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In Search of Community:
A critical exploration of the resonance of community to New Labour's youth justice policy and to the lives of young offenders

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**A thesis submitted for the degree of
Doctor of Philosophy**

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September 2005**

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Abstract

'Community' has long proved an integral element in commonsense thinking about a range of social problems and experiences, and with respect to crime the general conclusion is that more community will mean less crime. This study comprises a critical exploration of the resonance of community to New Labour's youth justice policy and to the lives of young offenders. The concept of community is of particular interest, as since its election in 1997 New Labour has been committed to forge a new political ideology of the 'Third Way', wherein communitarian ideas have proved central to the government's ambitions to revive and emphasise individual's responsibilities and obligations to civil society. Thus evident in the array of civil and criminal orders, which constitute the youth justice system in England and Wales, are constructions of community as both a 'moral resource' and as a 'moral claimant'. The former assumes that communities have inherent capacities in preventing and controlling youth crime, while the latter prioritises the community's right to demand the punishment and exclusion of those young people who fail to live up to their communal responsibilities.

Given that communitarian responses are but the latest manifestation of the constant search for solutions to youth crime, consideration is initially accorded to the historical shifts and continuities in both youth justice and community safety policy and practices. It is argued that a movement towards increasingly punitive, exclusionary and defensive responses to crime and young offenders has prevailed in recent years, and it is within this context that New Labour's prioritisation of communitarian thought has occurred. Attention then turns to the specificities of the government's commitment to communitarianism within youth justice. Not only do New Labour emphasise young people's responsibilities to the community - rather than the community's, or indeed, the state's responsibilities to the young person - but it has also demonstrated its willingness to define, legislate and sanction with respect to those responsibilities it considers essential to the membership rights of the

'law-abiding' community. As such it is contended that the government's vision of community is essentially narrow, defensive and divisive.

The analysis then draws upon semi-structured qualitative interviews with a sample of young offenders and Youth Offending Team practitioners to explore the resonance of community to the lives of young offenders and to their experiences of youth justice supervision. It is argued that community is a salient feature of the lives of young offenders which often provides for inclusionary experiences. However, the government's faith in the community to act as a 'moral resource' in preventing and controlling crime does not adequately account for the complex, transitory and ambiguous nature of young offenders' experiences of communal life. Furthermore, the punitive repercussions of the government's commitment to honouring the community's role as a 'moral claimant' serve to undermine the practitioner's ability to exploit the resources the community may have to offer to with regard to encouraging and motivating young people to desist from offending. Additionally, the emphasis on intolerance is likely to promote the community's disapproval and hostility towards young offenders. It is concluded that New Labour's commitment to communitarianism, and its particular envisaging of community, conjures a powerful exclusionary potential which is unlikely to engender positive outcomes for either the young offender or the 'law abiding' community.

Declaration of Published Work

Parts of the text in chapter two have appeared in Jamieson, J. (2004), 'The Community and the Offender: From reintegration to exclusion', *Journal of Social Issues: Special Issue on the Futures of Community*, 2 (1), <http://www.whb.co.uk/socialissues>.

The analysis also draws upon Goldson, B. and Jamieson, J. (2002), Youth Crime, the 'Parenting Deficit' and State Intervention: A Contextual Critique, *Youth Justice*, 2 (2):82-99 and Jamieson, J., McIvor, G. and Murray, C. (1999), *Understanding Offending Among Young People*, Edinburgh: The Stationary Office.

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Acknowledgements

For reasons of confidentiality I am unable to identify the three YOTs who granted me access to undertake the empirical work presented in this study, nor the many and various individuals working within them who facilitated and contributed to the research process. However, my thanks are extended to them all, and particularly to the 20 YOT managers and workers who were themselves interviewed for the study. Most of all, I am especially grateful to the children and young people who participated in the research process and gave freely of their time to talk candidly about their experiences and views.

My involvement in this study has extended across three institutions and I am indebted to colleagues in each, not only for bearing with me, but for offering advice, support and encouragement which have contributed to the study's completion. For this, I am particularly grateful to Gill McIvor and Ian McIntosh, at the University of Stirling, Barry Goldson and Karen Evans, at the University of Liverpool, and Ian Paylor, and David Smith at Lancaster University. I'd also like to record my thanks to Teddy Jamieson for his constructive comments upon a draft version of this manuscript and to Dmitri Van den Bersselaar for suggesting the title of the thesis.

I am particularly appreciative for the support, understanding and considerable patience of Ted and Isabel Jamieson, Julie Jamieson and Alan Brown. I'd also like to express my thanks to Donna Shaw, Annmarie Pryor, Jane Kennedy, Neil Gavin, Beth Crossnan, Emmanuelle Tulle and Isobel Anderson for providing lots of enjoyable diversionary activities.

Janet Jamieson,
Liverpool,
September 2005.

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Chapter One

The Seductions of Community¹

Introduction

At the heart of my beliefs is the idea of community. I don't just mean the local villages, towns and cities in which we live. I mean that our fulfilment as individuals lies in a decent society of others. My argument to you today is that the renewal of community is the answer to the challenges of a changing world. (Tony Blair, 2000: http://www.pmo.gov.uk/output/Page_1526.asp)

The opening quotation is an excerpt from a speech by the Prime Minister, Tony Blair, to the Women's Institute's Triennial General Meeting, on June 7, 2000, wherein 'community'² is alluded to on no less than 19 occasions. Notwithstanding the slow-handclap Blair elicited for his efforts he forcefully argued that the renewal of traditional communal institutions, such as the church, the family and a respect for elders, is necessary in order to respond to the profound changes, insecurities and anxieties inherent in contemporary British society. In a more recent speech to the Ash Institute in Boston, on the need for civil renewal, the then Home Secretary, David Blunkett, observed that 'the decay in people's sense of community can lead to the disintegration of actual communities - with people leaving, crime rising, drug use, and despair which can become a vicious cycle' (Blunkett, 2004, <http://www.homeoffice.gov.uk/docs3/hsspeechashinstitute04.html>). Such pronouncements by the government's most senior ministers testify to the importance of community to contemporary political discourse and, in particular, to questions of law and order. Overall, for New Labour, it appears that the absence or demise

¹ Title taken from Hughes (1998: 101).

² From this point quotation marks from the word 'community' will be omitted.

of community will result in disorder, lawlessness and a host of social problems and that its renewal will provide a solution to such issues.

These opening comments serve to introduce the central concerns of this study, which are to explore the resonance of community to New Labour's youth justice policy in England and Wales and, in particular, within the lives of a sample of young offenders in Merseyside. This introductory chapter identifies a range of themes and questions relating to community which will be investigated in greater detail in the course of this study. Initially it will outline various definitions of community, prior to exploring its appeal and the difficulties it is likely to present for criminal justice purposes. The chapter will also provide a brief description of the empirical work undertaken for this study and will conclude with an overview of the subsequent chapters.

Defining Community

Defining community has proved an elusive undertaking and one that has elicited much sociological energy, literature and debate. Crow and Allan (1994: 1) observe that the bewildering range of meanings associated with community stems from the fact that it is shorthand for 'the broad realm of social arrangements beyond the private sphere of home and family but more familiar than the impersonal institutions of wider society'. Indeed, Hillery's (1955) study of 94 various definitions of community provides an indication of how widespread, diffuse and convoluted the theoretical concerns and ruminations on community have been. Hillery (*ibid.*: 20) concludes 'all definitions deal with people. Beyond this common element, there is no agreement'.

While such conclusions are not particularly helpful in furthering our understanding of what community constitutes they do serve as a stark reminder that it is a concept that is neither self-evident nor uncontested. Indeed, a variety of approaches to its definition are discernable and

consideration will now be given to the range of theoretical attempts to elucidate this 'promiscuous' concept (Worrall, 1997: 48). This analysis does not seek to provide a comprehensive overview of the many and various definitional approaches to community, but rather it will highlight key themes which appear to resonate with shifts and developments in theories of crime and punishment.

