelled).

2. Juveniles who are given a relatively severe court disposition are no more likely to recidivate (be rearrested) than those who are given a relatively lenient court disposition.

A further hypothesis relating to the notion of the sense of injustice will be discussed later in this chapter.

2. General approach

There are obviously many problems associated with conducting research of this type. Tittle (1975), for example, maintains that meaningful recidivism data are impossible to obtain, largely because rearrest figures indicate very little about actual offence commissions. Ex-convicts or ex-delinquents, plus certain target social groups, may be more likely to experience police contact, perhaps even in the absence of actual criminal activity. Incarcerates may be recommitted to institutions for parole violations rather than criminal behaviour. The nature of the reconvicted offence may be quite unrelated to the initial offence. Perhaps more important than this, however, is the fact that the absence of further official contact may not necessarily indicate the absence of subsequent offence commissions. Many of the crimes which are committed never come to the attention of the police, as self-report studies bear out.

It is not assumed that the present research can overcome these problems, but only to be aware of their existence and the limitations that they impose. Alongside these general issues, are a number of specific and technical considerations relating to research procedures. To begin with, two important decisions have to be made in testing these propositions, and

that is, how labelling and recidivism are to be defined. Labelling has already been interpreted in terms of juvenile court appearances as this is assumed to be both an official and a semi-public proscription of the juvenile and his behaviour. Recidivism, on the other hand, involves the dual problem of interpreting further offence commissions, or official contact, and the follow-up time period in which the juvenile is observed. Recidivism, therefore, has been defined here in terms of the reprocessing of a juvenile through the 'I' Division Juvenile Bureau for a separate and subsequent offence to the initial contact. Follow-up time periods during which the youth may recidivate tend to vary in research studies. As the present research data were collected for the year 1973 during the latter months of 1975, most juveniles had at least two years in which to recidivate at least once from their first offence commission. It will be remembered that all the 984 juveniles in the sample committed their first offence in the year 1973. Obviously those who were arrested in the early months of that year experienced a longer time-period than those contacted later in that year. This seems to be a familiar problem with this type of research and was seen to occur for most of the investigations dealt with in Chapter Six.

Other procedural points which have been adopted include, the exclusion of the highest age category of juveniles from the original sample as they would have been removed from the Bureau jurisdiction before the end of the two year period. Unless the youth was fifteen years old or less in 1973, he/she would not have been young enough to experience a further full two years in which to repeat. Thus, excluding all those youths who were fifteen or over at the time of their first offence in 1973, leaves a new sample total of 907.

Finally, a ranking of court disposition severity had to be accomplished in order to test for the second hypothesis. A total of eight different disposition decisions, as recorded by the juvenile court, were offered to the Chief Inspector and the Inspector of 'I' Division Bureau for them to rank from their own experience in terms of increasing severity. These results were then averaged and two were excluded from the list. It seems that the Care Order from a juvenile court could be given for a variety of reasons quite unrelated to punishment severity. Secondly, the commitment of a youth to a Borstal was rarely ever done for a first offence. Thus, although this represents the most severe court disposition, this too has been excluded from the analysis. Finally, the two Supervision Orders, one referring the juvenile to his Local Authority, and the other to a Probation Officer, have been combined to improve the quality of the data, and to avoid the fine distinction between two fairly similar dispositions. The resulting severity ranking, therefore, emerges as follows: Conditional Discharge, Fine, Supervision Order (combined), Attendance Centre, and Detention Centre.

3. Comparing those labelled with those not labelled

In order to give some support to the hypothesis number one of this chapter, it would have to be shown that young offenders who were summonsed to court were no more likely to recidivate (ie. be rearrested) than juveniles who were cautioned. The first part of the following analysis considers this with regard to the influence of official labelling on first offenders only.

a. Delinquent recidivism and the first offender

From the data shown in Table 2., it appears that some support

might be forthcoming for labelling theory. Although the average recidivism rate for the 907 first offenders over the two year follow-up period was 29.1%, this was unevenly distributed between the two dispositions.

Table 1.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS

<u>%</u>	<u>N</u>
29.1	907

Table 2.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE DISPOSITION

<u>CAUTIONED</u>		<u>SUMMONSED</u>	
<u>%</u>	<u>N</u>	<u>%</u>	<u>N</u>
25.0	705	43.6	202

In fact, juveniles who were sent to court had almost twice as much chance of recidivating as those who were released with a caution. The Chi-squared significance rating for this relationship was calculated as $x^2 = 26.0$, an association unlikely to have occurred by chance. In order to observe if summonsed juveniles experienced higher degrees of multiple recidivism than those cautioned (that is, more than one more offence commission), this comparison was repeated controlling for the number of subsequent offences. The proportion of multiple offenders was found to be the same for both summonsed and cautioned recidivists. That is, 55, or 31.3% of the cautioned

recidivists were multiple offenders compared with 29 or 33% of those summonsed.

It has to be remembered, however, that official data represents an indirect indicator of reality and only imperfectly describes actual behaviour. Not all juveniles arrested, or rearrested, need have actually committed an offence. Similarly, not all youths who repeated their offence need have been apprehended. The value of these data should thus be viewed as providing an indirect indication of what is going on.

Although the general rate of recidivism for labelled offenders was 43.6%, as Levin (1971) suggests, this level may be differentially significant for various individuals or social groups. If this is the case, then it could help to explain why labelling does not have a larger overall influence on recidivism rates. In other words, although some social groups may be very much affected by official labelling, others may not. To test for this requires controlling the relationship between disposition and recidivism for a number of social factors. The same factors are used as were proposed as being significant for labelling as the dependent variable, and are presented in Tables 3 to 7 below.

It is apparent from these tables that the relationship between recidivism and being summonsed to court has not just been brought about by the influence of one social category alone. In each of the five factors shown, recidivism was lower when the juvenile was cautioned than when he was summonsed. This difference tended to vary somewhat between these categories.

The association between recidivism and disposition was more significant for boys ($x^2 = 15.4$, $P < .001$) than for

Table 3.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND FATHER'S OCCUPATION

OCCUPATION	CAUTIONED		SUMMONSED	
	%	N	%	N
Non-manual	17.8	101	25.0	12
Manual	24.8	479	45.5	132

Table 4.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND AREA OF RESIDENCE

AREA	CAUTIONED		SUMMONSED	
	%	N	%	N
Westborough	25.9	270	50.6	85
Northborough	29.7	182	46.3	54
Eastborough	20.6	253	32.3	62

Table 5.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND RACE

RACE	CAUTIONED		SUMMONSED	
	%	N	%	N
White	25.0	645	43.1	181
West Indian	33.3	27	50.0	12
Asian	21.4	28	57.1	7

Table 6.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND AGE

AGE	CAUTIONED		SUMMONSED	
	%	N	%	N
Young	26.1	345	48.5	68
Old	23.9	360	41.0	134

Table 7.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND SEX

SEX	CAUTIONED		SUMMONSED	
	%	N	%	N
Boys	31.1	517	48.2	164
Girls	8.0	188	23.7	38

girls ($x^2 = 8.4$, $P < .01$), although the total sample size for the latter was somewhat smaller. Both differences, however, were statistically significant.

The difference in average recidivism for young and old youths, shown in Table 6., was statistically about the same. Both groups showed a significant difference in recidivism for the two dispositions ($P < .001$), with a reading of $x^2 = 14.5$ for the young offender, and $x^2 = 14.5$ for the older offender.

Each of the three areas of residence shown in Table 4. indicate higher recidivism rates for summonsed offenders than those cautioned, although this was only significant at the $P < .05$ level for Northborough and Eastborough. Westborough, on the other hand, suggested a particularly significant relationship of $x^2 = 18.3$, well in excess of the .001 probability level. This result could fit in with the differences in social power concept in that Westborough was a strong working-class area compared with the relatively low levels of recidivism for Eastborough, the dominantly middle-class area.

Neither West Indians nor Asians showed a statistically

significant difference in recidivism rates, although this could partly have been brought about by the small sample of individuals available for comparison. It is commonly accepted that if 20% of the data for a chi-squared analysis falls below the figure '5' then the comparison cannot be made. As this is the case for Asians, and almost the case for West Indians, a statistical test of significance is not properly valid.

The social class relationship is similarly made problematic by the small number of summonsed non-manual youths. Although both manual and non-manual samples appear to be balanced in a direction favouring the labelling propositions, this result remains inconclusive. In simple percentage terms, however, it does appear to be the case that the manual youth is more effected by social labelling than the non-manual, which would once again offer some support to the notions of relative social power differences and how this might effect recidivism rates.

The statistical problems associated with both the race and the class controls make it very difficult to appreciate the relative influence of these different social groupings. It does seem to be the case that working-class youths (as defined through father's occupational status), youths from working-class areas, and boys, do experience a strong disposition effect in terms of subsequent criminal behaviour. Thus, although the data at this stage is not strong enough, or clear enough, to test for the influence of social power on recidivism, there is no reason as yet to reject the possibility that it may be effective.

It will be remembered that Klein (1974) introduced as a final variable control the, seriousness of the offence

committed, and found that it did have some influence on his results. The police departments with the greatest tendency to label young offenders (ie. referring them to the next stage of the judicial process), also tended to be involved with juveniles who had generally committed more serious offences. The reason for this was uncertain, although this does once again introduce the problem of disposition being linked to recidivism independently of the socio/psychological effects of official labelling. A severe disposition could be administered to a youth because the police or the courts had reason to believe that the individual was a potential candidate for further delinquent activity. The basis for this belief, or the specific cause of the delinquent recidivism, would require some alternative explanation. On the other hand, disposition and recidivism could be independently linked through the seriousness of the initial offence committed. Again using some other explanatory mechanism, the individual who is capable of committing a particularly serious first offence might be more likely to continue his/her criminal activity than a youth who only marginally stepped over the bounds of moral and legal acceptability. Perhaps the simple ability to commit a serious offence could be the result of previous delinquent identification, arising from some alternative social or psychological process, or it may serve, in itself, to generate a perception of delinquency through its obvious anti-social characteristics. This point of view would not be too dissimilar to Matza's notion of 'ban' (1969), whereby an act is imbued with guilt in the absence of any concrete social response, apart from that conveyed through popular conceptions of proscribed behaviour. To investigate these various ideas, the previous relationships were

recalculated with respect to the seriousness of the offence committed. Table 8 reviews the effects of offence seriousness through the comparison of police dispositions for four specific offences. These offences represent points on the seriousness hierarchy as calculated in Chapter Five.

