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- cc PS/Secretary of State (B&L) - B
- PS/Michael Ancram (B&L) - B
- PS/Malcolm Moss (B&L) - B
- PS/PUS (B&L) - B
- PS/Sir David Fell - B
- Mr Spence
- Mr Elliott
- Mr Carvill
- Mr Steele - B
- Mr Thomas - B
- Mr Leach - B
- Mr Stephens - B
- Mr Wood (B&L) - B
- Mr Watkins - B
- Mr McCusker
- Mrs Collins - B
- Mr Marsh - B
- Dr Power - B
- Ms Bharucha - B
- Mr May
- Mr Buchanan
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JOYRIDING

Following a public meeting in Poleglass on 8 January to air concerns about the problems created by joyriders in the area, the subject has achieved a fresh prominence in the media and among politicians: both Joe Hendron and Robert McCartney have tabled PQs on the subject. This submission responds to the Minister's requests for advice at his meeting with officials on 9 January and following his visit to RUC Woodbourne on 18 January (your minutes of 13 and 20 January). I am grateful to everyone who helped pull this material together.

Background

2. For the purpose of this paper the term 'Joyriding' is applied to the stealing (or taking and driving away) of cars for pleasure rather than profit. Joyriding is by no means a recent phenomenon in West Belfast. The problem of vehicle related crime in the area first arose during the escalation in street violence in the early seventies when hijackings were commonplace. The problem again came into prominence at the end of that decade and particularly in the early eighties when the level of street violence increased and a further upsurge in hijackings accompanied the republican hunger strikes in 1981. With joyriding becoming more of an issue in its own right, rather than simply being regarded as a function of general lawlessness and politically motivated street violence, a number of dramatic incidents, including the death of one joyrider and injuries to others, provoked media interest in the problem. This in turn stimulated public demand for something to be done about it.

3. There were a number of responses. Reacting to pressure for action from the people in West Belfast, the paramilitary organisations attempted to eliminate the problem through punishment shootings (usually knee-cappings) and beatings. Far from eradicating it, these appear only to have added to the status and machismo conferred by their peers upon those most adept at stealing and racing cars.

4. A more rational and constructive approach was reflected in the 'West Belfast Auto Project' set up in 1981, and one of the first of its kind in the UK. The project was joint funded by Probation and the Eastern Health and Social Services Board and targeted hard core joyriders. It employed skilled workers from the area to teach the youngsters about car mechanics by building up scrap cars which were subsequently raced by the joyriders in 'banger' races at Dunmore Stadium. The workers demonstrated their commitment to the project often by working with the young people into the early hours in order to have cars ready for a race deadline. The project's strengths, however, lay not only in the

diversion offered by the car preparation and race activities; the youngsters also appear to have attached significant value to the commitment of the staff who, in addition to providing skills training, also acted as mentors.

5. In the eighties the number of auto projects grew to four in West Belfast and one in Newtownabbey (the latter was apparently an attempt to strike a balance between Catholics and Protestants in this type of provision). However, in spite of two independent evaluations (in 1983 and 1985) which demonstrated that the initial project had made a substantial impact on those with whom it worked, management of the projects fragmented and by the end of the decade all had ceased to exist. The various groups which had combined to manage the projects (with the exception of Newtownabbey) re-formed to become the umbrella West Belfast Parent Youth Support Group (WBPYSG).

6. The Auto Projects were succeeded by another diversionary scheme targeting persistent joyriders, known as 'TURAS' (Irish for journey) which was funded by Probation and MBW and which was jointly managed by the Probation Board and WBPYSG. This scheme provided a range of activities on a regular basis, which included a creative programme and a young women's group; and other activities like football, go-karting and cinema visits on a more sporadic basis. Essentially, the project involved dedicated staff who worked long hours to keep the young people off the streets, particularly at the times when they were most at risk of offending (late at night and the early hours of the morning) when mainstream youth facilities were closed. The basic philosophy was that while they were engaged in alternative activity they were not joyriding. An evaluation of the scheme in 1995 concluded that it did achieve some success in that while individuals were participating on the programmes they were not stealing vehicles; but there was no objective evidence, reflected in official crime statistics, to suggest that TURAS had a noticeable impact on the rates of offending or on the attitudes of those participating in the programme. MBW funding for the project subsequently expired and, without additional mainstream funding, it ceased to exist in mid 1995, when the WBPYSG decided to re-focus its attention on drugs.

oyriding: A feature of youth culture in West Belfast

7. West Belfast comprises a large area extending from Divis and the narrow streets of the lower Falls to the newer estates of Lenadoon, Twinbrook and Poleglass. There is no doubt that its socio-economic characteristics lend themselves to higher levels of crime in general with the significant contributory factors of: continual disruption as a result of republican paramilitary activity which renders a normal pattern of policing difficult to establish; higher than average levels of long term unemployment, particularly among Catholic males; and a higher than average number of school leavers with no qualifications. The history of vehicle crime in the area suggests that joyriding might have its roots in 'earlier' hijacking activity, but does not explain why it has not become a phenomenon in other areas such as the Shankill or the republican areas of Londonderry.