'Mechanical' and 'organic' solidarity

Sociological interest in the concept of community is emphatically linked to the threats and transformations associated with social change. Herein Durkheim's conceptualisation of 'mechanical' and 'organic' solidarity, in respect of the movement from pre-industrial to industrial society, has proved influential in both the development of ideas in relation to community and its association with social cohesion.

Within pre-industrial society Durkheim asserted that social cohesion was ensured by 'mechanical solidarity' which was, in turn, attributable to the similarities engendered by individuals living in small social groups and sharing 'an all encompassing set of norms and values' (Valier, 2002: 26). For Durkheim excessive individualism rather than social change was perceived to threaten social cohesion (*ibid.*). In the movement to industrial society he believed that such excessive individualism was likely to provoke a transitory period, characterised by numerous social problems, prior to social cohesion being reasserted through the development of 'organic' solidarity (*ibid.*). He argued that the functional dependency arising from an extensive division of labour would ensure social integration and co-operation as workers were dependent on the exchange of their labour (*ibid.*: 27). Social cohesion was premised on the 'active adherence to values of individual dignity, civic values, reason and tolerance' (*ibid.*: 27), ideas which continue to resonate within theoretic and political discourses of community.

Community as 'blood, place and mind'

Subsequent theorists do not share Durkheim's optimism regarding the emergence of social cohesion. Writing in the late nineteenth century Tönnies (1957) distinguished between two dimensions of collective life. The first comprises the 'organic' relationships, characteristic of kinship ties and social relations that are intimate, long-lasting and multifaceted. For Tönnies (*ibid.*) there are three central aspects to community: blood (kinship), place (neighbourhood) and mind (friendship). The relative immobility, both physically and socially, of community members in conditions of 'gemeinschaft' (community) means that 'place' had profound effects on the type of kinship and friendship interactions and relations in which an individual engaged. The second dimension involves the formal, contract-based and fleeting relationships, characteristic of economic exchange and political power. Although, both dimensions are always present, to varying extents, in different times and places, the former 'gemeinschaft', was particularly associated with small-scale pre-industrial society and the latter, 'gesellschaft' (society), with large-scale industrial society.

Notwithstanding Tönnies's assertion that the social relations characteristic of community are no longer the dominant form of collective life, an array of community studies have continued to attempt to identify and codify the core characteristics of community within society. For example, the aforementioned analysis by Hillery (1955: 20) found that of 94 definitions of community, 91 definitions mentioned the presence of a group interacting; 61 agreed that community included social interaction, area and some common ties; 70 agreed on the presence of area and social integration as necessary elements; and 73 agreed on the need for the inclusion of both social interaction and common ties. In a similar vein, Lee and Newby (1983) and Willmott (1986) construct typologies of community that identify the importance of place/locality, shared interests/social networks, and attachment/communion, which, in isolation or in varying combinations, constitute experiences of community.

However, approaches concentrating on the various characteristic features of community have been continuously critiqued by reference to the destabilising forces of globalisation, individualism and plurality inherent in contemporary society which, it is alleged, are associated with the demise of community (Bauman, 1991, 2000; Hobsbawn, 1995; Young 1999). Indeed, Bauman argues (2001: 3) that community represents ‘the kind of world which is not, regrettably, available to us – but which we would dearly wish to inhabit and which we hope to repossess’. In turn, these ‘declensionist narratives’ (Putnam, 2000: 24) have been subject to critique for ‘exaggerating both the solidity and certainty of the past and the fragility and uncertainty of the present’ (Hughes, 2002: 35). Indeed, other commentators assert that community continues to resonate in contemporary society, albeit that the rapid and profound increases in the mobility of capital, information and culture promote increasingly ambiguous social interactions involving ‘networks’ (Castells, 1996) and ‘flows’ (Lash and Urry, 1994; Urry, 2000).

Community as a ‘symbolic construction’

Definitional analysis and activity in respect of the concept of community are also evident in theoretical discourses which view it as a ‘symbolic construction’ (Cohen, 1985) that is continually ‘imagined’ and ‘reconstructed’ as a referent to tradition and identity (Van den Bersselaar, 2005). For Cohen (1985) community is a real and distinguishable phenomenon that is expressed in the reality it holds for individuals. For example, Anderson (1983) argues that communities take much of their characteristics from the way in which their members think about and imagine themselves, which in turn defines the boundaries and membership of what they perceive to be their community. Likewise Cohen (1985) argues that a focus on the meanings associated with the concept of community is more enlightening than concentrating on the forms it may take. He asserts that for most people it ‘condenses symbolically, and adeptly, its bearers’ social theories of similarity and difference’, becoming ‘an eloquent and collective emblem of their social selves’ (*ibid.*:

114). For both these commentators community is as much about exclusion as inclusion. Anderson's assertions were derived on the basis of reflecting on the concept of nationhood, while Cohen argues community is often more intensively asserted in response to geo-social threats, as was demonstrated in the rise of sub-national militancies founded in ethnic and local communities during the 1970s and 1980s.

However, theories regarding the import of the symbolic construction of community are not limited to defensive assertions of rituals and symbols but also embrace the positive characteristics associated with the concept, namely commitment, reciprocity, solidarity, wholeness, personalism and so on (Frazer, 1999: 82). Indeed, Frazer (*ibid.*) asserts that the aspiration to community reflects a desire for some form of connectedness, which 'transcends the mundane and concrete tangle of social relationships'. She argues that:

The experience of community is likely to be both euphoric and fleeting. On occasion or at such times members experience a centred and bounded entity that includes the self as such; they engage in exchanges and sharing that are personalized; the orientation to each and to the whole engages the person and, as some are tempted to put it, his or her soul. It is on such occasions that the 'spirit of community' or the 'sense of community' is achieved (1999:83).

Community as 'social capital'

This dualistic nature of community is also apparent in theoretical and policy discourses relating to social capital (Putnam, 2000; McLaughlin, 2002; Attwood *et al.*, 2003). Putnam (2000: 19) defines social capital as the 'connections among individuals – social networks and the norms of reciprocity and trustworthiness that arise from them'. In common with its 'conceptual cousin' community (*ibid.*: 21) social capital has warm and positive

connotations, however Putnam also emphasises its capacity for negative as well as beneficial impacts.

Positive public goods, such as mutual support, co-operation, trust and institutional effectiveness are most strongly linked to bridging (inclusive) social capital which fosters links to others in a generalised sense. The potential for sectarianism, ethnocentrism and corruption is more likely to be associated with bonding (exclusive) social capital, which fosters strong 'in-group' loyalties and by implication strong 'out-group' antagonisms. Bridging and bonding social capital can co-exist or occur in isolation. The challenge identified by Putnam (*ibid.*) is that of promoting social capital, which adheres most closely to the principal of generalised reciprocity. Putnam (*ibid.*: 134). summarises it as: 'I'll do this for you now, without expecting anything immediately in return and perhaps without knowing you, confident that down the road you or someone else will return the favour'.

For Putnam (2000: 21) 'social capital' is an important indicator of the quality and experience of community life. Putnam's (*ibid.*) book 'Bowling Alone' charts and analyses the collapse and revival of community in relation to trends in social capital and civic engagement. Putnam (*ibid.*: 184) argues that forces of generational, economic and social change have served to undermine social capital in contemporary American society, to the extent that community life in the last 30 years has become characterised by 'limited liability' rather than the dense and enduring networks of reciprocal social relations. However, he is optimistic that this decline can be reversed not least because of the potential benefits social capital has to offer in terms of helping us to become 'smarter, healthier, safer, richer and better able to govern a just and stable democracy'. (*ibid.*: 290).

The strong association of community to social cohesion has ensured its interest for criminological purposes. Indeed, each of these various approaches to defining community is reflected and echoed in various theories of crime and punishment (discussed in chapters

two and three). For example, the regeneration of 'traditional' community institutions and relationships is integral to the Chicago School's theory of the 'disorganised community'; community as a defensive strategy is apparent in the community safety strategies of right realism; community as a resource is inherent to the theory of restorative justice and community as a means to prioritise moral order is reflected in the adoption of 'communitarian' ideas by neo-liberal governments.

The attractions of community?