Table 8.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND OFFENCE

OFFENCE	CAUTIONED		SUMMONSED	
	%	N	%	N
Burglary	38.2	55	46.1	52
Criminal damage	24.3	70	40.0	15
Theft	19.4	439	37.1	97
Traffic offences	14.3	21	28.1	7

A number of points become apparent from this table. In all cases the percentage recidivism is higher for the summonsed offender than for those cautioned. Secondly, percentage recidivism seems to decline as the seriousness of the offence declines, for both summonsed and cautioned offenders. Thirdly, the difference in recidivism rates for each of the two disposition categories generally increases as the seriousness

of offence decreases. In order to improve the clarity of this effect, and to improve the general quality of the data, the same comparisons have been made in Tables 9., and 10., using the dichotomised offence seriousness characterisation generated in Chapter Five. As a means of testing Tittle's notion of relative influences of critical variables (1975), Tables 9., and 10. incorporate significance ratings for disposition and offence seriousness effects.

Table 9.

PERCENTAGE RECIDIVISM FOR FIRST
OFFENDERS BY OFFENCE SERIOUSNESS

OFFENCE	%	N
High seriousness	42.3	208
Low seriousness	25.2	699
Offence sig.	$x^2 = 20.5$ $P < .001$	

Table 9. tends to substantiate the influences found in Table 8. The more serious the offence, the higher the average rate of recidivism. This difference was indicated as being particularly significant when calculated on a Chi-squared test. The relative influence of offence to disposition is shown in Table 10. The total combined disposition effects, without the offence control, was registered at $x^2 = 26.0$, $P < .001$, compared with the total combined offence effect,

Table 10.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND OFFENCE SERIOUSNESS

OFFENCE	CAUTIONED		SUMMONSED		Disposition significance	Combined disp. sig.
	%	N	%	N		
High ser.	39.7	126	46.3	82	$x^2 =$ not sig.	$x^2 = 26.0$ $P < .001$
Low ser.	21.8	579	41.7	120	$x^2 = 21.9$ $P < .001$	
Offence sig.	$x^2 = 18.5$ $P < .001$		$x^2 =$ not sig.			
Combined off. sig.	$x^2 = 20.5$ $P < .001$					

without the disposition control, at $x^2 = 20.5$, $P < .001$. Obviously the type of offence committed by these first offenders certainly appears to be related to, if not actually influencing, recidivism rates; in at least the same order of magnitude as official disposition. Considering once again Tittle's distinction between labelling having some effect or a major effect on recidivism rates (1975), it seems likely, at this point at least, that with such a strong rival influence of offence seriousness, labelling is possibly only going to explain part of the delinquent phenomenon. This conclusion, however, will have to be left open for the time being.

What is of particular interest from these results, is the combined interaction effect of both offence and disposition. For high serious offences, it seems to make very little

difference to recidivism rates whether the offender was cautioned or sent to court. If the initial offence was minor, however, the type of disposition became strongly related to recidivism. From the other point of view, if the individual was summonsed for his/her first offence, it makes very little difference whether the offence committed was of a high seriousness or low seriousness. If the individual was cautioned, the nature of the offence became a particularly salient factor.

Thus, there are two conditions apparently under which recidivism rates are generally high, that is, for juveniles who commit serious offences, and for juveniles who are summonsed. If the individual is cautioned for a minor offence, he has very little chance of continuing his delinquent behaviour. Before this effect is discussed further, it might be useful to see how far these conditions continue for each of the social factors previously considered.

Although there were a number of instances when the chi-squared calculation was not valid, that is, more than 20% of the comparisons fell below the number '5', the original situations where statistical relationships were limited to low offence seriousness disposition effects and to cautioned offence effects, was generally maintained. In all cases but one for the young offender, the high serious disposition effect and the summonsed offence effect, were always non-significant.

As a means of testing Tittle's distinction, it is required to be shown the relative strengths of official disposition compared to other influential variables; in this case, offence seriousness. Thus, by considering just the two more often significant parts of the combined relationships, the low

Table 11.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION, OFFENCE SERIOUSNESS
AND FATHER'S OCCUPATION

OFFENCE	CAUTIONED %	N	SUMMONSED %	N	Disposition significance	Combined disp. sig.
<u>NON-</u>						
<u>MANUAL</u>						
High ser.	15.8	19	50.0	6	x^2 =not valid	x^2 =not valid
Low ser.	18.3	82	0	6	x^2 =not valid	
Off. sig.	x^2 =not valid		x^2 =not valid			
Comb. off. sig.	x^2 =not sig.					
<u>MANUAL</u>						
High ser.	42.9	84	49.0	51	x^2 =not sig.	x^2 =20.5 P<.001
Low ser.	21.0	395	43.2	81	x^2 =18.0 P<.001	
Off. sig.	x^2 =17.4 P<.001		x^2 =not sig.			
Comb. off. sig.	x^2 =19.6 P<.001					

NB ('not valid' means that over 20% of the data was less than the number '5')

Table 12.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION, OFFENCE SERIOUSNESS AND AREA

OFFENCE	CAUTIONED		SUMMONSED		Disposition significance	Combined disp. sig.
	%	N	%	N		
<u>WESTBOROUGH</u>						
High ser.	50.0	48	47.4	38	x^2 =not sig.	x^2 =18.3 P <.001
Low ser.	20.7	222	53.2	47	x^2 =21.5 P <.001	
Off. sig.	x^2 =19.3 P <.001		x^2 =not sig.			
Comb. off. sig.	x^2 =15.9 P <.001					
<u>NORTHBOROUGH</u>						
High ser.	37.0	27	55.6	18	x^2 =not sig.	x^2 =5.3 P <.05
Low ser.	28.4	155	41.7	36	x^2 =not sig.	
Off. sig.	x^2 =not sig.		x^2 =not sig.			
Comb. off. sig.	x^2 =not sig.					
<u>EASTBOROUGH</u>						
High ser.	30.8	52	37.5	24	x^2 =not sig.	x^2 =4.1 P <.05
Low ser.	17.9	201	28.9	38	x^2 =not sig.	
Off. sig.	x^2 =not sig.		x^2 =not sig.			
Comb. off. sig.	x^2 =6.1 P <.05					

Table 13.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION, OFFENCE SERIOUSNESS AND RACE

OFFENCE	CAUTIONED		SUMMONSED		Disposition significance	Combined disp. sig.
	%	N	%	N		
<u>WHITE</u>						
High ser.	38.3	120	46.8	77	x^2 =not sig.	x^2 =21.3 P <.001
Low ser.	21.9	525	40.4	104	x^2 =15.7 P <.001	
Off. sig.	x^2 =13.8 P <.001		x^2 =not sig.			
Comb. off. sig.	x^2 =20.3 P <.001					
<u>WEST INDIAN</u>						
High ser.	66.7	6	66.7	3	x^2 =not valid	x^2 =not sig.
Low ser.	23.8	21	44.4	9	x^2 =not valid	
Off. sig.	x^2 =not valid		x^2 =not valid			
Comb. off. sig.	x^2 =not sig.					
<u>ASIANS</u>						
High ser.	0	0	0	2	x^2 =not valid	x^2 =not valid
Low ser.	21.4	28	80.0	5	x^2 =not valid	
Off. sig.	x^2 =not valid		x^2 =not valid			
Comb. off. sig.	x^2 =not valid					

Table 14.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION, OFFENCE SERIOUSNESS AND AGE

OFFENCE	CAUTIONED		SUMMONSED		Disposition significance	Combined disp. sig.
	%	N	%	N		
<u>YOUNG</u>						
High ser.	41.5	65	65.4	26	x^2 =not sig.	x^2 =14.3 P <.001
Low ser.	22.5	280	38.1	42	x^2 =5.4 P <.05	
Off. sig.	x^2 =9.8 P <.01		x^2 =3.9 P <.05			
Comb. off. sig.		x^2 =19.5 P <.001				
<u>OLD</u>						
High ser.	37.7	61	36.4	55	x^2 =not sig.	x^2 =14.5 P <.001
Low ser.	21.1	299	44.3	79	x^2 =16.0 P <.001	
Off. sig.	x^2 =7.0 P <.01		x^2 =not sig.			
Comb. off. sig.		x^2 =5.4 P <.05				

Table 15.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION, OFFENCE SERIOUSNESS AND SEX

OFFENCE	CAUTIONED		SUMMONSED		Disposition significance	Combined disp. sig.
	%	N	%	N		
<u>BOYS</u>						
High ser.	40.7	118	47.4	76	x^2 =not sig.	x^2 =15.4 P <.001
Low ser.	28.3	399	48.9	88	x^2 =14.1 P <.001	
Off. sig.	x^2 =6.2 P <.05		x^2 =not sig.			
Comb. off. sig.		x^2 =9.9 P <.01				
<u>GIRLS</u>						
High ser.	25.0	8	33.3	6	x^2 =not valid	x^2 =8.4 P <.01
Low ser.	7.2	180	21.9	32	x^2 =6.9 P <.01	
Off. sig.	x^2 =not valid		x^2 =not valid			
Comb. off. sig.		x^2 =not valid				

offence seriousness disposition effect and the cautioned offence effect, it might be possible to ascertain how far official labelling might be capable of explaining recidivism rates in comparison to the nature of the offence committed. To save frequently repeating the effect in relation to the control, it is assumed that the two relevant associations, the disposition effect and the offence effect, are referred to in relation to the statistically significant branch of the control; which in all cases bar one (referred to in context), is the low serious offence control for the disposition effect, and the cautioned disposition for the offence effect.

In the case of the sex control, the boys showed a slightly greater disposition effect ($P \leq .001$) than offence effect ($P \leq .05$), although in both cases this was greater than that shown for girls. Unfortunately, the size of the sample for girls prohibited any meaningful calculation in this respect. What data that is available, however, tends to suggest that boys show a stronger relationship between recidivism and official disposition than offence, and a stronger disposition effect than for girls. Young offenders, on the other hand, indicate a stronger offence effect ($P \leq .01$) than disposition effect ($P \leq .001$), although the reverse is true for the older offender, where it was indicated that there was a greater disposition effect ($P \leq .001$) than offence effect ($P \leq .01$). Thus, although official labelling might be seen as the better indicator of recidivism rates for older youths, it does not appear to be the case for the younger offender. But in the case of the latter, the difference in significance is not very great.

