

# Youth Justice: ‘do what works’

Lord Warner describes the pragmatism in the philosophy of the Youth Justice Board.

**A** long-term campaigner on youth justice once described me as a pragmatist – a person without a strongly held philosophy but who was determined to get things done. This is not wholly true but certainly the emphasis on practical action rather than words, on real change against discussions of ‘shoulds’ and ‘oughts’ predominate my approach. The Board has achieved a great deal in a very short period of time and perhaps this is thanks to a desire to walk the walk rather than talk the talk.

But my fellow Board members and I are not without an underlying philosophy, admittedly based on pragmatism and crucially on understanding the philosophy of the young people – particularly those who are offenders that come in and out of the youth justice system. And that philosophy is that we should find ways of preventing children and young people from offending.

Adult views on what causes young people to offend and what to do with them as a result are often conditioned by attitudes to childhood and what children should be like. Take any group of adults, whether or not they have been victims or whether they live in high or low crime areas, put them in a room and ask them about their fear of crime and you see a

we provide help and support. Not because we feel sorry for them and are social liberals – although many of us do and some of us are – but because if we want them to grow up and become useful members of society we have to show them what is expected and how to behave within those expectations.

This is the responsibility of a much wider group of people than the professionals whose job it is to tackle offending behaviour in Youth Offending Teams. We know for example that pupils excluded from school are three times as likely to commit offences as pupils who regularly attend. Therefore our response to this is to suggest and put in place ways to improve the behaviour of pupils and the atmosphere in schools.

Many people, especially and understandably the parents of children in school, argue that poor behaviour should result in exclusion and that the generally poor behaviour of some pupils holds back the better behaved ones. True, but we can not as a society afford to create ghetto services for those that fail some of the time to live up to the rules of mainstream services. Instead we must adapt to the challenges of the poorly behaved children and use radical though simple, common sense solutions such as putting police officers into schools as a regular presence to modify atmospheres of intimidation. Where this has been tried

***Adult views on what causes people to offend and what to do with them as a result are often conditioned by attitudes to childhood and what children should be like.***

group of very frightened adults, who will tell you regardless of the facts that children have got worse and crime has increased. Crime causes people to be afraid and this rational response leads to irrational responses as to what should be done to offenders. Extreme reactions such as calling for the return to capital punishment, boot camps and summary justice will all feature. Yet, when the same group of adults are asked to give their views on conditions for children in care homes or custody, more often than not sympathetic responses dominate, despite the fact they are often talking about the same children and young people. All too often the adult does not see clearly what is going on in the lives of children who offend and what is likely to work in preventing them from offending and reoffending.

To cut through the mist and uncertainty the Board has a single aim for all those who work in the youth justice system “to prevent offending and re-offending by children and young people”. Our philosophy is very simple. You assess individuals to find out what causes them to offend or what risks exist in their lives to make the likelihood of offending greater. Then you take steps to put in preventative programmes that will tackle these risk factors. They include punishment – to ensure the young person recognises and is fully aware of the harm they have caused to others and to reassure society that action is being taken. In some cases this punishment will involve custody. But this must be kept as a last resort where other measures have been shown to fail or where the offence is so serious that the young person poses a threat to others. As well as punishment

– through the Safer Schools Partnerships – school exclusions have been slashed, the atmosphere in the school has dramatically improved and teachers, parents and pupils alike are hugely supportive. We also know that independent disputes resolution using restorative justice techniques can cut exclusions by two-thirds and provide more satisfaction to children who are victims.

But what about what the children themselves? How do their views shape our actions towards them?

We know that children are afraid of violence and theft in school and in their local areas, we also know that where they are the victim of a crime it is in most cases (71 per cent) at the hands of another child. Recent results from the Board’s annual survey of young people show a declining sense of moral absolutes about what is right and wrong. Over the four years that the survey has been taken, it shows that children regularly in school are less and less sure what it is always wrong to do. This is worrying but also enlightening. It surely tells us that we need to be clearer about what we as adults tell young people and how we shape their development.