[Community is a] term overlaid with alluring connotations and resonances about its social value. [...] 'Community' appears to offer an attractive means of (re)creating cohesion across a fragmented society. It is often assumed to be intrinsically linked to a positive relationship with crime prevention, such that 'more community' is believed to result in 'less crime' (Crawford, 1997: 299-300).

Although, a complex and contested concept 'the idea of community has long been an integral part of common sense thinking about a wide diversity of social problems and experiences' (Hughes, 1998: 105). Community's capacity to act as a 'genial host' for a plethora of 'ideological assumptions and presuppositions' (Crawford, 1997; 1998) has ensured that it has been prominent in the conception, design and legitimisation of social policy for at least 30 years, and within criminal justice discourses community has been invoked for both explanatory and curative purposes (Lacey and Zedner, 1995).

Indeed, the above quotation from Crawford (1997) alludes to the ideological and political appeal of the concept of community with respect to questions of social order. Herein the 'neighbourliness, mutual aid and a positive sense of belonging' (Smith, 1995: 93) evoked by communal membership are thought to elicit a mutual sense of responsibility which in

turn facilitates a willingness to 'look after' the needs of, or 'deal with' the deeds of its members (Worrall, 1997: 46-47). As Crawford (*ibid.*, 1998a) observes, more community results in less crime. Hence for policy purposes it is viewed as an important means by which to uphold 'moral order' and as a potential source of 'untapped resources', which can be exploited to prevent and combat crime and disorder (Crawford, 1997: 165-6; Hudson, 2003).

However, the informal social controls associated with communal life have often proved 'illusory' within crime prevention and control strategies (Foster, 2002: 184). Crime represents a threat to community, and community breakdown is associated with increasing levels of disorder and victimisation (Levitas, 2000: 193). As such, areas that are particularly vulnerable to criminal activity are often those characterised by poverty, cultural heterogeneity and residential turnover. Hence they are precisely the areas in which communal responses to issues of crime and disorder are most difficult to generate (Skogan, 1990; Hope, 1995; Crawford, 1997; Foster, 2002). Conversely, the anxieties evoked by crime within 'stronger' communities provide the perfect basis 'for intolerance of others to breed' (Crawford, 1997: 273). Indeed, fears with respect to criminal victimisation are likely to promote an insidious vision of 'us' versus 'them', the 'law-abiding' versus 'the criminal' (*ibid.*: 159) and in turn legitimise defensive responses to crime, which are divisive and exclusionary in effect.

Crawford (1998a: 243) observes that the illusory nature of community is also likely to reflect a range of 'fundamental confusions' with respect to the role and nature of community within policy discourse. He argues that 'more' community does not always equate to social order and that the collective values of organised communities may actually serve to encourage and embed criminal behaviour (see Foster, 1990). Likewise, the idea that a lack of community or weak communal bonds are key determinants of disorder is questioned (*ibid.*; Walklate and Evans, 1999). Indeed, Walklate and Evans (1999: 6) argue

that this is an oversimplification of reality and their study of Salford suggests that areas characterised by high levels of crime are not necessarily lacking in community, rather the dynamics of communal life are 'just different'. Furthermore, Crawford (1998a: 244) asserts that the low levels of crime within 'organised communities', is unlikely to be achieved by the informal social controls usually associated with 'intimacy, connectedness and mutual support', rather such communities are more likely to be able to effectively access formal control mechanisms and institutional resources.

New Labour and communitarian thought

Notwithstanding its illusionary nature, Hughes (2002:37) argues that the popularity of appeals to community have gained particular prominence in recent years. In particular community has proved central to the New Labour government's 'Third Way' ideological and political ambitions which favour the idea of an 'enabling state' and an emphasis upon individual responsibility (Crawford, 1997; Driver and Martell, 1997; Hughes, 1998; Levitas, 2000; James and James, 2001; Green 2002; McLaughlin, 2002; Hudson, 2003). Herein New Labour's political mantra "that *rights* come with *responsibilities*" (Hudson, 2003:78, *emphasis in original*) echoes the central message of Etzioni's (1993, 1995) 'value communitarianism' (*ibid.*), which asserts the need for a new relationship between the individual and the community and a redefinition of rights and responsibilities.

It shall be argued that New Labour's youth justice policy has become a prime site for the application of communitarian ideas (discussed in chapter three) and herein community has been conceptualised as both a 'moral resource' and a 'moral claimant' (Hudson, 2003). The former draws upon Etzioni's (1995) argument that communities have a '*suasive* capacity with which to moralise and control their members' and Braithwaite's (1989) ideas in relation to reintegrative shaming (Hudson, 2003: 84). As such, the 'community as a moral resource' sustains individuals in fulfilling their obligations to each other and to the

community (*ibid.*). However, in those circumstances where individuals renege on their obligations community is conceived as having rights in the same way as individuals to protection, and as a ‘moral claimant’ it can demand that the wrongdoers live up to their responsibilities or face the possibility of exclusion (*ibid.*).

The research questions

This study seeks to critically explore the resonance of community to New Labour’s youth justice policies and to the lives of a sample of offenders in Merseyside. Throughout, it will seek to answer a range of interrelated questions:

- What constructions of, and assumptions about, community are apparent in criminological theories of crime and its prevention and control?
- Why has community proved so appealing to New Labour’s youth justice strategies?
- What constructions of, and assumptions about, community underlie current youth justice policy and practice?
- Is community an appropriate focus in the development of youth justice strategies?

Hudson’s (2003) proposal of community as both a ‘moral resource’ and as a ‘moral claimant’ provides the conceptual framework for much of this analysis.

The empirical work

The theoretical discussions will be supported by the findings from empirical research undertaken in three Merseyside Youth Offending Teams (YOTs). Semi-structured, qualitative interviews were conducted with 30 young offenders and 20 youth justice workers and managers in three YOTs between June 2001 and September 2002.

The sample of young people was comprised of ten female and twelve male offenders, subject to a variety of orders, and eight male offenders attending an Intensive Supervision and Surveillance Project (ISSP). The sample of practitioners comprised eight YOT workers; two Deputy YOT Managers, three YOT team managers, two education/careers workers; two ISSP workers and the managers of an 'On Track'³ project and a Youth Inclusion Project (YIP)⁴.

The empirical work undertaken sought to critically assess the resonance of community to youth justice policy and practice and to the lives of young offenders. Specifically it sought to explore the following research questions:

- How do young offenders understand and experience community?
- What is the nature of the relationship, if any, between young offenders and their community?
- What assumptions about and constructions of community underlie youth justice interventions with young offenders?
- To what extent, if any, does community contribute to the control and prevention of offending?
- To what extent, if any, does community contribute to the rehabilitation and social inclusion of offenders?

³ The 'On Track' initiative was launched in December 1999 to provide preventative interventions for children aged 4 and 12 years such as home visiting, structured pre-school education and family therapy (Children and Young Person's Unit, 2002).

⁴ The Youth Inclusion Programme was launched in 2000, and targets the 50 young people (13 to 16 years) at 'greatest risk' of offending in the highest crime areas in England and Wales in order to incorporate them into activities with other young people, including sport, after school-clubs, informal education and social skills.

A secondary concern has been to explore to what extent, if any, the 'resonance' of community differed according to gender, age and the restrictiveness of the order to which a young person was subject.

Outline of chapters

The exploration of the resonance of the concept of community to youth justice policy and practice is begun in chapters two and three. Chapter two charts the important changes and developments over the last century or so within youth justice and the criminological discourses of community evident in the sphere of community safety. Although youth justice and community safety discourses comprise distinct themes within criminology, it is argued that in the movement from 'penal welfarism' to 'the culture of control' (Garland, 2001) both are informed by similar concerns and imperatives, which in turn have elicited increasingly punitive and defensive responses. As such the relationship between the offender and 'law abiding' community has proved increasingly problematic.