The remaining three social factors suffer from a general inadequacy of data. Westborough, for example, indicates a

similarly high level of significance between offence and disposition to recidivism ($P < .001$, for both), although Northborough and Eastborough show no significant associations. The sample sizes for Northborough and Eastborough, however, were particularly small. Neither West Indian nor Asian offenders were in large enough supply to adequately test for these relationships, although the White contingent indicated a fairly equal and significant balance between the influence of disposition and offence seriousness, ($P < .001$) for both. Similarly, in the case of father's occupation, non-manual youths were not properly represented. Manual youths, on the other hand, experienced high levels of association for both disposition and offence, ($P < .001$) for both.

To summarise these results, it could be assumed that in the majority of cases, the disposition effect was greater than, or equal to, the offence effect. It is uncertain if the previous data controlling for social factors drastically improves on the original relationship shown in Table 10. If this is the case, it would consequently have to be assumed also that official labelling per se is not likely to become the major predictor of recidivism rates for the first offence sample. Neither disposition nor offence seriousness can really be ignored.

One of the reasons why disposition and offence effects tend to be very similar, both in terms of significance in some cases and lack of significance in others, seems largely to be the result of the original finding of relatively high levels of recidivism found for both summonsed offenders and serious offenders. Table 10., for example, indicates that approximately 40% to 46% of youths who are either summonsed or guilty of serious offences, recidivate. This means that

there will be little significant difference observed for any comparison made between summonsed or serious offenders, which in a two-by-two characterisation would involve three of the four possible cell combinations. On the other hand, the final cell possibility, that of cautioned low serious offenders, suggests a relatively low level of delinquent recidivism at around 21%. Any comparisons made between this result and the other three would obviously tend to be significant. It should be ensured, therefore, that this original cause for these discrepancies is kept in mind. Before this is investigated further, it is necessary to see how this situation occurs for juveniles who had previous experience with the Juvenile Bureau system.

b. Delinquent recidivism for the experienced offender

Previous record is defined here as having one previous contact with the police of the 'I' Division Juvenile Bureau, and that this contact had been recorded on the official files. Because of the nature of the data collection, only those youths who had committed their second offence by September 1974 were included so that a full whole year would elapse in which they could recidivate. The total percentage recidivism rates for offenders with a prior record is shown in Table 16.

Table 16.

PERCENTAGE RECIDIVISM FOR PRIOR OFFENDERS

<u>%</u>	<u>N</u>
40.5	168

If the definition of official labelling could be

reinterpreted for this one occasion to refer to the total experience of delinquent processing, then Table 16. could be compared to Table 1., such that a comparison could be made between those who have had previous apprehension experience, with those who have not. This is shown in Table 17.

Table 17.

PERCENTAGE RECIDIVISM BY PRIOR RECORD

NO PRIOR RECORD		PRIOR RECORD	
%	N	%	N
29.1	907	40.5	168

Although the difference in recidivism rates certainly does look to be in the direction predicted by labelling theory, as there is not complete independence of data, the Chi-squared significance of this finding could not be calculated.

By both definitions of official labelling, that of being summonsed to court and that of previous contact with the juvenile justice system, there seems to be some movement of evidence favouring the rejection of the first hypothesis. However, when the influence of offence disposition decision is reviewed in relation to previous offenders, this movement comes abruptly to an end. Table 18. shows the association between recidivism and police disposition for offenders with a prior record.

As can be seen from the table, the previous strong association between disposition and recidivism has almost completely disappeared. Table 19. shows the same relationship controlling for offence seriousness.

Table 18.

PERCENTAGE RECIDIVISM FOR PRIOR OFFENDERS
BY POLICE DISPOSITION

CAUTIONED		SUMMONSED	
%	N	%	N
44.2	52	38.8	116

Table 19.

PERCENTAGE RECIDIVISM FOR PRIOR OFFENDERS BY POLICE
DISPOSITION AND OFFENCE SERIOUSNESS

OFFENCE	CAUTIONED		SUMMONSED	
	%	N	%	N
High ser.	31.6	19	43.8	48
Low ser.	51.5	33	35.3	68

Neither offence nor disposition approach any suggestion of being significant. The most striking difference, however, is that although the percentage recidivism rates for high serious and summonsed juveniles are approximately the same as for first offenders, the rate for cautioned low serious offenders has increased considerably. As it was shown earlier that most of the original significance was brought about by this large difference in the one cell, it is not surprising, therefore, that they have been eradicated by its disappearance. It could be hypothesised thus that once the juvenile has previous experience of official processing, then to be

cautioned or to commit a minor offence no longer seems to provide the same kind of insulation as it appeared to do for first offenders.

It cannot go unnoticed, that these results are very similar to those obtained by Klein (1974), even though he used slightly different techniques. Klein concluded that first offenders recidivated more in the 'high labelling' police departments, whereas the multiple offenders (those with one previous record) did the exact opposite, and recidivated more in the 'low labelling' police departments.

Table 18. does in fact suggest a slightly higher recidivism rate for previous offenders when they are cautioned rather than summonsed.

c. Summary

A number of points have arisen from the above analysis which may or may not lend support to labelling theory. Official disposition, or whether a juvenile is official labelled through court appearance, was shown to be significantly related to recidivism for first offenders, but not for second offenders. The seriousness of offence committed was similarly shown to be significantly related, apparently quite independently from disposition for first offenders, but not for second offenders. The total recidivism rates for second offenders were higher than the total recidivism rates for first offenders.

It could be argued that this certainly does give support to the labelling propositions, and demanding a rejection of the null hypothesis. First offenders do show higher recidivism rates when summonsed to court; a common interpretation of official labelling. Similarly, serious offenders could be considered as experiencing the unofficial part of social

labelling through their perception of the residual societal reaction to such actions which are commonly and traditionally understood. This unofficial social labelling might perhaps be less ambiguous for serious offences than minor ones, thus producing a one-sided effect. These ideas represent quite closely Matza's notion of 'ban' (1969), or the manner in which certain forms of behaviour may be imbued with guilt such that negative social reactions are the implicit consequences for anyone engaging in these activities. Finally, the primary difference between first and second offender recidivism rates was the considerable increase for the cautioned low serious offender. First offenders who were cautioned for minor offences may not perceive that, at the time, anything important has happened to them; in terms of meaningful social reaction at least. These recidivism rates would therefore be expected to be generally low. For the second offender who has been cautioned for a minor offence, the previous contact with the police may take on a different meaning. The realisation that he has been this way before, might just be sufficient for him to readjust his self-definitions and progress to furthered delinquent activity.

Although these ideas do tidy up the situation some what, they nevertheless remain conjecture, and do so in the face of a number of other considerations which serve to weaken these findings. For a start, the majority of first offender recidivists received cautions, and were thus technically spared official labelling. Conversely, the majority of those summonsed to court for their offences did not recidivate. The fact of being labelled, therefore, by this definition, is not a good predictor of recidivism. A further, perhaps more important point which should not be forgotten, is that all

that has been established are statistical associations, which may say very little about the actual processes involved. It was suggested earlier, that disposition and recidivism could be linked quite independently of the prescribed processes expounded by labelling theorists. This argument has admittedly been weakened slightly through the consideration of the second offender results. If the police or the courts were in fact capable of predicting likely recidivists, and dealt with them more harshly as a consequence, it is hard to see why this was not the case for both first and second offenders. Although disposition and recidivism was accurately related for first offenders, it was not related in the case of second offenders, which seems to suggest some alternative explanation; possibly that contained in labelling theory. Before any final conclusions are drawn, however, it is necessary to look at the final stage of the analysis with regard to the association between recidivism and degrees of official labelling.

4. Comparing degrees of labelling

The second hypothesis of this chapter was designed to follow the popular interpretation that official labelling might vary in its impact depending on its relative severity. It is possible that some police or court dispositions may not contain those important elements which trigger the processes proposed by labelling theory. At the lowest level, for example, it might seem uncertain whether police apprehension and later release would carry all the requirements to initiate an individual/social reaction cycle capable of creating furthered deviance. The same could apply to a brief court appearance during which the individual receives a

fairly minor disposition. In the context of the present research, the severity of labelling has been defined in terms of five court dispositions, as ranked by senior 'I' Division officers, and outlined earlier in this chapter. For comparative purposes, the percentage recidivism rate for cautioned offenders has also been combined in this range, in its position of least serious sanction. The relative influence of each of these dispositions is shown in Table 20., for first offenders only.

Table 20.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY SIX
SELECTED DISPOSITIONS

DISPOSITION	%	N
Caution	25.0	705
Conditional discharge	31.4	70
Fine	37.9	29
Supervision order	54.8	42
Attendance centre	54.9	51
Detention centre	50.0	4

With the exception of the most severe disposition, the average recidivism rate for first offenders certainly does seem to increase as the disposition severity increases. Recidivism rates for youths who were ordered by the court

to an attendance centre, or who were given a supervision order, generally recidivated more than twice as much as those who were cautioned for their offences, and considerably more than those who were conditionally discharged or fined. The chi-squared significance for the five court dispositions of Table 20., was not however very high, with a probability calculation of .05. The regularity of the increasing recidivism rates by disposition severity, nevertheless appear quite striking.

A social factor control of the kind conducted earlier was not really viable for this relationship because of the small numbers involved for some of these groupings. Boys, whites and juveniles from manual backgrounds were all fairly well represented, but their counterparts were not. The one remaining calculation possible, however, is the previously influential seriousness of offence control. The results of this are shown in Table 21.

The sample size of the seriousness of offence comparison is not particularly large, which might explain some of the more drastic changes in percentage recidivism rates; such as that shown for serious offence fines. Overall, the general pattern of differences in recidivism rates is similar to that shown in Table 20. There seems to be some increase in rates for more serious dispositions, although this is not now so unambiguous as before. Unfortunately, these differences in recidivism rates are not longer statistically significant, and as such represent some reduction in the more dominant movements of Table 20.

