

Book review

Roger Grimshaw reviews *The New Youth Justice*, edited by Barry Goldson. Lyme Regis: Russell House Publishing (2000).

Academic debate on youth justice legislation may not attract the kind of headline splash that bestows notoriety on some young offenders. Yet those who care about young people will want to listen to any thoughtful contribution that, like this book, questions the official wisdom, if only because those assumptions, carried into effect, massively influence young people's lives, and it seems fitting that they should be rigorously assessed. While a number of contributors concede some credibility to New Labour's agenda of social inclusion, the general thrust of discussion is sceptical or critical, fearing that the court's role in protection and welfare has been displaced by a punitive agenda.

John Pitts traces the genesis of the new system to the political imperatives of the 'Third Way' in the UK, and its counterpart in the US. While the resulting measures seem designed to attract the common sense support of the suburban voter, he prophesies that the new interventionism faces stiff resistance in the ghettoised estates. John Muncie examines the criminological origins of New Labour policies and the convergences between 'left' and 'right' 'realism' that are contained in measures within the Crime and Disorder Act. He identifies the risks entailed in the changes, and the threat of merely expedient responses to future challenges.

Barry Goldson emphasises the rigorous upscaling of the Final Warning Scheme which he contends is likely to draw new cohorts into the intervention process. Kevin Haines argues that restorative justice is too weakly defined to play a positive part in the Referral Order and that the best interests of the child offender need to be more firmly guaranteed. The Human Rights Act and other international provisions may test this part of the legislation. He outlines a more inclusive model of censure and reintegration. Sharing that scepticism

Brian Williams discusses the treatment of victims in court reports and in the various restorative sentencing options, arguing for careful planning and preparation, with due respect for the victim.

Sue Bandalli discusses the 'responsibilisation' of the child through a range of procedural measures, in particular the abolition of 'doli incapax', so distancing the court from any concept of the 'mischievous child'. She concludes that the principle of protecting minors in criminal proceedings is being encroached upon, with insufficient resources being deployed in other ways to compensate. Meanwhile Mark Drakeford and Kerry McCarthy delve into the recent history of provisions on parental responsibility culminating in the new Parenting Order.

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Like Bandalli they raise questions about the legitimacy of current procedures. They point out ironically that many young offenders are already living apart from parents and warn that as voluntarism in services for families is sidelined so the stakes of failure will be increased.

David Smith analyses corporatism policy and practice in the 80s and their mixed fortunes in the early part of the 90s. He notes that the incorporation of agencies formally detached from the state is recent and distinctive. But the key bodies of the new system are the Youth Justice Board and the Youth Offending Teams, each of which marks a step forward. Corporatism is here to stay, since even radical practitioners uphold a version of it. Richard Hester probes the shifting terminology of 'community safety' and finds a conflict between exclusionary and inclusionary aspects of youth justice

policy. Most worrying, evaluation may become self-serving, involving subtle changes of definition and 'pass the buck' manoeuvres. It should be accepted that some really important criminogenic factors like employment may be outside local control.

Reviewing the court provisions Geoff Monaghan wonders whether the managerial priorities of the system will detract from the pursuit of children's welfare. The wide array of sentencing options by itself opens up room for varied results. The doctrine of progressive penalties for repeat offenders could undermine some options that might with good practical planning become productive. The changes in remand procedures and the less stringent conditions for making the new Detention and Training Order could accelerate youth imprisonment. The extraordinary rise of custodial interventions in the 90s is described by Sharon Moore who attributes their increase to highly politicised campaigning despite a longstanding consensus in favour of reduction. She outlines the prospects of 'modernising' conditions in the secure estate, highlighting the considerable needs that for too long have been poorly served.

In such a comprehensive critique, it would have been useful to have had some economic analysis comparing the costs of youth crime, the case numbers likely to be handled and the possible effects of all known expenditures. It seems that the Treasury as in so many matters is likely to pass a final verdict on the new youth justice. In assessing the authors' conclusions, it should also be recognised that reports on the piloting of new orders and other Home Office-sponsored evaluations will in due course make a difference to our knowledge.

The cumulative effect of reading this volume is to evoke the worrying prospect that some new interventions may be over-zealous while well-founded interventions may not be delivered to the necessary standard. The combined result would be to accelerate the criminalisation of young people. Some indeed may balk at the critical consensus within the book. But it would be hard to deny that it raises crucial questions for all observers. Can a really big, 'industrial-scale' panoply of effective interventions around offending and social