The movement towards increasingly exclusionary responses to crime and young offenders provides the context within which chapter three explores the particular resonance of community to New Labour's youth justice policy. Notwithstanding the recognition that youth justice is a 'confusing and messy business' (Muncie and Hughes, 2002: 15), characterised by a range of contradictory imperatives, it is argued that community comprises a central organising principle in New Labour's reinvention of youth justice. Herein 'communitarian' influences are apparent in primary, secondary and tertiary strategies to address the troublesome and criminal behaviour of young people. The championing of community as both a 'moral resource' and a 'moral claimant' offers the prospect of both tolerant and inclusive and intolerant and exclusive responses to youth crime. However, it is argued that the conservative and 'value' driven approach inherent in

New Labour's communitarian agenda continues the punitive trajectory of youth justice strategies apparent over recent decades.

Chapters four to six address the empirical research undertaken for the study. Chapter four sets out the research questions and methods and provides an account of the research process. Chapter five presents the analysis with respect to the exploration of 'community as a moral resource'. It examines young offenders' experiences, or otherwise, of communal life and in what ways, if any, such experiences support or undermine the assumption that communities have a 'suasive' capacity with which to moralise and control their members. It argues that community does have a resonance within the lives of young offenders and that it often proves an inclusionary experience. However, it is also clear that for young offenders the relationship to and experience of community is complex and ambiguous and as such is unlikely to consistently or effectively exert the intended crime prevention and control impacts inherent to the 'community as a moral resource' discourse.

Chapter six sets out the analysis with respect to 'community as a moral claimant' which explores young offenders' experiences of and responses to youth justice interventions and the impacts of their status as 'offenders' on their interactions with and relationships to the communities they belong. Despite the punitive and authoritarian undertones of contemporary youth justice policy it appears that young offenders' experiences of youth justice interventions are generally positive, relevant and constructive. In no small measure this appears attributable to the commitment and efforts of youth justice practitioners and their commitment to the pursuit of inclusionary and reintegrative approaches. However, given the punitive imperatives that have increasingly come to characterise youth justice, questions are raised as to whether such 'positive' interventions are sustainable in the longer term. By contrast, communities' responses to young offenders were largely disapproving and censorious. While such intolerant and punitive responses are likely to have some deterrent effects it is argued that they may also promote and exacerbate young

offenders' exclusion from the community and their involvement in anti-social and criminal activities.

Chapter seven reflects on the arguments and evidence presented in this study regarding the desirability and appropriateness of a focus on community in the policy and practice of youth justice, in England and Wales. It concludes that the constructions of communities, and of young offenders, evident in New Labour's adoption and commitment to communitarianism are unlikely to engender tolerant and inclusive responses to crime and offenders. Rather the authoritarianism which characterises current youth justice policy may serve to compound and intensify damaging outcomes for both the young offender and the communities to which they belong.

Chapter Two

From 'Penal Welfare' to the 'Culture Of Control':

Transformations in Youth Justice and Criminological Discourses of Community

Introduction

In the day-to-day practices of criminal justice, there has been a marked shift of emphasis from the welfare to the penal modality ... The penal mode, as well as becoming more prominent, has become more punitive, more expressive, more security minded. Distinctively *penal* concerns such as less eligibility, the certainty and fixity of punishment, the condemnation and hard treatment of offenders and the protection of the public have been prioritised. The welfare mode, as well as becoming more muted, has become more conditional, more offence-centred, more risk conscious ... [Offenders] are now less likely to be represented in official discourse as socially deprived citizens in need of support. They are depicted instead as culpable, undeserving and somewhat dangerous individuals who must be carefully controlled. (Garland, 2001: 175, *emphasis in original*).

The previous chapter highlighted the appeal of the concept of community within theories of crime and its prevention and control. This chapter provides an account of the transformations that have occurred over the twentieth century which inform and contribute to the championing of community within contemporary criminal justice strategies in England and Wales. As the opening quotation from Garland (*ibid.*) suggests, criminal justice, its knowledge, institutions and strategies have been 'dramatically reconfigured' within this period and it is Garland's (*ibid.*) conceptualisation of the movement from 'penal welfare' to the 'culture of control' which provides a framework for the discussion.

The analysis presented will draw on youth justice and crime prevention literature in order to explore the changing nature of responses to youth crime and the development of criminological discourses of community, respectively.

This chapter begins by providing a brief historical account of developments within the nineteenth century which proved of significance to the nature of youth justice policy and community responses of crime within the twentieth century. Then, utilising Garland's analysis to outline the characteristic features of 'penal welfare' and the 'culture of control', the chapter will explore the attendant legislative and institutional developments and changes in practice occurring within youth justice strategies and criminological discourses of community in order to outline the reshaping of views of and responses to crime. As the opening quotation suggests, this discussion will demonstrate a movement to increasingly punitive and exclusionary assumptions, rhetoric and practice within both areas of interest.

Given that it is within such a context that questions of community have come to occupy a central place within New Labour's youth justice agenda this discussion raises a range of issues regarding perceptions of young offenders, communities and the nature of the relationship between the two which I will go on to explore in subsequent chapters.

Historical precedents

Throughout the nineteenth century the turbulent changes wrought by the industrial revolution and the burgeoning of urban centres provoked questions regarding the nature of the emerging social order and in relation to the utility and effectiveness of classical conceptions of crime control and punishment. Within the popular imagination the city became infused with notions of 'dangerousness, degradation and squalor' and crime became 'a metaphor for class antagonisms and fears about property, disease, contagion and alienness' (Crawford, 1997: 19). However, the needs of the new industrial order for a

controllable and disciplined workforce and the post-Enlightenment perception of 'man' as 'a rational being who through reason could be taught good behaviour' (Emsley, 2002: 221) undermined any resort to the 'arbitrary infliction of physical punishments (execution, mutilation, the stocks)' (Hudson, 2002: 235). Rather, as the processes of industrialisation and urbanisation progressed, punishments were increasingly aimed at 'mentalities' and 'making bad people good' (*ibid.*)

Juvenile justice in the nineteenth century

Juvenile delinquency serves as a cipher for much wider hopes and fears about social order, progress and change (Pearson, 1983, 1994; Davies, 1990; Brown, 1998). Indeed, reflecting the long-term and enduring ambiguities regarding youth's place in society, Pearson (1983: 229) is able to trace 'respectable fears' with respect to juvenile delinquency back to, at least, the pre-industrial seventeenth century. However, it is generally acknowledged that such fears did not take on their distinctively modern form until the urban and industrial revolutions of the nineteenth century (Muncie, 1999, 2004; Newburn, 2002). Pearson (1983) argues that the 'respectable fears' with regard to youth comprise a generalised form of complaint which is constructed and reconstructed over time as new and unprecedented but which comes into sharp crystallising focus at moments of more general anxiety and which almost inevitably produces authoritarian law and order responses. Thus, as Muncie and Hughes (2002: 12) observe, juvenile justice becomes a 'touchstone through which crime and punishment can be imagined and re-imagined'.

At the turn of the nineteenth century juvenile delinquency was already established as a distinct social problem (Pearson, 1983; Muncie, 1999, 2004) with the establishment of the 'Society for Investigating the Causes of the Alarming Increase in Juvenile Delinquency in the Metropolis' in 1815 providing the first public recognition of this problem (Muncie, 1999, 2004). Its report in 1816 highlighted the deterioration of morals, parental

deficiencies, the lack of involvement by juveniles in gainful activities and the failures and criminalising tendencies of existing legal procedure, police practices and penal regimes (Muncie, 2004: 57). It also raised concerns regarding the nature of working-class childhood and juvenile delinquency, which gained credence from a number of official and unofficial sources throughout the nineteenth century. For example, a series of select committees testified to the seeming growth in youth crime (Muncie, 1999, 2004), while social commentators berated the deterioration of morals and the deficiencies of working-class family life (*ibid.*; May, 2002).

The increasing importance accorded to childhood as a period of innocence and dependency, which necessitated parental protection and control (Hendrick, 2002) served to emphasize the Victorian interest in the family as a basis of social order (Goldson & Jamieson, 2002). Mary Carpenter proved particularly influential in promoting the view that 'it is from the mismanagement or low moral condition of the parents, rather than from poverty, that juvenile crime flows' (Carpenter, 1901, cited in Pearson, 1983: 175). She forcefully asserted that the causes of crime should be addressed at their source - that is the family - and determinedly campaigned to address juvenile delinquents' perceived needs for moral guidance, discipline and education. Differentiating between the 'dangerous class' of young offenders and the 'perishing class' of incipient criminals (May, 2002: 107), she advocated industrial schools for the former and reformatory schools for the latter.