What is particularly important from this, is the lack of any major difference between recidivism rates and offences committed. Seriousness of offence does not appear to be such

Table 21.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY SIX
SELECTED DISPOSITIONS AND OFFENCE SERIOUSNESS

DISPOSITION	OFFENCE SERIOUSNESS			
	HIGH		LOW	
	%	N	%	N
Caution	39.7	126	21.8	579
Conditional discharge	25.0	28	27.8	42
Fine	60.0	5	33.3	24
Supervision order	52.9	17	56.0	25
Attendance centre	64.3	28	43.5	23
Detention centre	50.0	2	50.0	2

an important factor at the court level of analysis, as far as recidivism rates are concerned. It will be remembered that offence seriousness was only found to be significant for cautioned offenders, not summonsed offenders. This does not simply seem to be a question of relative disposition severities, but an occurrence specific to cautioning. A juvenile who committed a low serious offence and was summonsed, did not seem to benefit from the low levels of social proscription, if we are to follow Matza's argument (1969), that his action contained. The reason for the cautioned youth to recidivate less for a minor offence, it was suggested, was that he was possibly in a position of neither meaningfully experiencing

official nor unofficial social labelling. It might be the case that low court disposition severity cannot be equated in this instance with the caution, as the mere fact of appearing at a juvenile court may be sufficient labelling in itself.

Thus, although during the comparison of recidivism and police disposition the disposition effect and the offence effect emerged as being fairly equally significant, it is the disposition effect which has continued to be visible at the court level, and as such might qualify as the more influential component of the two. A comparison of this for second offenders is shown in Table 22.

Table 22.

PERCENTAGE RECIDIVISM FOR PRIOR OFFENDERS
BY SIX SELECTED DISPOSITIONS

<u>DISPOSITION</u>	<u>%</u>	<u>N</u>
Cautions	44.2	52
Conditional discharge	25.9	27
Fine	58.3	12
Supervision order	37.8	37
Attendance centre	37.5	24
Detention centre	33.3	6

As before, the comparison for previous offenders fails to reveal any significant differences between disposition and recidivism. Of course, there is once again the problems of sample size, although it seems clear from Table 22. that no strong association exists for second offence court dispositions. The reasons for this are unclear, although the same argument used as a possible explanation for the second offence effect for police disposition variations, might also be relevant here. Youths who were cautioned for their first offence may be in a position to regard themselves as effectively escaping official labelling, in that they have neither been publicly defined as delinquent, nor perhaps have they been drastically affected by their experience. A caution for a second offence might not be so easily dismissed, as the individual realises that he has already been in contact with the juvenile justice system; which might in itself be sufficient to promote the feeling that he is now in danger of being regarded as a delinquent. In the same way, a conditional discharge, or a fine, may barely touch the individual on the first occasion, compared to the more severe dispositions, yet on the second occasion the minor disposition may not provide the same kind of escape route. This again, of course, remains conjecture, arguing the situation from the perspective of labelling theory. In fact, a variety of other explanations might conceivably be better indicators of what is going on. Before any final conclusions are drawn, it might be useful to look at one of the few explanatory parts of the labelling process which relates to delinquent recidivism, and which is capable of being investigated from the data available; that is, the operation of the intermediary variable, the sense of injustice.

5. Comparing the sense of injustice

The notion of the 'sense of injustice' provides an important dynamic and explanatory element into the process of deviancy production. Although most often associated with Matza's 1964 publication, Delinquency and Drift, the idea that perceptions of justice may affect delinquent orientations, was similarly outlined by Lemert (1967), and thus more firmly locates the concept in the formative writings of the labelling theorists.

The operative parts of the sense of injustice lie in the resentment and alienation that may be felt by juveniles, or individuals, if some of the basic expectations of justice are not perceived as being upheld. As much of both Matza's and Lemert's depiction rely on the level of perception of injustice, it makes it very difficult to test empirically. However, certain minimum conditions have to exist before injustice is likely to be experienced, and it is these which might prove to be capable of operationalisation for research purposes.

Matza proposes five conditions under which the sense of injustice is most likely to be felt, which he refers to under the headings; cognizance, consistency, competence, commensurability, and comparison. (ibid. p.106) Of these, three seem to stand out as being more easily researchable in the context of the current investigation; that is, consistency, where the individual feels that he should be treated similarly, and by the same principles, as others of his status, commensurability, that the disposition should be in some way related to the offence committed, and comparison, that any differences that do occur should be reasonable and tenable. The three conditions of injustice hypothesised by Lemert (1967)

approximate very closely to those given by Matza. Lemert summarises three situations of possible injustice as:

- (1) inconsistency or disproportion between stigma or punishments and the deviant attributes or actions;
- (2) inconsistent application of stigma or penalties to the same person at different times or places; and,
- (3) inconsistent penalties or stigma applied to persons in the same jurisdiction or by the same law officials. (1967 p.43)

It is not altogether certain how far either Matza or Lemert intended that feelings of injustice ought to be seen as necessarily leading to delinquent recidivism. It is hard to see the significance or relevance of such a concept, however, if this assumption is not made. Matza admittedly suggests that injustice can serve to weaken the moral bind of the law, thus assisting the possibilities of 'drift' and delinquent activity. On the other hand, injustice may in itself create a 'mood of fatalism' and thus stimulate the desire for the juvenile to want to 'make something happen' (Matza, 1964 pp.101 and 102). But neither Matza nor Lemert explicitly state that injustice inevitably leads to recidivism. In fact Lemert goes on to regard it as a precipitating factor, having possibly little independent effect.

The idea of an intermediary variable located in the process stage of deviancy production, is nevertheless too tempting to ignore; even though these reservations have been made by the authors. In order to make use of the available data to test for the significance of the sense of injustice, it appears necessary to first generate a hypothesis and to consider the expected impact of this phenomenon in the light of the theoretical elaborations.

Combining the first of Lemert's conditions of injustice, and the first and second of Matza's conditions, suggests the

possibility of two reasonably testable propositions. These are summarised in the null form as shown.

Juveniles who experience severe dispositions for minor offences, (a position most conducive to feelings of injustice) will be no more likely to recidivate than those juveniles who experience minor dispositions for serious offences, (a position least conducive to feelings of injustice).

(Approximating Lemert's first condition, and Matza's situation of commensurability)

Juveniles who experience severe dispositions compared to the average disposition for that offence, will be no more likely to recidivate than juveniles who have been given average dispositions.

(Approximating Matza's situation of consistency)

Although neither Matza nor Lemert suggest that injustice would automatically lead to recidivism, it seems that a comparison of groups of juveniles in a situation where feelings of injustice were possible, and from this where recidivism was possible, with groups where these possibilities were minimised, should reveal relative differences in recidivism rates without any undue predisposition towards assumptions of determinism. After all, if the sense of injustice is to have any relevance to labelling theory, there ought to be some difference observable between groups most likely to express these feelings in terms of recidivism, and those least likely. The following thus uses the previous data to test for what has been outlined in the above two propositions.

a. Delinquent recidivism and the sense of injustice

Applying the principles of the first hypothesis to the two police disposition possibilities, to caution or to summons, would suggest that the feelings of injustice would more likely be lowest when the juvenile had been 'let-off' with a caution for a serious offence. Put another way, it is difficult to see how the individual could feel that he had been treated

unfairly if he had been 'let-off' for an obvious serious breach of the law. On the other hand, if a sense of injustice is to be felt at all, it surely would most likely be experienced when the juvenile had been sent to court for a minor offence. Even though individuals will react differently, it would nevertheless be expected that recidivism differences would occur on a more general basis. The actual recidivism rates for these two dispositions can be seen in Table 23.

Table 23.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY POLICE
DISPOSITION AND THE SENSE OF INJUSTICE

DISPOSITION	OFFENCE SER.	HYPOTH. S. OF I.	HYPOTH. RECID.	ACTUAL RECID.
Caution	High	Low	Low	39.7
	Low	Med.	Med.	21.8
Summons	High	Med.	Med.	46.3
	Low	High	High	41.7

Table 24.

PERCENTAGE RECIDIVISM FOR FIRST OFFENDERS BY SELECTED
COURT DISPOSITIONS AND THE SENSE OF INJUSTICE

DISPOSITION	OFFENCE SER.	HYPOTH. S. OF I.	HYPOTH. RECID.	ACTUAL RECID.
Conditional discharge	High	Low	Low	25.0
	Low	Med.	Med.	27.8
Attendance centre	High	Med.	Med.	64.3
	Low	High	High	43.5

Although the category of highest expected recidivism, low serious offence summonses, shows a higher recidivism rate than the lowest expected category, high serious offence cautions, the difference is only marginal and non-significant. Further, this group of most likely candidates to feel a sense of injustice, do not recidivate as much as those summonsed to court for high serious offences. It seems apparent, therefore, that for Table 23., the original offence effect and disposition effect remains operative, yet there is no grounds to assume that an independent sense of injustice effect exists. In fact, it seems unlikely that a sense of injustice effect can co-exist with an offence effect, as the lowest offence seriousness category of the most severe disposition would have to generate more recidivism, if injustice is to have a dominant influence, than the highest offence seriousness category. Thus the two effects appear to be incompatible according to this argument.

Repeating this test for differences in court disposition, reveals a slightly different situation. For a start, there was no obvious offence effect shown for court dispositions. From the choice of one minor court disposition (Conditional discharge), and a relatively more severe disposition (Attendance centre), largely on the grounds of sample size, there seems to be again little grounds for assuming an independent sense of injustice effect. Although recidivism rates for the low serious severe disposition group were higher than the high serious lenient disposition group, the highest overall rate of recidivism was observable for the high serious severe disposition groups, (Table 24.). Similarly, the difference in offence seriousness for Conditionally discharged recidivists seems to be minimal. Any other calculation of court

disposition comparisons still fails to indicate any significant movement in the direction that might have been expected from an independent sense of injustice variable.

Considering these propositions in relation to second offenders reveals similar findings. In the case of police dispositions, it will be remembered, there was no statistically significant differences in recidivism rates for any offence or disposition combination. This similarly applies to the sense of injustice comparison.

b. Summary

Because of the failings to observe any meaningful independent sense of injustice effect, neither of the two hypotheses can be rejected from the data available. It might, of course, be the case that these two hypotheses do not accurately reflect the theoretical complexities of the original formulations. This is possibly more likely to be true with respect to the obvious need to relate more closely to individual perceptions of injustice. Although it was suggested earlier that some statistical difference should be apparent even in the absence of the knowledge of individual perceptions.