8. Anecdotal evidence, backed up by statistics, (almost half of the stolen vehicles recovered in Northern Ireland are found in the RUC's B Division), suggests that joyriding has developed into a deeply-rooted feature of youth culture in West Belfast. This was endorsed in a 1991 study which emphasised the uniqueness of the problem to West Belfast and stressed the importance of a very focused, local sub-culture, which was far more pronounced than would be found in other cities in the British Isles where car crime was a problem. The general trend is that the youngsters, predominantly male, start in early teens, peak in late teens and mature away from the activity in their early twenties. There is no firm evidence on prevalence, but the findings from the 1993 International Self-Report Study suggest that somewhere between 30 and 90 young people are responsible for the vast majority of vehicle theft in Belfast. The police have estimated that there are between 25 and 50 hard-core offenders who are responsible for the majority of thefts.

9. The appeal to the joyriders is obvious. Given their bleak environment and apparent limited prospects of employment or social improvement combined with a dearth of opportunities for alternative forms of entertainment, the thrills offered by car theft become an

exciting option. A combination of peer pressure and the desire for local status increase the attraction of what is essentially a show-off activity involving racing and flamboyant stunts such as hand-brake turns and rollovers. The hard-core of joyriders appear to have become addicted to the activity: such addiction is exemplified in the case of one young man who was kneecapped by the IRA but managed to continue driving stolen cars by substituting a crutch for his partly amputated leg!

The current problem

10. In the recording of crime, there is no specific offence of "joyriding". The RUC frequently refer to "car theft" which is a combination of two offence types. The first is "theft of a vehicle" which is the taking of a vehicle with a view to permanently depriving the owner. The second is "taking a motor vehicle without the owner's consent" (again commonly known as taking and driving away or "TADA") which has no element of permanency. A difficulty for the police officer in recording a "car theft" at the time of its commission is ascertaining the motive of the offender. If the vehicle is quickly recovered, what has initially been recorded as theft of a vehicle will be quickly updated to "TADA". If it is not, then the crime remains as originally classified and the vehicle is regarded as having been stolen for commercial gain.

11. Whilst there will always be an element of blurring at the edges between these two types of offence, TADA is the nearest - and it is fairly close - category to what is commonly referred to as "joyriding". However, for completeness, the following will include details of both offence types. Some interesting differences emerge.

The Statistical Picture: Recorded Crime

12. The overall level of the aggregate category of car theft has fluctuated over the past 10 years (Appendix I, Table 1). Falling to a low in 1989 (6,386) it then peaked at 9,376 in 1992. Since then it has fallen each year to a total of 7,794 in 1995 - a level similar to that in the late 1980's. However, figures for 1996, and

we only have a total to the end of November, suggest a likely increase in overall levels perhaps by 5%-6% over the previous year's total. This will be the first increase since 1992.

13. Disaggregating the figures for the two offences, it can be seen that TADA has followed the pattern of falling since 1992 with a noticeable drop (12%) in 1995, while the figures for 1996 will probably show an increase. (Table 2 - comparison over the past 5 years). Theft of vehicles actually increased by 10% across the 1991-1994 period before also falling (by 15%) in 1995 and then increasing again..

14. By way of comparison with GB, for Northern Ireland there were in 1995 4.7 vehicles stolen per 1,000 population, while in England and Wales the equivalent figure was 9.7. A sample of police force areas in GB shows the figure for Merseyside to be 13.1, Northumbria 14.7, and Greater Manchester 17.7 (Table 3). Northern Ireland as a whole therefore has a relatively low level of car theft but it is apparent that a few tightly defined areas have a disproportionate share of the perpetrators of this type of crime.

Clear Up

15. For car theft as a whole, clear-up rates have been falling (Table 1). From a high of 46% in 1988 and 1989 the clear-up rate has fallen regularly to a level of 18% in 1995. The latest figure for 1996 - again to the end of November - has continued this trend falling to a level of 15%. This can be explained in part by a shift in RUC practice away from maximising the clear-up rate through actively soliciting confessions to previous offences (very common prior to PACE) and towards securing a reduced incidence of offending through crime prevention measures.