Carpenter's efforts resulted in the 1854 Youthful Offender Act and the 1857 Industrial Schools Act. While the former recognised the legal age of criminal responsibility at 16 years, asserted new rights of enforcing parental responsibility and established the principle of a child's punishment for a child's crime (May, 2002: 110), the latter contributed to state intervention in cases where a child was in 'need of care and protection' (*ibid.*). Not only were these acts important in establishing the state's view of childhood criminality (*ibid.*), but also in the conception of a welfarist discourse premised on the needs of the juvenile

delinquent, an idea that was to be sustained and further developed within the era of 'penal welfare'.

The community as a recipient of services

The preoccupation with questions of crime and social order from the outset of the nineteenth century also provoked significant developments with respect to crime control strategies. Herein the inefficiencies and limited utility of the 'motley system' of parish-appointed constables and watchmen and private thief catchers (Emsley, 2002: 211-2) - which had in turn replaced the informal, communal and often face-to-face relations of earlier crime control strategies (Crawford, 1997) – contributed to the creation of the Metropolitan Police Force in 1829. From the outset the first duty of the new police force was that of crime prevention (Crawford, 1997; Emsley, 2002) and uniformed constables patrolling the streets were conceived of as a 'symbolic representation of social order and respectability' (Crawford, 1997: 19). While this crime prevention role was soon redefined and marginalised the introduction of the new police force was significant in terms of the state's acceptance of primary responsibility for crime control and order maintenance (Crawford, 1997). The accompanying conceptualisation of the public as recipients of a service was to be supported and extended in the establishment of the welfare state in the twentieth century.

In conclusion, by the end of the nineteenth century the stage was set for increasingly interventionist crime control responses on the part of the state.

'Penal Welfare'

The era of 'penal welfare' extends from the mid-1890s to the 1970s (Garland, 1985, 2001, 2002). Its emergence coincided with a period of uncertainty and fundamental change

wherein Britain was negotiating its place within a new economic, social and political world order (Goldson, 1997). Political and imperialist anxieties regarding class conflict, labour unrest, fears of an unfit population, 'racial deterioration, and the post-Boer war unease regarding national efficiency contributed to the reconstitution of the social realm' (Garland, 2001: 45). Social policies sought to establish 'mechanisms of security and integration' in order to give 'all citizens a stake in the nation' (Garland, 2002: 197-8), while institutions of penalty were invoked for those 'recalcitrant minority of deviant and marginal cases' who were not influenced by the 'positive inducements of normal socialisation' (*ibid.*: 199).

Social deprivation comprised the central explanation for criminality within 'penal welfare' and the state's role was perceived to be that of 'assisting those deprived of the economic, social and psychological provision necessary for proper social adjustment necessary for law abiding conduct' (*ibid.*: 15). As such, the Victorian emphasis on the rule of law, deterrence and a hierarchy of increasingly severe punishments was revised to that of a 'mobilisation of norms' (*ibid.*: 200). Influenced by the emergent disciplines of the human and social sciences, this mobilisation of norms served to expand and amend judicial powers and to promote a proliferation of new agencies, institutions and strategies concerned to assess, classify and reform the offender (*ibid.*: 200-1). A 'series of normalising, corrective or segregative institutions' (*ibid.*: 199) sought to change 'offenders' beliefs and behaviour in line with normative codes' (*ibid.*: 183). through moral education and reformatory practices

In utilising and building upon Foucault's (1977) analysis in *Discipline and Punish* Garland's 'penal welfare' thesis shares much in common with governmentality theorists who are less concerned with 'the *imposition of law* and more with the *tactic of using particular knowledges* to arrange things in such a way that populations accept being governed and begin to govern themselves' (Muncie and Hughes, 2002: 10, *emphasis in*

original). As such, governance becomes a means to promote a ‘responsibilised liberty’ (Coleman, 2004: 27). Indeed, while ostensibly less repressive and more discrete, humane and effective than the Victorian penal system in accord with Foucault’s (1977: 82) ‘dispersal of discipline’ thesis, Garland (2001: 213) asserts that the normative drive underlying the penal welfare complex infuses a wide spectrum of social institutions and relationships. Thus any failures or deficiencies on the part of individuals and families to recognise or comply with society’s normative requirements are likely to induce intervention (*ibid.*). Segregation is reserved for the most extreme cases as ‘the sanction of last resort supporting the others by its threatening presence’ (Garland, 1985: 211).

The discussion will now turn to how the crime control imperatives inherent to ‘penal welfare’ impacted upon the development of juvenile justice.

Juvenile justice in the era of ‘penal welfare’

The era of penal welfare was in many respects an era characterised by considerable optimism in that the attribution of crime to challenging social conditions suggested that policies could be instituted to ‘treat’ the problems underlying the commission of offences (Smith, 2005). This recognition emphasised provision on the basis of an offender’s ‘needs’ and the prioritisation of the young offender’s ‘best interests’ which served to promote youth justice interventions premised on treatment and reform as opposed to punishment and retribution (Scruton and Haydon, 2002). As such, juvenile justice within this era was characterised by legislation and strategies that served to increase state intervention into the lives of ‘delinquents’ and their families.

As stated above, this period was also characterised by the emergence and consolidation of a range of human and social sciences. The psycho-medical disciplines of social psychology and child-psychology were to prove particularly influential on developments

within juvenile justice. Above all, their recognition of 'adolescence' as a distinct period in the life cycle - between childhood and adulthood - characterised by its own 'particular problems of emotional adjustment and physical development' (Muncie, 2004: 67) was fundamental to the recognition of 'delinquency' as a 'natural' and 'inevitable' attribute of adolescence (*ibid.*: 75). As such, it 'made little sense to subject young people to the full rigours of the law; rather, their delinquencies could be treated and cured by special forms of intervention' (*ibid.*).

The 1907 Probation of Offenders Act not only reformed but also humanised child-related criminal law (Goldson, 1997: 8) and established community supervision as 'an alternative to prison and as a means to prevent reoffending through befriending, advising and assisting' (Muncie, 1999: 76). The 1908 Children Act consolidated previously fragmented law establishing separate juvenile courts to deal with both deprived and depraved constituencies; it reorganised reformatories and industrial schools into approved schools providing juvenile offenders with education and training; and it provided grounds for the courts/state to intervene in the lives of children deemed immoral or unruly (Goldson, 1997). A range of legislation was now in place which served to facilitate the 'normalising, corrective and segregative' imperatives inherent to 'penal welfare'.

However the emergence of 'adolescence' within a period characterised by intense socio-economic change, rapid increases in juvenile delinquency and respectable fears in relation to 'hooligans' conspired to continue the preoccupation with the failures of working-class families to regulate the behaviour of their young and with the undisciplined and independent nature of working-class youth (Muncie, 2004). As such, the state was not alone in the attempt to inculcate the 'new norms of adolescence' (Muncie, 2004: 67). Its efforts were supported and extended by the activities of a range of university, church and school-based youth organisations which sought to provide the 'discipline, regulation, guidance and improvement that working-class parents would/could not' (*ibid.*).

For example, the Boys Brigade, the Girls' Guildry, the Boy Scouts and the Girl Guides sought to improve physical health, to instil nationalism and disciplined conduct and to divert young people from the corrupting influences of street life and entertainments (*ibid.*: 74-75). However, Muncie (2004: 75) observes that these organisations failed to entice the participation of working-class youth involvement proving more popular with the middle classes and children of skilled workers. Therefore, such efforts to organise youth served to highlight divisions and to make the delinquent element of youth 'more visible and detectable', which, in turn, resulted in more rigorous policing of the preferred street and street corner leisure activities of working-class youth (*ibid.*: 75).