Very little research has been conducted on the sense of injustice, that could be used as a comparison to these results. Giordano (1976) did investigate the significance of this concept, and in so doing brought the research closer to the level of individual perceptions. There remains some doubt as to her technique of operationalising injustice in terms of juveniles attitudes to the juvenile justice system. Further, offence was controlled, not by way of seriousness, but admitted delinquent involvement as measured by the Nye and Short (1957) self-report delinquency scale. However, the results of the research give little support to the concept of

injustice on the grounds that, even after controlling for degrees of delinquency, increasing experience with the justice system appeared to generate increasingly positive, rather than negative, attitudes towards its operation and personnel. In fact, the majority of youths expressed satisfaction at the way in which their cases had been handled.

Thus, as yet, there appears to be little support for the notion of the sense of injustice as an independent variable capable of affecting delinquency rates, in the manner described by Matza (1964) and Lemert (1967). This, unfortunately, is largely the result of inadequate and limited investigations rather than any more conclusive refutations.

6. Conclusions

Some support has been shown for labelling theory for first offenders only, mainly in the context of whether or not they were cautioned or summonsed to court, and partly in connection with the severity of court disposition. No support was forthcoming for recidivists at either the police or the court level of processing. Considering Tittle's distinction (1975) between minor and major influences of labelling and recidivism, encourages the conclusion that, because the offence seriousness appeared to be equally related to recidivism rates, labelling must assume a position of minor influence.

This conclusion is further weakened, however, in terms of the predictive value of official labelling. The majority of first offenders summonsed to court in fact did not recidivate, as defined in terms of rearrest at least. On the other hand, the majority of those who did recidivate were 'let-off' with a caution, and technically, therefore, were not labelled.

There is nevertheless some doubt as to how far the

hypotheses generated accurately reflect the intentions of labelling theorists. It does not seem likely that they intended that official labelling should always and uncontroversibly lead to recidivism. This flexibility in prescription, leads to one of the biggest problems facing labelling theory, and that is, when, where, and how is official labelling most likely to influence delinquent careers? It is possibly this variation that has led to the overall minority influence of official disposition.

The consideration of the social power factors to explain this variability was inconclusive for the present research, although it does now seem possible that the differential effectiveness of official processing is not likely to be confined to a few conditions. Variations in individual perceptions of official treatment, the point of contact in the juvenile justice system, the time period allowed in which recidivism may occur, and a host of social and psychological factors may all effect the basic propositions of labelling theory. If the influence of labelling is to be such a flexible and frail explanatory vehicle of delinquent recidivism, and if these precise conditions under which it is likely to operate continue to remain in the best part elusive and unfathomable, then the relevance of labelling theory as a generalised predictor of a sociological phenomenon, is going to be a fairly limited one.

CHAPTER EIGHT

LABELLING THEORY AND DELINQUENCY:

SUMMARY AND CONCLUSIONS

This dissertation has been purposely limited to evaluating two propositions evident in the labelling theory literature, and not as such with the universe of ideas embodied and implied in labelling theory itself. The wider significance and validity of this approach as a philosophical orientation or as a perspective on social reality has not been the intended frame of reference for this research. Because of this a conclusion to an investigation of this kind needs to maintain the focus of interest of the preceding chapters. By virtue of the nature of conclusions, however, some expansion from these more rigid principles may be indulged at this point, although in the main these concluding comments will be more concerned with drawing together and tidying up these various discussions, rather than throwing the entire investigation into a new form of chaos. This final chapter, therefore, discusses the summary, the validity, the significance, and the implications of my own findings in relation to contemporary labelling theory and research.

1. Summary of findings

As a result of analysing the content of some of the most frequently quoted writings of labelling theorists, five hypotheses were generated which were to guide the investigation relating to 'who gets labelled' and 'the consequences of labelling'. These hypotheses were formulated primarily to orient the present research rather than to act as an acid test by which labelling theory was seen to stand or fall. Further, the hypotheses were selected as representing the more accessible substantive parts of the labelling approach which would possibly give some general insight into the accuracy of its

formulations rather than presuming to test the labelling perspective as a whole.

Labelling as a dependent variable was discussed in Chapters Two and Three and investigated through my own research in Chapter Five. At the beginning of Chapter Two four of the general hypotheses were operationalised as a means of relating their principles to contemporary research in this field. Although these hypotheses reflect a reformulation and interpretation of the original texts, it was felt that both official data and observation researches had something useful to say in relation to the issue of 'who gets labelled'. In other words, if labelling theory had any general validity in this respect, it would surely be apparent in terms of the police and court treatment of offenders. The results of these investigations, however, were ambiguous and conflicting.

If the distribution of individuals selected for official processing was not in fact representative of the rule-breaking population, as labelling theorists have predicted, but biased, especially in terms of the offender's socio-economic status, race, age, and sex, then evidence of this should have been apparent from official data and observation researches of police and court disposition decisions. Because of the regularity of conflict and contradiction in these researches the method of balancing writers' conclusions was incorporated into the analysis in order to determine the relative strength or weight of evidence available for any one particular viewpoint. The result of this revealed that in the case of police/juvenile encounters, some preference was shown for the view that there was some over-representation of labelling with respect to social class characteristics, a strong preference was shown

for the conclusion that certain racial categories were over-represented, although very little support was offered for the view that age or sex characteristics were in any way related to police outcome decisions.

In order to double-check the validity of these findings, and taking the position that the results of official outcome studies were not so overwhelming as to negate the possibility that over-representation in the official statistics might still in fact reflect actual differences in delinquent behaviour rather than processing idiosyncracies, the results of self-report studies were compared to those for official data and observation researches. Balancing the distribution of conclusions as before, suggested that there were slightly more studies favouring the opinion that low socio-economic status individuals were more serious and more frequent offenders, but these results were not sufficiently convincing to reject the official disposition findings. There was little support for the view that the over-representation shown in outcome decisions for ethnic minorities was brought about by actual delinquent behaviour, thus strengthening the findings that ethnic minorities may be a discriminated category. The self-report evidence for age and sex characteristics, on the other hand, tended to weaken further the likelihood that they may be over-represented in terms of official labelling.

After all the relevant qualifications had been made, this was roughly the comparative basis from which to conduct my own research. The results of the official data section of the present investigation concerning the treatment of juveniles at a Metropolitan Juvenile Bureau did in fact offer similar support to the conclusions that low socio-economic status

youths and some ethnic minorities (West Indian but not Asian) were independently associated with official labelling. This was not, however, a particularly strong or significant relationship. The previously insignificant age influence on the other hand emerged as the dominant non-legal factor associated with disposition outcome. The influence of class and race characteristics similarly emerged from the results of the interview analysis and the sample of home-visit reports, although it was suggested in the text that the effect of these factors on decision outcome was only likely to be marginal. Further, the reasons why bureau officers might give greater attention to certain social groups may not be reflective of the processes described in labelling theory.

Other than the disparity over the influence of the offender's age, possibly brought about by the specific directives of the 1969 Children and Young Persons Act, these results do not appear to be too dissimilar to those indicated in Chapters Two and Three. In other words, some movements were observable in the directions predicted by the labelling theorists, although these were not particularly substantial movements and possibly very much dependent upon the circumstances, area, and conditions under which these prophecies are tested. Similar kinds of conclusion to this can be found in the evaluative writings of Hagen (1974) and Tittle (1975), who both emphasise the variability of studies and their results, and how very little evidence there is which gives labelling theory any more than the weakest support. From the analysis of Chapter One, however, it did not appear to be the case that labelling theorists were presenting an over-deterministic perspective on deviance, but recognised instead the variability of the propositions involved.

In other words, the impressions gained from these writings is that in some cases discrepancies between rule-breaking and deviance may occur and that these discrepancies may be structured along class, race, age, and sex lines, but contingent upon this are a variety of unknowns which although may not completely eradicate these predictions may certainly serve to modify or weaken them. The mass of investigations relevant to a test of this kind, and my own research, do seem to emphasise the significance of these qualifications. Perhaps undue emphasis has been placed in the past on the popular appeal of a few notable writings (eg. Piliavin and Briar, 1964, Werthman and Piliavin, 1967) and the tendency for a great number of writers to fall into the errors of simplification and typification, and to crudify a more diffuse collection of ideas under more manageable rhetoric. As it happens the 'weak' and circumstantial predictions of labelling theorists, with respect to labelling as a dependent variable, seem largely to be backed by 'weak' and circumstantial findings.

Labelling as an independent variable was discussed in terms of contemporary research findings in Chapter Six and in terms of my own findings in Chapter Seven. In Chapter Six the fifth and final general hypothesis was operationalised to relate to current research into the consequences of labelling. The results of this investigation appeared as confused and contradictory as those found for the distribution of labelling. At both the formal (official) and the informal (community) level the influence of labelling on deviant behaviour was seen to be particularly variable; almost as variable as the techniques and conditions under which the specific researches were operating. On balance, however, perhaps slightly more support

was forthcoming for the labelling hypothesis, although this conclusion was necessarily impressionistic because of the variety of interpretations and methodologies involved.

Chapter Seven was thus embarked upon as my own examination of the influence of police disposition variations on delinquent recidivism with very little comparative basis from which to assess the results obtained. As it happened the findings were once again seen to be dependent on the specific conditions concerned, although on this occasion not so much on the social factors involved but on the legal considerations of offence seriousness and prior record. First offenders were shown to recidivate substantially more when they were summonsed to court by the police or given a severe disposition by the court, than those receiving the more lenient disposition. Second offenders, on the other hand, failed to be affected by either police or court decisions. Thus it could be considered that this aspect of labelling theory was offered some support with the proviso that this was only going to be the case for those individuals who had not been previously labelled in terms of police or court contact. This conclusion was similar to that derived by Klein (1974) who found that not only did repeaters fail to recidivate significantly more after labelling, as compared to the first offenders, but in fact recidivated less after labelling. Perhaps the shock of official labelling, of the kind capable of bringing about the behavioural changes hypothesised by labelling theory, is only relevant to the inexperienced 'pre-labelled' offender. In the absence of any more concrete research in this respect any explanation of this kind must remain conjecture.