16. Differences emerge in the clear-up of the two constituent categories of offence (Table 2). For theft of a vehicle clear-up rates are consistently lower than TADA ("joyriding"). From a level of around 13% in the early 1990's they have now fallen to around 6-7%. TADA clear-up is consistently higher. From a level as high

is 40% in the early 1990's it is now just under 30%. "Joyriding" appears to be more readily detected than theft for commercial gain.

Car Theft and the IRA Ceasefire

17. It has been suggested that the period of the IRA cessation of violence showed a different pattern in car theft offences. (As the focus of concern is on West Belfast, only the IRA ceasefire has been considered.) Following 1992, the overall trend was already downward. The figures for 1995 - all of which were in the "ceasefire" period - showed a particularly marked reduction falling by 13% on the previous year.

18. Because the "ceasefire" spanned part of 1994 and the early part of 1996, it is difficult to fit this into an annual pattern although this can be partially overcome by looking at monthly averages across the pre and post periods. The monthly average of car thefts in 1992 was 782; in 1993 it was 751; pre ceasefire 1994 it was 789; during the ceasefire it was 673; and post ceasefire 1996 was 662. The 1996 level to date is 690. The same general pattern is true for the more specific "joyriding" offence of TADA (Tables 4 and 5).

19. Whilst the figures relate to Northern Ireland as a whole, and not just West Belfast, they do suggest that **car crime fell during the ceasefire** and stayed at a lower level in the immediate following period. **It has subsequently increased again.** However, the scale of change in the trends around the time of the ceasefire has not in itself been sufficient to suggest that the problem changed radically in nature when terrorist violence came to an end.

Convictions

20. On average around 480 individuals are convicted of car thefts each year (Table 6). The differences which have emerged in clear-up rates between car theft and TADA are also reflected in figures for convictions at court. Very few are convicted of theft of a vehicle - only 12 in 1995 and about 30 on average per year.

Most convictions are for TADA - 542 in 1995 and around 450 on average per year - reflecting the use of TADA as an appropriate proxy for "joyriding" offences..

Sentencing

21. In 1995, court sentences were spread across a wide spectrum (Table 7). Overall around a quarter (26%) received immediate custody; a fifth (21%) received community supervision; another fifth (19%) got suspended custody; and another fifth (19%) were fined. Absolute and conditional charges made up around 12%. Of those sentenced to imprisonment, around half receive sentences of less than 6 months.

22. The RUC are concerned that the maximum custodial penalties available to the courts for TADA in Northern Ireland (6 months when tried summarily; 1 year on indictment) are so much less than those for the corresponding English and Welsh offence of aggravated vehicle taking. (2 years when tried summarily; 5 years on indictment). However, given that only a little over 10% of sentences are at the maximum available for those convicted after a summary trial, this needs to be kept in perspective. We shall address the penalties issue further with the RUC and others in the criminal justice system.

Costs

23. The costs of joyriding are nebulous and have proved difficult to define. They range across health costs accruing from personal injuries sustained by joyriders in collisions and other accidents and through punishment beatings; injuries sustained by third parties (in 1992, 81 police officers were injured whilst attempting to stop stolen vehicles and arrest the culprits), the cost of repairing physical damage; the cost of law enforcement and of diversionary schemes; and the costs to the insured of increased premiums generated by claims arising from stolen and damaged vehicles. In the latter case insurance companies have told us that they cannot define specific costs relative to any individual

component of the premium. Even in establishing premium variations by geographic area it is the 'whole claims experience' in that area that is taken into account rather than the nature or incidence of a particular type of claim.

Profile of Joyriders

24. The practice is almost exclusively the preserve of single males. Only a few females take part and they are more likely to be involved as passengers. Data on those convicted at court shows that only 12% of those convicted of TADA in 1995 were under 17 (Table 11). Figures for those received into prison show that the 17-21 age grouping accounts for 64% of all such receptions and the 22-29 group a further 19% (Table 12). These figures suggest that joyriding is not primarily a juveniles' offence - although detailed data on cautioning is not available. Some additional information is available on those discharged from prison. Over the last two years the average age of such prisoners has been around 20-22 years of age. Most (86%) have been unemployed and the majority of those discharged from prison across the last two years (88%) have been Roman Catholics (Table 13).