This preoccupation with the lives of working-class families and children was to receive even greater interest and legitimatisation in the wake of increasing rates of recorded juvenile crime in the 1920s. Despite the immense difficulties that poverty presented to working-class families during the period of the 'Great Depression', the influence of the medico-psychological perspectives firmly located explanations for juvenile delinquency with respect to the parent-child relationship and individual personality (Goldson and Jamieson, 2002; Muncie, 1999, 2004; Newburn, 2002). The work of Cyril Burt (1925) proved particularly persuasive. Burt (*ibid.*) characterised the family background of delinquents in terms of 'defective family relationships' and 'defective discipline' and argued that parents were primarily responsible for the delinquent behaviour of their children. Such reasoning was also expressed through influential government committees, and in turn it had a major impact on law and policy (Goldson and Jamieson, 2002). Perhaps most significantly, a Home Office Committee on the Treatment of Young Offenders (the Moloney Committee) was established in January 1925, and many of its recommendations formed the basis of the Children and Young Persons Act 1933 (*ibid.*).

The 1933 Act adopted the practice of having specially selected panels of magistrates to hear juvenile cases, placed restrictions on the newspaper reporting of cases, raised the age

of criminal responsibility from seven to ten (eight in Scotland), but above all directed the court to have primary regard for the 'welfare of the child' (Clarke, 2002; Muncie, 2004). This reshaping of the juvenile court towards help and reformation, rather than punishment (Pearson, 1983) promoted 'regulation within, rather than removal from, the community' (Muncie, 2004: 79) and served to instil state interventions more deeply into the lives of juvenile offenders. Indeed, Clarke (2002: 131) argues that the ensuing focus on the family and the further blurring of the distinctions between the delinquent and neglected child served to promote an 'extremely *interventionist* variant of social control'.

The focus on family life as site of control for juvenile delinquency was strengthened by the 1939 evacuation experience which revealed the extensive nature of urban poverty and the relatively poor physical and mental health of thousands of children. This served to formalise the recognition of the 'problem family' (Hendrick, 2002), as those families who found it 'difficult or impossible to cope emotionally, economically, mentally, physically, and so on, without assistance from social workers and other state agencies' (*ibid.*: 37). This conceptualisation of the 'problem family' was to become synonymous with the problem of juvenile delinquency during the post war period of reconstruction and widespread welfare reform (Goldson and Jamieson, 2002).

Indeed, influenced by 'scientific evidence', such as Bowlby's (1944) conclusion that 'maternal deprivation' led to the development of 'affectionless characters' with a propensity to commit criminal offences in later years, the Ingleby Committee was established by the Conservative Government in 1956 to undertake a review of juvenile justice law, policy and practice (Bottoms, 2002; Goldson & Jamieson, 2002). Recommending a movement to civil 'welfare' proceedings for juvenile offenders under 12 years, the committee asserted that the responsibility for juvenile crime was to be shared by the child and 'those responsible for his upbringing' (Bottoms, 2002: 218). In short, it recommended that parents should be provided with help 'to mend their ways' (Clarke,

2002: 132). Perhaps most significantly the 'Ingleby Committee' served to polarise the political positions of the Conservative and Labour parties on the issue of juvenile justice with the former viewing its recommendations as too radical and the latter as too timid (Bottoms, 2002). In particular, the Labour Party did not think the committee had paid sufficient regard to keeping children out of court altogether or to suggesting how families could be helped (*ibid.*).

The 'decriminalisation' and 'depoliticisation' of juvenile justice

The recommendations of the Ingleby Committee were embodied, albeit in a diluted form, in the 1963 Children and Young Person's Act (Clarke, 2002). However, a more radical envisioning of how juvenile justice agencies could intervene to 'normalise' family life was devised for the Labour Party by a private party committee on criminal policy under the chairmanship of Lord Longford in the run-up to the 1964 general election (Bottoms, 2002). The Longford Report published in 1964 proposed the abolition of juvenile courts and the introduction of non-judicial and entirely informal consultations between the child, the parents and a new Family Service premised on providing children with the necessary treatment for their needs without any stigma (*ibid.*: 220). Where no agreement was forthcoming the matter would be referred to a new Family Court (*ibid.*).

These recommendations were in accord with developments in Scotland where the Kilbrandon Report (1964) characterised delinquency as a 'symptom of personal or environmental difficulties' (cited by Muncie and Hughes, 2002:7) and recommended the abolition of the juvenile court and its replacement by a welfare tribunal. In Scotland the recommendations of the Kilbrandon Report proved influential on the introduction the Children's Hearings System, under the Social Work (Scotland) Act 1968, however this outcome was not to prove forthcoming in England and Wales. While the Longford Committee's proposals were substantially reproduced in the government's White Paper

'The Child, the Family and the Young Offender' (*ibid.*) they were subsequently abandoned with a change of Home Secretary and strident opposition from professionals and academics.

Strong support from civil servants at the Home Office Children's Department and progress towards the professional and organisational unity in British social work (*ibid.*) provided the necessary conditions for the acceptance of the Government's second White Paper 'Children in Trouble' which, with minor modification, became law as the 1969 Children and Young Persons Act (*ibid.*). Although retaining the juvenile court, the 1969 Act shifted the adjudication of juvenile crime from criminal proceedings to those based on either voluntary arrangements or civil proceedings (*ibid.*). If implemented it would have fundamentally shifted juvenile justice to a more 'welfare'-orientated endeavour informed by social work principles within which crime is viewed as 'a symptom of some deeper maladjustment' and the stigma of criminal prosecution is best avoided (*ibid.*: 217).

Often viewed as the pinnacle of the welfarist approach to juvenile crime, the 1969 Act comprised an attempt to 'decriminalise and depoliticise juvenile justice' (Worrall, 1997: 129). However, the state's interventionist ambitions with regard to juvenile offenders and their families were by no means diminished, rather, as Bottoms (2002) asserts, the 1969 Act was an attempt to substitute one form of formal social control for another. Families and particularly those experiencing deprivation and disadvantage would continue to provide the staple constituency for 'normative' and 'corrective' welfare interventions.

However, the election of a Conservative Government in 1970 was to prove a watershed regarding the welfare consensus in Britain. The incoming Conservative administration considered the Labour Party's 1969 Act as too permissive and consequently key elements of the legislation were never implemented. This non-implementation was reinforced by and gained credence from the support provided by the magistracy, the police and some

sections of the probation service - who had been consistently opposed to the 1969 Act on the basis that the heavy reliance on social workers' discretion and evaluation of youthful behaviour served to undermine the due process of law (Bottoms, 2002). As such, juvenile courts basically continued to function as previously; there was no increase to the age of criminal responsibility; criminal proceedings were not replaced by care proceedings, and while care proceedings following offending were made possible they were used sparingly (Muncie, 1999, 2004).

In effect the welfare principles intrinsic to the 1969 Act were partially grafted onto the existing system and traditional principles of punitive justice were never seriously undermined (*ibid.*). As such the welfare concerns enshrined in the 1969 Act regarding the needs of young offenders failed to replace or eclipse concerns regarding their punishment (*ibid.*). Furthermore, by the time Labour regained power in 1974 it was no longer politically viable to implement the 1969 Act (Gelsthorpe & Morris, 2002). This outcome was to provoke a range of critiques about 'welfarism' and its damaging impacts for juvenile offenders.

However, prior to considering these critiques of 'penal welfarism' attention will now turn to criminological discourses of community within the era of 'penal welfare'.

Criminological discourses of community within the era of 'penal welfare'

As previously outlined, within the British context the state's acceptance of responsibility for crime control throughout the era of penal welfare served to place a conceptual emphasis on the public as a recipient of services rather than an actor in the crime control arena. Indeed, the emergence and consolidation of youth work (see Jeffs & Smith, 2002) and the development of youth organisations (outlined above) during this period while constituting a response to the challenges posed by rapid and profound socio-economic

change do not appear to have been explicitly informed by a particular discourse of community. Rather, as Hope's (1995) analysis suggests the community's potential contribution to the 'normative' imperatives inherent in the era of penal welfare was much more directly addressed in the American context and in particular in the work of the sociology department of the University of Chicago and its thesis of the 'disorganised community' (Hope, 1995).