The general summary to this investigation, therefore, seems to be dominantly one of offering some support to

the specific operationalised aspects of labelling theory suggested in the five general hypotheses. This support, however, was very much dependent on the particular circumstances of the offender and his offence, and very much reflects the conclusions arrived at in contemporary research; but unfortunately there is no real agreement as yet as to the nature of these extraneous conditions. These findings also seem to be congruent with the prescriptions of labelling theory which emphasise the indefiniteness of these effects and which refrain from offering anything more than a general indication of the conditions under which its principles might be more or less operative. Before any more is said along these lines, however, there are a number of other considerations which have to be made which are pertinent both to the value of these research findings and to labelling theory in general. The first of these considerations concerns the validity of results.

2. Validity of findings

The value to be attached to these findings, and the degree to which they may be seen as offering support to the labelling hypotheses, is of course dependent on the validity and reliability of the methods by which these results were obtained. In many ways the character of results for any sociological investigation is shaped and programmed by the specific methodologies through which they were generated. Because of the nature of social reality, research techniques are always in some ways inadequate in terms of the extent to which they can faithfully reproduce 'what is going on', and in the extreme, must inevitably influence and thus distort the acquisition

of social facts. But there is no reason to be completely pessimistic about data gathering techniques. By being aware of their limitations some attempts may be made to overcome the worst of the problems involved. The value of particular research methodologies as a means of fairly representing reality is a much dependent upon how they are handled, although, necessarily some problems are endemic to the interpretive complexities of social life and cannot be so swiftly removed. In the present research there were two main forms of data collection which structure the majority of the results generated; official records and interviewing. Some comments on these two methods of investigation, therefore, seems to be appropriate.

The use of criminal statistics as a means of observing the real state of crime in a society has been the subject of criticism for about as long as they have been collected. The narrower criticism that they do not include undetected offences and reflect as much police efficiency as the level of criminal activity are not really relevant here; at least not in this sense. As Kitsuse and Cicourel (1963) suggest, far from being an inadequate reflection of social reality, official statistics are, '... social facts par excellence.' (1963 p.139) It is the fact that official records reflect processing decisions rather than actual crime rates which forms the basis of the analysis of labelling as a dependent variable and the issue of 'who gets labelled'. The main criticisms of official data methods, of the kind used in this investigation, therefore, rests more on how far the data is adequately handled and interpreted.

It is a necessary prerequisite for an analysis of social factor variations in disposition decisions that certain legal

considerations such as the offence committed and the offender's prior record should be controlled. In the case of offence control this may be in the form of either the type of offence committed or the offence seriousness as measured through a scaling and equating of offence types. For both methods there are various problems involved. In the first instance of a single offence control there is the problem of the original classification of offences. As Kitsuse and Cicourel (1963) suggest:

... official statistics may use categories which are unsuitable for the classification of deviant behaviour. At best such statistics classify the 'same' forms of deviant behaviour in different categories and 'different' forms in the same categories. (1963 p.133)

Similarly Green (1964) argues that even an offence apparently as straight-forward as homicide, '... is not one but several offences of widely different gravity under the law' (1964, p.348). This problem is exacerbated when scaled offence seriousness categories are used, such that police classification vagaries are amplified by the classification idiosyncracies of sociologists.

In the present research the problem associated with the single offence control could not be avoided without recourse to a separate and detailed survey of the interactional and definitional processes by which police code offence types; indeed if such an enquiry is possible at all. The only consolation to this was the fact that the coding methods of the 'I' Division Juvenile Bureau provided a wide range of offence types under which delinquent behaviour could be classified, which no doubt went some way towards discriminating varieties of activities. Problems of this kind, however, are endemic to this choice of research method, which is why official data

results are best viewed as a means of directing attention to areas of interest which may later be followed up with more direct methodologies.

The scaled offence seriousness range was designed as far as possible to maintain just this one source of bias and to refrain from introducing a preformulated offence seriousness scale from independent sources. The chief inspector, it will be remembered, supplied the seriousness ranking himself, which was only subsequently tampered with by way of dividing the five subdivisions into most and least serious offences. The requirement to dichotomise the ranking in this manner was brought about by the necessity to balance other exigencies such as a respectable sample size.

The second important legal variable control, the previous record of offences, suffers from the additional problem that it might not in fact be a legal variable control at all. As Box (1971) suggests:

...prior record is, in many respects, the sedimentation of previous deployment, detection and dispositional decisions, all of which were influenced by social considerations. (1971 p.196)

Phrased in this way, the problem cannot really be contended with other than refraining from using a prior record control altogether. However, the validity of this comment and the extent to which it may effect the previous record of offences as a viable legal variable control, depends on the extent to which it may be substantiable in practice. As it happens, social considerations have been shown to have only a minor influence on outcome disposition and as such variations which may have been introduced because of this may not be so great as to substantially reduce the value of a prior record control.

The reliability and regularity of classification and recording methods by which official data emerge are problematic

for this type of research. Some of these problems may be offset through careful handling of the data, and the use of variable controls, although other problems are quite simply the result of the indirect methods and processes involved. Ultimately, however, official data analysis might best be viewed as a first stage directive to what may be happening which could then lead to more insightful methods of investigation. One of these methods is the personal interview.

During the 'I' Division research, each of the juvenile bureau officers underwent a half-hour, semi-structured, informal interview to investigate the nature of their perceptions and attitudes on juvenile delinquency; which formed part of the analysis of Chapter Five. Along with other methodologies, interviewing techniques have undergone a variety of criticism pertinent to their validity as a means of representing attitudes and perspectives. The interview situation, for example, has been described as a social encounter the outcome of which is influenced as much by the interviewer, the style of the questioning, and the way he/she handles the situation, as the responses of the subject. The 'variable' nature of these responses have frequently been combated by attempts to standardise the questioning, to encourage detachment of the interviewer, and generally to reduce external and unwanted influences which might interfere with the subject's replies. But in many ways the important problem is not to reduce the irrelevant 'errors' imposed by the fact that the interview situation is also a social situation by tighter and more rigid controls. A more fruitful approach to the issue of interview validity and reliability seems to be the consideration, outlined by Cicourel (1964), of the basic theory behind this method as a means of revealing social realities. This involves

investigating the principles by which any individual thinks or feels he understands the meanings, feelings and motives of another. Cicourel's account of this process is particularly illustrative. 'The well conceived interview...', suggests Cicourel, '... must have its roots in the categories of common-sense thinking...', which means, '... a recognition and understanding of how the respondent-interviewer interaction involves overlapping social worlds.' (1964 p.79)

The interview thus is not simply concerned with the subject's responses to the questions posed, but with both the respondent's and his own social worlds as dynamic elements of the interview situation. In making sense of the responses gained, preferably from subsequent analysis of the recorded conversation, the researcher needs to take into account not only what was said, but also the immediate observations, perceptions, and general common-sense categories, of both parties involved. Without such considerations it seems unlikely that the full meaning of the subject's responses can be adequately elicited.

Because of this, some of these recommendations suggested by Cicourel were followed in my own analysis of interviewing responses in Chapter Five. In this instance Cicourel's prescriptions were simplified into two basic requirements, referring to:

... how the researcher makes sense of the subject's remarks, while also invoking features of the action scenes or past scenes felt to be relevant to the subject and observer in deciding what is happening, or how some descriptive account by either the subject or the researcher was reached...

and by:

... revealing unstated and the seen but unnoticed background expectancies included or left out as a particular case ... is analysed over time.
(Cicourel, 1968 p.15)

During the analysis of interview transcriptionsthesep principles were taken note of and some attempt was made to incorporate them into the results. For instance, the questions were discussed with the respondent during the interview situation as a means of determining how they were interpreted, recurrent categories of response were selected and investigated, and statements and observations noted from other occasions during the assignment were used in conjunction with the content of these replies. In the text of Chapter Five my own opinions were outlined as to why certain responses were selected and felt representative of particular police attitudes.

Obviously not all problems associated with the disparity between what people say they think and what they actually think, or even, as Deutscher (1973) suggests, between what people say and what they do, can be eradicated by even the strictest adherence to the prescriptions outlined by Cicourel. Quite simply the interview technique represents yet another indirect methodology, and should once again be treated as offering only some indication of the nature of social reality which might later be pursued by even more insightful methods of investigation. As it happens techniques such as observation or extended periods of involvement with police operations were not possible during the present research. Nevertheless indirect methodologies still have a value of clearing the way and offering some suggestion of what is happening, and it is from this perspective that the results of this research have been presented.

3. Significance of findings

From the analysis of my own research findings in Chapter Five,

relating to who gets labelled, and Chapter Seven, relating to the consequences of labelling on offender recidivism, some support was offered for the precepts of labelling theory. The nature of this 'support', however, is significant for the way in which we are to regard both the character of these research findings and the credibility of labelling theory. It has to be remembered that the intricacies, complexities and ambiguities of the combined contribution of a few writers most frequently associated with this approach were extracted, interpreted and isolated into a number of testable hypotheses. In a sense this form of manipulation may be viewed as simplifying the original statements made, and, that because of this, cannot accurately be viewed as reflective of labelling theory in general. This, of course, is a common plight of much sociological investigation whereby 'grand theories' have to be made mundane for the purposes of empirical research. But some caution is required in that the support offered in the present research should primarily be seen as directed towards these specific operationalised parts of labelling theory and not to the approach as a whole. Some qualifications can be made to this of course. From the evidence of both contemporary writings and research, and my own research analysis, these chosen elements might reasonably be viewed as the substantive parts of labelling theory. If these key features of the approach, as applied to criminal deviance, are not substantiable in practice, this must surely reflect on the more general principles of the propositions involved.

It still may be that although these elements may reflect the substantive parts of labelling theory, the means of testing them were not suitable for an enquiry of this kind. Labelling theory, after all, emphasises meanings and processes,

which may not be adequately testable through official data and interviewing techniques. However, although the forms of these processes may not be immediately visible from the nature of the tests employed here, surely the end product remains the same. In other words, if it is the interactional abilities of the middle-class, for example, which primarily influence encounter outcomes with police officers or court officials, it is not absolutely necessary to experience the processes first hand to determine if the prescriptions have any chance of being correct. In this sense evidence of class bias in official statistics would indicate the possibility of labelling theory representing social realities; and thus provide some 'support' in the absence of any more thorough investigation into the procedure which brought about the phenomenon. Lack of evidence of class bias in the official statistics, on the other hand, would provide no 'support' for labelling theory, regardless of the details of the processes involved. Thus 'support' in this sense is used in a rather loose and negative sense as not rejecting the precepts involved, and that one part, albeit important part, of a more detailed series of requisites has been substantiated.