The Response: Law Enforcement

25. The Minister heard at first hand the approaches taken by the RUC at Woodbourne on 18 January. In summary the RUC:

- established a dedicated Driving Away Team (DAT) to address the problem, based at RUC Woodbourne until the worsening security situation meant they needed to be moved to Antrim Road in November. (It has been suggested to us by Probation and a resident from Twinbrook that the activities of this team during the ceasefire, when they operated from unmarked cars in the area, did have a beneficial impact on the problem and enhanced community confidence);
- have mounted special operations at times of greatest offending (Friday and Saturday, 0100 - 0600);

- have deployed specialist equipment (stingers) to stop cars, and worked with DOE to introduce physical measures to inhibit joyriders in their attempts to engage in off-road manoeuvres;
- have made arrests in Woodbourne sub-division for taking and driving away offences:

1995	141
1996	189

The Response: Education and Prevention

26. There is a range of current provision aimed at changing attitudes to joyriding among young people in West Belfast. The HALT project, funded by MBW, began in 1994 and involves a small dedicated team of workers going into local schools and youth clubs in West Belfast to conduct a number of sessions designed to influence behaviour among the young people. The project got off to a slow start largely because of scepticism on the part of head teachers that the project workers' presence in the schools might be interpreted as implying that those schools had a particular problem with joyriders. It is difficult to measure the success of this approach at this stage as the project is undergoing evaluation but demand for it has increased significantly as a result of the recent higher profile of the problem. Its funding is due to come to an end in March, but we are actively looking at ways of sustaining it.

27. MBW also makes provision for a number of other social schemes in the Twinbrook and Poleglass areas which are, of course, the focal points for current concerns about joyriding. Details of projects that have been funded since 1991/92 are outlined at Appendix II. The crime prevention funding is due to end in March and we are considering the implications of this - the NIO has no financial provision for crime prevention from which the projects concerned can be mainstreamed. However, joyriding is not a problem to be addressed simply by diverting resources to the areas concerned. It is a question of properly targeting the interventions, and the work of Probation and the local MBW team is very much driven by that imperative.

8. The local MBW team leader has been very active in involving both the communities of Twinbrook and Poleglass and the mainstream providers in establishing how best to service the increasing and wide ranging demands of the growing population.

These demands stem from the areas' principal characteristics:

- 50% in Poleglass and 30% in Twinbrook of the population are under the age of 16;
- limited social and recreational facilities;
- 60% unemployment rate with most families dependent on some form of benefit;
- no outdoor play facilities in Poleglass and most over 14s have nowhere else to go; and
- no basic retail facilities such as a chemist and a post office in Poleglass. These are confined to the Dairy Farm complex in neighbouring Twinbrook.

The team leader has responded swiftly to the concerns expressed at the recent meeting and has arranged meetings with the Road Service and the local environmental forum to explore the introduction of traffic calming measures throughout the estates. The local team is also seeking to develop a broad range of schemes (see Appendix III) which, when brought to fruition, will go some considerable way toward addressing many of the deficiencies in the area.

29. Characteristically the Probation Board has sustained its prominent role in ensuring that measures are in place to address the joyriding problem. Probation fund a number of projects, under the auspices of the West Belfast Specified Activity Programme, aimed at persistent and serious offenders (with special emphasis on car crime) who are subject to Probation Orders with an additional requirement imposed by the Court. The aim is to provide drop-in and counselling facilities, together with constructive activities at times when offending is most common (night time and weekends). Projects include

ewstart in the Lower Falls, operated in conjunction with Social Services, Lynx (Twinbrook), funded jointly with Children in Need, and grant-aided schemes run by the West Belfast Parent and Support Group.

30. Of particular interest is Probation's work with an English based organisation, Youth at Risk, which has developed a programme aimed at hard end offenders. The scheme is dependent on the commitment of a cadre of community-based volunteers to undergo intensive training and work with the offenders and thus has the advantage of engaging the community in legitimate diversionary activity within the criminal justice system. The programme for offenders (who would normally be subject to Probation Orders) starts with an intensive residential component during which each participant is matched with a volunteer, followed by weekly activities for nine months and regular contact with the volunteer. It has a good track record in England and appears particularly suitable for dealing with the type of anti-social criminal behaviour that afflicts parts of West Belfast and where there is a clear need to mend relations between the offenders and the community.

31. Youth at Risk for Northern Ireland is still at the development stage, but Probation are seeking to expedite their work on this in response to the recent controversy about joyriding. The concept has so far been well received by community representatives, and Youth at Risk staff will visit Northern Ireland for further discussions next week. The RUC have expressed an interest.

The Call for Action

32. The call from the community for statutory organisations to address the problems in their areas has centred on two issues: the need for measures such as those outlined to address social problems and make greater provision for youth; and the need for physical measures to alter those characteristics which they claim are conducive to joyriding. As demonstrated above, steps are already being taken to address the former and DOE are addressing the scope for the latter.