The 'disorganised' community

Investigation of the emerging industrial and demographic differentiation within the rapidly expanding city of Chicago suggested that poverty, crime, instability and decline were associated with the inner city 'zone in transition' (Downes and Rock, 1995). Characterised by a shifting and fluid population comprised of newly arrived immigrants (Hope, 1995) and those who were disproportionately likely to suffer from personal difficulties such as mental illness and alcoholism (Smith, 1995), the concentration of crime in this zone was explained in terms of 'social disorganisation' (Downes and Rock, 1995). It was described as the 'degree to which members of a society lose their common understandings, that is, the degree to which consensus is undermined' (*ibid.*: 73). As such, 'social disorganisation' created 'a moral vacuum in which youth, without guidance or control, were free and susceptible to criminal activity' (Hope, 1995: 26). That said, Chicago School sociologists (Thrasher, 1927) also recognised that crime and disorder could be a 'product of particular and local forms of social organisation rather than of its absence' (Smith, 1995: 93).

To address the attenuation of social controls within the 'disorganised community' Shaw and McKay (1969: 325-6) argue that 'a way must be found to modify those aspects of community life that provide the appropriate setting for delinquency careers and which give those careers the sanction and approbation on which all social behaviour depends'. In keeping with the 'normative' imperatives inherent in the era of penal welfare their

suggested solution was to promote and support local institutions, which in turn could serve to effectively inculcate appropriate moral values and standards of behaviour (Hope, 1995).

According to the 'disorganised community' the offender or likely offender is viewed as an integral member of the community whose values, attitudes and behaviour need to be changed to accord with normative codes. Keen to avoid the 'clinical' and 'individualistic' approaches associated with social work the Chicago Area Project (CAP) was established in 1932 to enhance the capacity of local residents to develop and establish personal and social links with 'disaffiliated' youth and to seek 'indigenous sources for the promotion of their welfare' (Downes & Rock, 1995: 334). CAP programmes generally involved recreational programmes for children, campaigns to improve the conditions within the area and outreach work with delinquents and gang members (Hope, 1995: 25). However, Hope (*ibid.*) observes that the substantive content of the CAP programmes mattered less than its ability to mobilise the community's own social control resources and capacities.

However, in common with the previously discussed British youth organisations the CAP programmes experienced immense difficulties in engaging with their intended 'client' groups, that is those deemed to be in most need of a 'normalising' and/or 'corrective' influence. Hope (*ibid.*) observes that CAP programmes proved most challenging to establish in those areas which most closely resembled the 'disorganised community'. The maintenance of the residents' commitment to and involvement in the programmes was difficult to sustain and the recognition of the communities' own aspirations and goals often necessitated a compromise in the theoretical goals of the intervention in order to engage the voluntary commitment of local adults (*ibid.*). Ultimately the CAP programmes failed in their ambitions to build community institutions that would regenerate without the external interventions and in spite of high residential mobility (*ibid.*).

Overall, crime is envisaged as a problem of value consensus within the era of penal welfare (Garland, 2001) and both youth justice and community responses to the offender involve ostensibly inclusionary strategies intended to encourage, enhance and instil normative morals, attitudes and standards of behaviour. Garland (2001: 36) argues that penal welfarism proceeded on the basis of two 'unquestioned axioms: firstly, that social reform and increasing affluence would eventually reduce the frequency of offending, and secondly, that the state had a responsibility for the care of offenders as well as for their punishment and control' (2001: 36). Garland (2001: 48-51) further argues that the pursuit of penal welfarism was facilitated by a number of factors: a style of government that prioritised social democratic politics and a civic narrative of inclusion, a period in which crime rates were relatively low and levels of informal control relatively high, economic conditions which favoured welfare provision, public spending and a degree of redistribution, and the trust in the authority of social expertise. It is also notable that within this period criminal justice responses premised on welfarist rehabilitative principles also enjoyed a broad level of support from the liberal elites and the new middle-class professions and were not subject to any public or political opposition (*ibid.*).

However, soaring crime rates and increasing public anxiety about crime from the late 1960s fundamentally questioned the pursuit of the interventionist and 'needs'-based responses, to crime and 'penal welfarism' became subject to a range of fundamental critiques and challenges.

Critiques of 'Penal Welfare'

Critiques of penal welfare were to emerge from all sides of the political spectrum. The particular concern on the political right was that the crime control strategies associated with 'penal welfare' were 'soft and ineffective' (Hudson, 2002: 307). Notwithstanding the improvements to employment, housing and educational conditions exerted by the post-war

welfare policies, vehement opposition to addressing crime problems through public policy and improvements in social conditions were emerging (Crawford, 1998). For example, championing the problematic 'underclass' thesis Murray (1984, 1990, 1994) staunchly criticised state welfare policies, arguing that they promulgated a culture of dependency and undermine individual responsibility. Furthermore, welfare provision, practice and professionals were perceived as destroying more traditional forms of social support such as that provided by the community and family (Muncie & Hughes, 2002).

Likewise the credibility of the treatment model, and by implication the key institutions of crime control which implemented this approach, was subject to critique. Of particular note is Martinson's (1974) 'nothing works' thesis which purports that the treatment model lacked scientific grounding and had proved ineffective in terms of recidivism and crime prevention. Originating from the evaluation of prison-based treatment programmes the pervasiveness of this thesis quickly spread, resulting in a loss of faith in the capacity of rehabilitation, punishment and the criminal justice system in general (Garland, 2001: 61).

On the political left the critique of penal welfare concerned its potential for retributive and punitive impacts (Smith, 2005) and its erosion of civil liberties (Hudson, 2002). Radical criminologists questioned the fundamental principles of the academic enterprise of criminology by demonstrating that deviance was in fact a widespread phenomenon and that the workings of the criminal justice system were systematically discriminatory, inconsistent with basic conceptions of justice and in themselves incriminating (Becker, 1963; Matza, 1964; and Lemert, 1967). As such, offenders and in particular female offenders (Hudson, 2002; Harris and Webb, 1987; Worrall, 1997; Muncie, 1999, 2004; Gelsthorpe, 2005) were deemed in need of protection not only from punitive justice, but also from 'welfare's humanitarianism' (Muncie, 2004: 259). Thus Cohen (1985: 69) argues that while welfare policies appear to offer the prospect of 'more humane, just, fair, helpful, natural and informal' interventions, they can also serve to promote 'wider,

stronger and different nets' (*ibid.*: 38) of social control. Within this context it is of no surprise that liberal lawyers and civil libertarians advocated a return to justice principles of due process, proportionality and determinacy of sentencing as a means to protect offenders from the 'insidious' controls inherent to penal welfare (Muncie, 2004: 262).

Despite the progressive undertones inherent in these latter critiques neo-conservative priorities of deterrence and control (see Wilson, 1975) gained political and popular support with relative ease and rapidity from the 1970s onwards. Within the 'culture of control', developments in youth justice and criminological discourses of community were to take place within a more condemnatory and exclusive context.

The focus of the discussion will now turn to the characteristic features of this 'culture of control'.

'The culture of control'

Garland (2001) argues that since the mid-1970s soaring crime rates, increased public anxieties about crime and a loss of faith in the correctional capacities of 'penal welfare' strategies have created a perpetual sense of crisis within which the adequacy of the criminal justice system to address the problem of crime is questioned. In the US and the UK in particular, this crisis has coincided with the emergence of a reactionary political landscape; an increasingly insecure economy; new social relations based on hyper-individualisation and the differentiation of social groups, and a political culture committed to social control rather than social provision. This has helped to create the 'culture of control' (*ibid.* 193-4). Garland's narrative of the 'culture of control' provides the core theoretical framework for this study, and while his analysis is generally recognised as an important contribution to contemporary theoretical criminology it is also important to note

that the accuracy of this narrative has been subject to question and critique (Young, 2002a; Zedner, 2002; Braithwaite, 2003; Tonry, 2003; Walklate, 2005)¹.