This leads into the difficult area of cultural influences on young people and the impact that modern life with its instant global access and emphasis on consumerism has on their developing philosophies. I am not one of life’s natural censors and I do not generally favour an overarching or legislative stance in relation to influences on young people. However as part of the recent street crime initiative the Board commissioned an

eminent criminologist to interview a large number of young people involved in this type of criminal behaviour. They said that cultural factors were very important in motivating them to steal. They emphasised how important it is to possess prestigious fashion items for their own status and to prevent them from becoming social outcasts and victims. Those who look weak and unfashionable are more likely to be picked on. The Board is currently reviewing research material on this subject – especially the influence of violent images and repeated exposure to violence. It will consider whether to make public policy suggestions once the review is complete.

If these strongly advertised messages are having the impact reported then our response must be to emphasise core and critical values such as the meaning of citizenship and the mutual benefit of living within accepted rules. We know that young people are largely ignorant of what constitutes an offence let alone what the consequences for them and their future lives may be. It is the job of adults to reinforce the importance of core values and to demonstrate the consequences of a stance outside of these values, not to throw up our hands in despair or to react hysterically by calling for ever more punitive criminal justice responses.

Quite apart from what children think about the law, there is evidence to support the view that many children become offenders not through an active choice but through the absence of positive interventions over a period of time. Consider the fact that 50 per cent of all young people admitted to one secure training centre need glasses. Without the ability to read a blackboard or a book the child is likely to become frustrated and angry. This will make them more likely to be excluded from lessons. When they become excluded they are more likely to hang out with other young people in the same boat who will then become more likely to commit offences and eventually through the absence of any mitigating interventions by adults

may end up at the door of a secure training centre.

Not being diagnosed as having poor eyesight is not an excuse for offending but it is one of a number of factors that can lead to other factors which taken together make the chances of offending greater. It is this opportunity for positive intervention that we believe in and it is also the reason that we make no apology for targeting children at risk of offending.

Many professionals, politicians and learned academics are strongly against the targeting of individuals before they have committed any offence. Through the pilot scheme known as Youth Inclusion and Support Panels the Board has developed, from a successful scheme run by Nottingham City YOT, the facility to identify children at risk of becoming offenders and prevent their actually entering the criminal justice system. The schemes are voluntary, so that families with problems can come forward and ask for help. In this way we hope and expect to be able to turn children away from crime who otherwise would have started down the route of a criminal career.

There are thousands of parents who have troublesome eight-year-olds with whom they need help. Should we really be saying to them "Come back when he's done something criminal, we can't help you until then"?

The watchwords of the Board's approach are these – 'do what works' – regardless of philosophy, target those most likely to offend and take responsibility for the messages we are sending young people. If that does not amount to a philosophy – well it will have to do. The latest Home Office research on the performance of the youth justice changes shows convictions 22.5 per cent better than anticipated. We are not complacent but we are comfortable with our pragmatism.

*This article was written when Lord Warner was Chairman of the Youth Justice Board, a position he held until June 2003.*

## Postgraduate Study in Community Safety or Criminal Justice

### MSc Applied Studies in Community Safety

The aim of the degree is to deliver a high quality postgraduate programme in which students critically examine and explore theory, research and practice in Community Safety. As part of this the programme provides a process for practitioners to connect occupational standards for the sector with the underpinning theoretical base.

#### Programme Length

One year full-time, two years part-time

#### Entry Requirements:

A second class honours degree in a social science or related subject area, and/or relevant experience in the community safety sector will be considered as entry requirements.

For further information, email  
peter.francis@northumbria.ac.uk or  
jamie.thompson@northumbria.ac.uk.

Or call 0191 227 3412



### MA Criminal Justice Studies

The aim of this high quality postgraduate programme is to allow students to critically explore, situate and evaluate theory, research and practice in criminal justice. Students examine the criminal justice sector/system, and the processes, practices, cultures, structures and the wide historical context that have informed its development, and continue to inform what it does, how it does it, and how effective it is in contemporary society.

#### Programme Length

One year full-time, two years part-time

#### Entry Requirements:

A second class honours degree in a social science or related subject area, and/or relevant experience in the criminal justice sector will be considered as entry requirements.

For further information, email  
peter.francis@northumbria.ac.uk.