3. In parallel, the RUC have identified aspects of the criminal justice system which they believe might inhibit an effective response from their perspective. Some of these were touched on during the Minister's visit to Woodbourne. They relate, in particular to:

Adjournments: The RUC suggested that there were frequent adjournments of cases, largely to accommodate the financial needs of the defending solicitors and which introduced unnecessary delay.

This issue has been addressed in the wider context by the inter-agency Magistrates' Courts Delay Working Group. Research on trials for summary motoring offences has shown that the problem with adjournments - in comparison with England and Wales - is not their frequency (averaging 1 per case in both jurisdictions) so much as their average duration (12 weeks in Northern Ireland, compared with 4 weeks in England and Wales). The Working Group is pursuing this with a view to identifying ways of reducing the duration, as well as the frequency of adjournments. We believe the point about solicitors' remuneration to be something of a red herring given that their fees for second or subsequent adjournments amount only to £18.50p. (Interestingly, the Lord Chancellor is currently making a big effort to persuade magistrates in England and Wales to be firmer in dealing with requests for adjournments.)

Bail: It was suggested that bail introduced further delays and was often granted without proper consideration of the likelihood of re-offending. In addition, the fact that the

police could only seize a proportion of the bail surety where there was a violation did not provide an adequate deterrent.

There is no statutory presumption in favour of bail in Northern Ireland, the courts being guided by the common law. A person awaiting trial is presumed innocent and in practice only a previous history of offending while on bail (or the likelihood of absconding or interfering with witnesses) would be likely to lead to bail being refused. Courts in Northern Ireland do, if anything, retain a greater freedom to remand in custody than is the case in England and Wales where statutory provisions apply. A research project on bail issues, including the incidence of offending while on bail is currently in progress and will inform future consideration of the issue.

Legislation and: The RUC sought the introduction of legislation
Sentencing along the lines of the law in England and Wales which allowed greater penalties to be imposed on convicted offenders and have expressed concern about differential sentencing policies by our magistrates.

See paras 10, 11, 21 and 22 above for legislation and sentencing background.

Conclusion and Way Ahead

34. As the paper demonstrates, joyriding is a longstanding problem in West Belfast and there have been a variety of initiatives to address it, none of which appears to have had a sustained impact. The increase in joyriding over Christmas does not represent a sea change in the scale or nature of the problem. But it did precipitate a reaction from the community, wearied by the extent and longlasting

ature of this sort of anti-social behaviour. Republican elements were quick to exploit the situation and encourage the establishment of vigilante groups backed up by threats against the perpetrators of car crime and against the large number of young people who congregate to watch their joyriding antics. At the same time, there remain substantial elements in the community, some of whom spoke out at the meeting in Poleglass on 8 January, who abhor this form of summary justice meted out by vigilante groups and would prefer to see the problem addressed through legitimate channels.

35. In common with many such issues, the problem cannot be successfully addressed by only one agency or Government Department acting independently of others. Like drugs, it has become part of youth culture, albeit not endemic throughout Northern Ireland, and it requires a multi-faceted co-ordinated response in a number of areas:

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|-----------------------|---|
| Education: | eg the HALT initiative aimed at influencing young people's attitudes to joyriding before they get involved. |
| Prevention: | through the provision of facilities for youth <u>in general</u> in the area; and through carefully targeted diversionary schemes aimed at those already involved in or at the fringes of joyriding. |
| Enforcement: | effective police actions backed up by an efficient, responsive criminal justice system. |
| Physical Environment: | where possible introducing measures to inhibit joyriding activity. |
| Target Hardening: | effectively securing vehicles, physical security (eg lighting) at car parks etc. |
| Communications: | public agencies talking and working with the communities at risk. |

6. As is demonstrated in paragraphs 25 to 33 above, these issues are being addressed by a range of organisations, including the RUC, Probation, MBW and the DOE. We are setting up a meeting with all the relevant criminal justice agencies to consider whether the system is responding to the situation as effectively as it might - with particular reference to legislation, penalties, bail and speed of procedure. This will involve addressing important issues with implications going well beyond the question of joyriding in West Belfast. We will also use the occasion to examine the efficiency of existing and planned diversionary arrangements and look at the interface and arrangements for co-ordination between the criminal justice agencies and those concerned with social provision.

37. The Minister is invited to take note of the analysis of the joyriding problem contained in this submission and of the multi-agency action being taken to address it.

J A DANIELL