

Youth Justice Matters - Or Does It?

Sheila Brown questions whether justice for young people is achievable under New Labour.

We have heard much recently from the Blair administration about family values- but what is actually being done in policy terms for young people?

Victimisation and young people

Many studies have concluded that whilst young people commit crime in extensive numbers for reasons largely related to disaffection with social exclusion (or one should say, exclusion by sections of adult society) there is an equal if not larger problem of victimisation of young people both by adults and other young people, in public space, within the home, and within institutions such as care homes. This is not a popular observation under any circumstances, other than that exemplified by the young girl, Sarah Payne, who was abducted and murdered in a particularly brutal way. Sarah's image in the media was framed in such a way as to use her attractiveness, intelligence and normal childlike innocence to emphasise the horror of a crime which should be regarded as horrific whatever the personality or background of the victim. The public perception of youth victimisation has historically been confined to exceptional and unusual crimes against children which receive extensive media coverage. The heated ongoing debate over paedophilia is a case in point. Yet little attention is given either by the media or in general political terms to the constant widespread, everyday

victimisation of young people, which in some surveys such as Brown (1994), Anderson et al (1994), have emerged at over 30% of the 11-16 year old population in public places alone. This is without taking into account all the other forms of victimisation that happen behind closed doors.

Other forms of victimisation of young people include victimisation by the state through inadequate provision and neglect. The issue of disaffection is usually treated as a cause of young people offending, though we might suggest that the state has a share of responsibility for the victimisation involved. One particularly poignant quote from my own experience, was from a young person on a North East housing estate whose reply to the interview question: "Are you happy?" was "No, of course I'm not fucking happy, just look round here." This young person lived in a house with no adequate bathroom, bare floors, very little furniture, no telephone and no light shades, on an estate that suffered from the highest crime rates in the region. The young man quoted had repeatedly committed serious offences of car theft, drug offences and burglary. Since two of his offences had been the burglary of my house and stealing my car radio I can hardly be accused of liberal claptrap here. But what account was taken of the victimisation being inflicted upon him through poverty? As Pat Carlen points out in her book on youth homelessness (Carlen 1996), young people are victims in this instance, yet are largely treated within a framework of criminality.

Back to the future

The problems of these young people, who have, and continue to be, raised in conditions of relative poverty despite endless urban regeneration projects (we now arrive at the Single Regeneration Budget SRB6), are still being underplayed by the government. The endless round of SRB funded youth projects include the usual diet of drug project, counselling for young offenders, challenging violence, and so on. Talking with

programme managers, my impression is that little has changed since I worked with the original City Challenge projects back in the early 90s. This is not to sneer at such projects, nor to understate the temporary benefits they may bring to sections of local communities. It is however, to challenge the overall effectiveness of structuring youth policy in such way.

At the same time, under-funded voluntary sector organisations struggle to deal with the 'youth problem'. Those concerned with the concept of inserting young peoples' rights into policy in the spirit of the UN Convention Treaty on the Rights of the Child face particular challenges. The UK government ratified this treaty way back in 1991, committing itself to "ensure the minimum standards of the treaty are met". These include the right to freedom of thought (Article 14), the right to freedom of association (Article 15), the right for children to be heard in matters that affect them (Article 12), and that in all matters which concern them the child's best interest should be a primary consideration (Article 3). Whether any of these have been addressed in policy terms is highly questionable — or indeed whether there is any real intent to do so at the national level.

The Social Exclusion Unit, in its report in 1998 (SEU 1998), identifies, among its action objectives for young people, "causes of youth disaffection and the prevention of it, and how the design of services can take greater account of the perspectives of young people". But how far have such objectives been truly translated into policy?

SRB programmes, for example, developing in a constant state of flux and local variation, are not in a position to attach programmes to broad policy objectives at the national political level, but rather are led by interpretations of their own 'bid objectives' which are then reinterpreted within the terms and demands of local organisations to define their interests and activities within such objectives. Whilst bringing flexibility to the policy process, bidding for money within



vague definitions does not constitute criminal justice policy. Regeneration Programmes, as broad jigsaw type initiatives, were never intended for this purpose. In the end, responsibility for programmes tackling different aspects of disaffection and regeneration which have youth crime as a part of their remit, lie with a range of different government agencies. This leads to an ever expanding labyrinth in the policy world. The voices of young people themselves are almost entirely lost within its complexities.

Is justice for young people achievable?

In terms of the formal notion of criminal justice, framed within legality and policing, it becomes increasingly difficult to know if criminal 'justice' for young people is achievable at all. Most of the retributive measures remain in place in remarkably similar ways to the Conservative administration and the welfare measures remain alienating rather than enabling

processes (see Brown 1998 and Muncie 1999). 'Family values' paraded as laudable and normative objectives are no more convincing in terms of young peoples' real experiences than in the 1980s, when this author began researching youth crime. Speaking as one who has worked closely with young people for 15 years the ever-revolving circle becomes wearisome.

'Clearing lager louts off the streets' is hardly the most imaginative of criminal justice policies. Have we learned nothing from the Thatcher years? From the general orientation of justice policy for young people at national level, it would seem not.

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