Because we are largely unaware of the processes which might bring about disposition bias or offender recidivism, other than the fact that they might be associated in some way with one or more other variables congruent with the prescriptions of labelling theory, it is not possible to determine how discriminatory labelling or offender recidivism came about. In the case of discriminatory labelling it has not been established whether the actual or proposed police bias, for example, is the result of intentional or unintentional activities. Fine (1977), for instance, considers labelling bias in terms of

processing 'error', thus imbuing it with an unintentional quality. Bayley and Mendlesohn (1969) and Westley (1970) seem to prefer the notion that police consciously select out certain members of the population for specialist treatment. The writings of labelling theorists are similarly vague. If discriminatory labelling were to occur as a result of stereotyping and police deployment and surveillance idiosyncracies, then this might be viewed as having an intentional component. If discrimination occurs as a result of variations in interactional abilities of suspects then this would suggest an unintentional quality.

Because of the nature of the investigation proceedings these issues go beyond the scope of this research and as such the results obtained are primarily viewed in terms of a first-stage attempt to test the general value of labelling theory. If these fundamental requirements of the approach did seem to occur, some 'support' might be offered in the sense just described. As it happens, only some of these fundamental requirements were in fact observable, which seems to suggest that both the processes and the inevitable outcome of these processes need some further consideration both theoretically and empirically.

4. Implication of findings

In offering some support for the preconditions of a labelling theory explanation of deviance there is a danger of appearing to align myself with a body of thought which in many other ways may be construed as inadequate. We have already discussed that these 'preconditions' need to be viewed as a necessary but not sufficient condition of assessing the appropriateness of the labelling perspective. In other words, the

'preconditions' of official discrimination and a labelling/recidivism relationship could easily be explicable in other terms. The existence of these prerequisites does lend some support for labelling theory, in the negative sense of offering no grounds for rejection, but these conditions could also be used to substantiate a completely different conceptual framework of deviancy production. Thus, there is a credibility gap between the specific hypotheses and the processes described in labelling theory, which, because of the nature of the research procedures, largely remains obscured. Because of this, it ought to be considered just how far, therefore, labelling theory might be viewed as a reasonable explanatory vehicle, both in terms of the results obtained and of the generation of delinquency in general.

One way to do this is to consider the 'theoretical' credibility of the approach. There have been a multitude of criticisms voiced against the various inadequacies of labelling theory, in terms of its ambiguity, its use of ad hoc explanations, and the specific problems of what constitutes social labelling, is labelling a necessary or sufficient condition of amplified deviance, etc? Perhaps the more damaging criticisms, however, come from two theoretical 'camps', rather loosely described here as the 'radical' and 'phenomenological' critique.

'Radical' criminologists seldom welcome any nomenclature of this kind and cannot be easily identified. For the sake of argument and simplicity the 'radical' critique of labelling theory in this instance refers solely to the comments of Taylor, Walton and Young (1973). Taylor et al argue that by emphasising the social construction of deviance through processes of labelling, labelling theorists have generally

underplayed the creation of rules and the relevance of social structure. In so doing, they, '...ignore the way in which deviancy and criminality are shaped by society's larger structures of power and institutions.' (Taylor et al, 1973, p.169) By emphasising a plurality of interests and rules the labelling theorists have presented a view of society devoid of any meaningful structural component.

Becker (1963), for instance, certainly does seem to emphasise the wide diversity of interests in society.

Social rules are the creation of specific social groups. Modern societies are not simple organisations in which everyone agrees on what the rules are and how they are to be applied in specific situations. (1963 p.15)

But what kind of social structural analysis is the writings of Becker and others supposed to be without? In a general sense this perhaps refers to a failure to incorporate the influence of some dominant and meaningful stratification system based on the divisions of wealth, status and power into the analysis of social action. In the case of the 'radical' approach to deviance, this presumably would be based on para-Marxist principles. At no time do labelling theorists base their arguments on conceptions identifiable with Marxist or dominantly 'structuralist' depictions of social reality, although structural categories are considered by way of the various references to the 'middle-class' and the 'working-class'. It could be argued that, even accepting Becker's basically pluralistic position, statements like the following do in fact seem to give significance to the social class features of society.

They (modern societies) are, instead, highly differentiated along social class lines, ethnic lines, occupational lines, and cultural lines. (1963 p.15)

In the same way, it is true in many respects that men make rules for women in our society, ... Negroes find themselves subject to rules made for them by white ... The middle-class makes rules the lower class must obey ... (1963 p.17)

This could perhaps be considered the same as saying that middle-class, white, males, predominantly make the rules which others are expected to adhere to. At this point, however, the argument seems to rest more on whether society is better viewed from a 'structuralist' or a 'phenomenological/interactionist' position. Taylor et al criticise labelling theory through the absence of dynamic structural components. It could be argued, however, that the labelling theorist's conception of social class is largely presented in social/cultural, rather than political/economic, terms, and as such offers an interactional view of society based on the notion of evolving social realities; in much the same way as Rock (1973) describes social structure as contained in the minds of people. Whether or not this interpretation is justifiable is debatable, but the argument that because the labelling perspective does not condone a 'structuralists' view of society, of equally dubious form and reality, does not in itself appear sufficient to undermine either its general orientation or its view of deviancy production.

A second, and perhaps more important criticism of labelling theory, has been proposed in a slightly different form by both 'radical' and 'phenomenological' 'camps', and that is the problem associated with the distinction between 'ascribed' and 'achieved' deviancy. The 'radical' critique of this position rests on Lemert's original distinction between 'primary' and 'secondary' deviance, whereby the latter is considered as socially determined and the former of little significance.

As Lemert suggests in this respect, '... the original causes of the deviation recede and give way to the central importance of the disapproving, degradational and labelling reactions of society.' (1967 p.17) It is proposterous to think, suggests Taylor et al, that the 'original causes of the deviation' will 'recede' as soon as there is social reaction. In this sense, individual primary motivations are ignored by labelling theorists, and implicitly discredited, not only for having little explanatory value in understanding deviant activity, but with respect to the fact that the motivation mysteriously becomes redundant and ceases to be meaningful once the individual has been labelled deviant. By emphasising 'ascribed' deviance, labelling theorists put themselves in the position of developing what Broadhead (1974) describes as an 'over-socialised' conception of man, whereby deviance is construed as a social status forced upon a passive recipient, irrespective of his particular actions or wishes. But, as Taylor et al suggest, it is perfectly possible to conceive of 'deviants' who never experience this kind of societal reaction but continually commit deviant acts, such as, '... smoking pot, stealing, agitating, engaging in sexually deviant acts, etc.' (1973 p.153)

The phenomenological critique of labelling theory argues the same issue from the phenomenological perspective. In this instance, the writings of Warren and Johnson (1972) are taken as the main representative of this point of view. They suggest that in an attempt to generate a 'new and exciting theory', labelling theorists have tended to over-react to the popular regimen of the correctional approach and have 'thrown the baby out with the bath water'. The 'baby' in this sense

is the idea of a social system based on core values defining behaviours. If this system of universal, or generally held, values is rejected, suggests Warren and Johnson, so too is the possibility that certain forms of behaviour will be universally, or generally, defined as deviant. By emphasising the creative act of deviance generation, labelling theorists have ignored the possibility that forms of behaviour may indeed, 'have a special quality of deviance' independent of social responses. The difference between the phenomenological and structural critique is that from the phenomenological perspective this is seen as excluding the intrinsic 'nature of the 'being' of the action' (1972 p.75). In the case of homosexuality, for example, the deviant sexual act is not the organising aspect of their lives but the conception of 'being' homosexual. Thus they suggest:

The labelling perspective, with its unconventional rhetoric about rule-breaking and negotiation, is theoretically too misleading, and humanly bland, to have any direct relevance to the understanding of the social worlds and selves of the homosexual members of society. (1972 p.75)

The problem of 'ascribed' and 'achieved' deviance is certainly a real one and it does not seem, from the analysis of these writings, that there is very little, if anything, to suggest that deviance may develop independently through entirely different processes. In this respect, labelling theory does appear to be deficient, not so much from what was said but from what was left out, and the serious imbalance that this produces. Because of this, the labelling approach produces what is undoubtedly an interesting theory of 'control' at the expense of a thorough-going investigation into the reasons for 'deviance' and the original motivations for rule-breaking. However, as Becker so poignantly points out in a

recent article (1974) on the original formulations of labelling theory, the early writers did not propose to develop a general theory of causes.

The original proponents of the position, however, did not propose solutions to the aetiological question. They had more modest aims. They wanted to enlarge the area taken into consideration in the study of deviant phenomena by including in it activities of others than the allegedly deviant actor. (1974 p.42)

Reservations of this kind certainly do alter the situation somewhat, and point should be taken as to the original qualifications of Chapter One, and throughout this dissertation, that labelling theorists were not proposing rigid principles of deviancy production, but a few important and perhaps previously over-looked elements of how deviance is generated. The intended looseness of these early prescriptions were reiterated in a similarly recent article by Kitsuse (1975), who went so far as to insist that labelling 'theory' should in fact be referred to as a 'perspective' as it does not presume the predictive and formal requirements of a scientific theory.

Qualifications of this kind do not, however, inhibit the empirical testing of some of the elements involved as a means of determining its general value and any directions in which it might further be improved. As Becker suggests:

The degree to which labelling has such effects is, however, an empirical one, to be settled by research into specific cases rather than by theoretical fiat. (1974 p.42)

Thus labelling theory is perhaps best viewed as a system of provocative statements which offer themselves for further empirical analysis.

5. Concluding comment

Kitsuse writes in a recent article:

... one wonders how it is that this conception (labelling theory) has managed to command the attention of so many sociologists. (1975 p.273)

His statement smacks of irony. The propositions are indeed simplistic in essence and it is this in part which seems to have inspired their popular appeal. But more than this they are profound and strike at the heart of the principles of law and justice for all modern societies. Because of this there seems to be an urgency, both in evaluative articles and empirical research, to decide once and for all whether the past one hundred years of criminological theorising have been so wrong. This in turn has generated a largely insensitive and unsympathetic approach to the issues involved. As labelling theory has so far resisted being swept under the carpet perhaps a new approach to my own and innumerable previous researches seems to be a more profitable road to follow. This new approach needs to have respect for the tentative but suggestive terminology of the original formulations, to have sympathy for the processual and interactional substance of the approach, and to have patience in assimilating a wide range of research findings into a more precise and thorough theoretical formulation.

Notes

CHAPTER THREE:

1. Age comparison points vary between studies, such that no two specific age levels can be shown. The only alternative, therefore, for comparative purposes, is to assume that age effects, if any, should also be apparent over a range of ages, and for each study the younger age group has been compared to the older age groups; whatever these actual age points might have been. This obviously clouds the possibility of a specific age effect, but is unavoidable in the light of the methods of presentation of the available data.

2. Sources of data for tables 5 to 7, 9 to 11, 13 to 15, and 16 to 18.

Table 5.

Reiss (1961, p.732): 4 of the 7 categories are defined by Reiss as delinquent. 60 of 98 blue-collar fathers' sons (61%), and 8 of 60 white-collar fathers' sons (13%), are so classified.

Dentler (1961, p.736): Calculating from table 1 horizontally instead of vertically, and combining 1-2 items and 3-5 items, the percentage admissions for low status individuals was 39%, compared to 41% for high status individuals.

Hirschi (1969, p.69): Combining categories 1,2, and 3 with categories 4 and 5.

McDonald (1969, p.96): As shown.

Clark (1962, p.829): In order not to confuse the racial effect, 'rural farm' (white lower class) were compared to 'upper urban' (white professional area), resulting in a possible 35 significant associations.

Casparis (1973, p.53): The 13-19 year old groups was combined and the 4 class categories were split into 2.

Empey (1966, p.549): As shown.

Nye (1958, p.383): Tables 2-4 consider all offences committed and include 126 possible relationships.

Akers (1964, p.46): As shown.

Christie (1965, p.104): The average admissions for highest and lowest occupational groups were compared for all regions combined.

Table 6.

Belson (1975, p.91): The least serious offence comprises the average admission rate for the first 5 offences at level 1. at occupational levels A and F. The most serious offence comprises the average admission for the last 5 offences at level 4. for the occupational levels A and F.

Akers (1964, p.42): 'Taking a car' was used as a serious offence, and 'defying parent's authority' was used as a minor offence, for the highest and lowest status categories.

Empey (1966, p.552): As shown.

Reiss (1961, p.732): Comparing the top and bottom delinquent categories reveals that 6 of 60 white-collar workers' sons and 51 of 98 blue-collar workers' sons commit less serious offences, and 2 of 60 white-collar workers' sons and 9 of 98 blue-collar workers' sons commit more serious offences.

Gold (1966, p.43): For white boys only.

Williams (1972, p.218): Only the highest and lowest social categories were used for comparison.

Arnold (1965, p.65): The highest scores on the theft scale were compared for the highest and lowest occupational categories. As the lowest scores include zero a least serious offence commission scale could not be constructed.

Voss (1966, p.319): The reporting of 3 or more serious acts for high and low status categories is shown for males only.

Clark (1962, p.829) A comparison of 'rural farm' and 'upper urban' was once again made as in table 5. Out of 16 associations, 5 were of a more serious nature and were split in terms of social class as shown. The remaining 11 were of low seriousness and split accordingly.

McDonald (1969, p.94): The 3 most serious and least serious tables were combined and compared.

Casparis (1973, p.53): 'Vandalism' was the only serious offence available.

Nye (1958, p.377): 2 of the 7 associations could be considered serious from conventional seriousness rankings: 'property damage' and 'car theft'.

Table 7.

Belson (1975, p.84): The lowest and highest quartile scores were compared for the highest and lowest occupational categories for theft level 2.

Dentler (1961, p.736): Values for 1-2 and 3-5 types of theft were recalculated for the high and low status categories.

Hardt (1968, p.137): The high and low age groups were combined for the two white areas 'O' and 'A'.

Voss (1966, p.318): The highest and lowest status categories were compared for males only.

Gold (1966, p.42): The most and least frequent admissions were compared for the highest and lowest status categories for white boys only.

Hirschi (1969, p. 69.): Categories 1, 2 and 3, and 4 and 5 were combined for 2 or more offence admissions.

Nye (1958, p.377): The third section of table 3 deals with frequency of offence commission. The lower and upper categories were compared, revealing 17 significant associations.

Akers (1964, p.41): As shown in table 1.

McDonald (1969, p.194): As shown.

Table 9.

Forslund (1975, p.194): The data was extracted for males only.

Table 10.

Jensen (1976, p.434): Black and white males were compared for theft under two dollars and theft over fifty dollars.

Gold (1966, p.43): All classes of black and white boys were combined as shown.

Williams (1972, p.216): As shown for boys only.

Forslund (1975, p.194): As shown for males only.

Table 11.

Hardt (1968, p.137): As shown for low income areas only and combining age categories.

Gold (1966, p.42): Class categories were combined for boys only.

Williams (1972, p.216): As shown for boys only.

Voss (1963,p.326): As shown for boys only.

Gould (1968, p.334): 5 or more offences were compared to 1-2 offences.

Voss (1963, p.326): As shown for boys only.

Gould (1968, p.334.): 5 or more offences were compared to 1-2 offences.

Table 13.

Dentler (1961, p.736): The data shown was recalculated horizontally for the 14+ and 12- age groups.

Casparis (1973, p.53): The 13-15 year old group was compared to the 16-19 year old group.

Elmhorn (1965, p.138): The 9 year old group was compared to the 14 year old group.

Table 14.

Belson (1975, p.87): The first five offences of level 1. were calculated as an average and compared to the last five offences of level 4., for the lowest and highest age categories.

Williams (1972, p.216): 13 year olds were compared to 16 year olds.

Casparis (1973, p.53): Only 'vandalism' could be considered serious and this occurred in the youngest category only.

Elmhorn (1965, p.138): As shown in table 9.

Table 15.

Belson (1975, p.87): The highest and lowest quartile were compared for the highest and lowest age group.

Dentler (1961, p.736): 1-2 thefts were compared to 3-5, for the youngest and oldest categories.

Hardt (1968, p.137): White areas 'O' and 'A' were used to compare the 12-13 and the 14-15 year old groups for high and low violations.

Williams (1972, p.216): 13 year olds were compared to 16 year olds.

Table 16.

Dentler (1961, p.736): Table 1. was calculated horizontally for categories 1-2 and 3-5.

Table 17.

Jensen (1976, p.434): Theft of two dollars and theft of fifty dollars was compared for white boys only.

Akers (1964, p.43): 'Defying parental authority' was used as a minor offence and compared to 'car theft' as a more serious offence, for boys and girls; averaging the four status groups.

Gold (1966, p.43): The four class categories for white boys and girls were combined for the most and least serious offences.

Williams (1972, p.215): As shown.

Table 18.

Voss (1963, p.326): As shown for Caucasians only.

Dentler (1961, p.736): 1-2 thefts were compared to 3-5 thefts.

Gold (1966, p.42): Occupations for white boys and girls were combined as shown.

Williams (1972, p.215): As shown.

CHAPTER FIVE:

1. See the discussion in Chapter Eight on the disparity between thought and action, and between what people say they think and what they actually think (p. 347).

2. These offence examples derive from the results of a pilot study carried out on a previous occasion with 10 police officers of another Metropolitan division. These officers were presented with 8 different information boards and 8 different offence topics. The 4 offence examples chosen for the current investigation were selected on the basis of the balance of disposition decisions (ie. the range and the spread of disposition choices), and the difficulty of which the police were able to arrive at the decision (ie. the total card referral).

3. It was discussed in Chapter Two (pp., 60-61) that statistical tests of significance, such as the chi-squared significance test, suffer from a number of weaknesses. For example, it may be relatively easy to establish an association for fairly large samples. Nevertheless, the chi-squared test seems to be a more reliable method of suggesting the probability of a non-random relationship between two or more variables than simply comparing percentage associations by eye. To improve the validity of such an approach, as far as possible the rules for the operation of a test of this kind have been strictly adhered to. (eg. B. Brookes and W. Dick. 1969, An Introduction to Statistical Method, London: Heinemann)

4. See note 2.

5. The original six race categories were:

- | | |
|--------------------------|---------------------|
| 1. Caucasian | 4. Indian/Pakistani |
| 2. Dark-skinned European | 5. Chinese/Japanese |
| 3. West Indian | 6. Arabian |

Codes 2, 5, and 6 each had a total sample size of less than 5.

6. The Registrar General's categorisation of occupations was subdivided as shown into non-manual and manual occupations.

Non-manual

Manual

- | | |
|-----------------------|-------------------|
| 1. Professional | 3. Skilled manual |
| 2. Intermediate | 4. Partly skilled |
| 3. Skilled non-manual | 5. Unskilled |

7. The Chief Inspector of the Bureau insisted on both occasions that the offence 'taking and driving away a motor vehicle' (T.D.A.) should be classified along with other offences grouped as 'a potential threat to the person'. He explained this in terms of the danger that perhaps young and inexperienced drivers may cause for the public in a car or other vehicle of which they were not familiar. Other than this somewhat idiosyncratic positioning of one offence type, the remainder of the hierarchy did, in fact, fall precisely into the five categories listed in the text.

8. The significance margin of $P/.05$ was taken as the lowest level of significance observed from the official data studies analysed in Chapter One. This figure, of course, is arbitrary and a number of statisticians may certainly recommend substantially higher probability levels. (Eg. B. Brookes and W. Dick, *ibid.*)

CHAPTER SEVEN :

1. Both Lemert's and Matza's notion of the sense of injustice could be seen as meaning any form of injustice whether it be to the offender's advantage or disadvantage. A disproportionately lenient disposition could be viewed as equally unjust as a disproportionately severe one. Neither authors seem to make this distinction clear. Although both interpretations may be feasible, it seems more likely that the individual experiencing excessively severe punishment will be more affected than the one experiencing excessively lenient sanctions. Throughout the chapter, therefore, the concept of injustice has been taken to mean excessively severe punishment.

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