Garland (2001) asserts that the characteristics of penological innovations within this 'culture of control' imitate and reflect the cultural and criminological conditions of late modernity. He argues the specificities of contemporary crime control strategies have involved three differing and at times contradictory responses of 'adaptation', 'denial' and 'acting out' (*ibid.*: 113). 'Adaptation' refers to the range of cumulative and low visibility administrative decisions that have occurred in recognition of the impossibility of controlling crime and the insatiable nature of demands for total control (Hudson, 2002: 252). For example, the state's responsibilities and accountabilities have been reconfigured to inculcate more realistic public expectations of what it can accomplish (Loader and Sparks, 2002). The use of managerial practices and new technologies have provided new means by which the state can demonstrate its effectiveness, 'responsibilisation strategies' have shifted responsibility for crime control from formal institutions to individuals, organisations and communities and the increasing commercialisation of justice serves to promote the responsiveness of justice to the needs of individual customers and stakeholders (Garland, 2001: 113-131).

By contrast 'denial' and 'acting out' represent the public face of penal policy within an increasingly politicised context (*ibid.*: 132). Herein neo-conservative imperatives inform high-profile policies which seek to restore public confidence in criminal justice through the 're-imposition of control, usually by punitive means' (*ibid.*). 'Denial' is demonstrated in those instances where politicians make grandiose claims regarding the effectiveness of punitive justice responses, such as zero tolerance and 'prison works' (*ibid.*; Hudson, 2002). 'Acting out' occurs when the state engages in expressive forms of crime control

¹ These critiques will be outlined in more detail in chapter seven.

with no regard to underlying problems. Policy-making ‘downplays the complexities and long term character of *effective* crime control in favour of the immediate gratification of a more *expressive* alternative’ (Garland, 2001: 134, *emphasis in original*). Indeed, the introduction of strategies such as the sex offenders register and mandatory sentencing strive to demonstrate the state’s ability to uphold law and order, protect the law-abiding public and to ‘give the impression that something is being done – here, now, swiftly and decisively’ (*ibid.*: 135).

As was the case in ‘penal welfare’, crime control contributes to a broader system of regulation and ideology endeavouring to forge a new social order in the conditions of late modernity (*ibid.*: 200). Garland (*ibid.*: 194-5) argues that the diverse and intense application of ‘spatial’, ‘situational’, ‘managerial’, ‘systems’, ‘social’ and self’ controls within various social realms serves to emphasise the importance of control to every aspect of life - with the exception of the market economy, and in so doing, promotes a civic culture which is ‘increasingly less tolerant and inclusive, increasingly less capable of trust’. Again, Garland’s conceptualisation of the ‘culture of control’ shares much in common with Foucault’s’ idea of governmentality in that crime control is perceived as one element within an overarching project to re-impose order within the challenging social and economic conditions wherein ‘citizenship becomes conditional upon conduct’ (Rose, 2000: 335).

Youth justice in the ‘culture of control’

The 1970s witnessed a succession of ‘moral panics’ wherein ‘football hooliganism, juvenile delinquency, mugging, trade unions, immigration, international terrorism and sexual permissiveness were identified as evidence of a growing moral degeneration and, crisis of authority in Britain’ (Muncie, 2002: 337). Consequently Muncie argues that the

Conservative 1979 general election campaign was constructed around the 'themes of law and order and the rule of law'. The Conservatives launched an attack on juvenile delinquency condemning the 'soft' way in which 'dangerous young thugs' were treated (Muncie, 2004: 266-7). Delinquency became a moral issue and under Thatcher's premiership the 1980s became the decade of 'law and order' and one in which the 'rhetoric of treatment and rehabilitation' was effectively ended in favour of the 'rhetoric of punishment and retribution' (*ibid*: 267).

Notwithstanding the clear shift from welfarism to the rule of law Muncie argues that the resurgence of legalism and the 'back to justice' movement of the 1980s which promoted proportionality, determinacy in sentencing and judicial rights, was 'predictably complex and contradictory' (Muncie, 1999: 271). The strength of the Conservative administration's mandate was such that it was able and prepared to relax its commitment to 'punitive law and order' policies in order to 'bankroll tax cuts and finance its commitment to economic liberalism' (Goldson, 2002: 389). This effectively undermined the resort to extensive interventionism which had occurred in the aftermath of the cursory implementation of the 1969 Act. Informed by fears of an Attica-style riot resulting from overcrowding and the poor industrial relations within prisons (Nellis, 2001), the Conservative Government engaged in the 'adaptive' strategies of reducing the prison population through the promotion of community-based disposals and diversion in order to be seen as successful in controlling crime (Worrall, 1997).

A return to traditional criminal justice values of personal and parental responsibility was apparent in the 1982 Criminal Justice Act (Gelsthorpe and Morris, 2002) in its rationalisation and strengthening of youth custody provision, and in the introduction of the 'short, sharp, shock' regime to detention centres. However, this Act also served to promote diversion and the use of community sentences as alternatives to custody (Worrall, 1997). The result was a policy of bifurcation whereby custody was reserved for the minority of

hard-core persistent offenders while other disposals were targeted at the majority of less serious offenders (Worrall, 1997; Mizen, 2004).

Diversion and community-based disposals were given a further fillip by the Department of Health and Social Security circular LAC 83(3) which moved Intensive Treatment 'up tariff' from preventative provision to that of an 'alternative to custody' and also provided pump-priming finances to establish 110 intensive schemes in 62 local authorities areas (Rutherford, 1989,1992, cited in Muncie 1999: 281). The stricter criteria relating to custodial sentences and residential care in tandem with the endorsement of an expansion of diversionary schemes achieved unprecedented reductions in the numbers of youngsters formally processed and imprisoned (Pitts, 2001: 13).

These 'adaptive' state responses were accompanied by successful campaigning on the part of a number of academics (Thorpe *et al.*, 1980) and penal reformers, including NACRO, the Children's Society and the Association of Juvenile Justice (Muncie, 1999, 2004) to promote decarceration through juvenile justice 'systems management'. Social services departments embraced 'justice' as opposed to 'welfare' principles in order to promote the opportunities available for diversion and increased the use of community-based disposals (*ibid.*). Underpinned by the belief that it was in the 'best interests' of young offenders to be allowed to grow out of crime with minimal intervention from criminal justice agencies, juvenile justice workers employed 'gate keeping' skills to persuade magistrates and the police to intervene as little as was feasible and to impose the minimum sentence possible (Worrall, 1997). Indeed, in marked contrast to the 'inter-agency conflicts and rivalries' characteristic of the 1970s and early 1980s, Muncie (2004: 269) observes that multi-agency collaboration of various agencies of juvenile justice at the local level, supported by the Magistrates Association, facilitated the pursuit of 'custody free zones'.

Such an approach to youth justice was bolstered by the enactment of the 1988 Criminal Justice Act; which introduced strict criteria before custody was to be considered; and the 1991 Criminal Justice Act, which established a range of community sentences under a broader philosophy of 'punishment in the community' wherein prison was viewed as 'an expensive way of making people worse' (Home Office, 1990, para 2.7, cited in Muncie, 1999: 279).

'Adaptive' responses were also apparent in the managerial concerns for the efficiency and effectiveness of juvenile justice that characterised this period and were legitimised by the rediscovery that "something works" with 'that "something" being the infliction of a just measure of (community-based) pain' (Newburn, 2002a: 453). Indeed, by the end of the 1980s there had been a sharp decrease in the numbers of known juvenile offenders; a significant increase in the use of cautioning and a dramatic reduction in the use of custodial sentences (Worrall, 1997). By the mid-1990s a complex array of youth court dispositions were available with 40 per cent of young offenders being dealt with by community means - that is through attendance centre orders, probation orders, combination orders (probation and community service), and supervision orders (with or without conditions) (Muncie, 1999: 279). This outcome was reflected in the sentiments of the 1990 White Paper 'Crime, Justice and Protecting the Public' which argued:

There is no evidence that the reduction in the use of custodial sentences has resulted in increases in juvenile crime (Home Office, 1990: 45, cited by Worrall, 1997: 132).

As such, the 1980s became known as the decade of the 'successful revolution in juvenile justice' (Newburn, 2002a: 453).

The 'punitive renaissance' of the 1990s

However, between 1989 and 1992 Britain experienced a major economic recession, which indirectly served to undermine the progressive experimentation in diversion and decarceration which characterised the Thatcher years (Goldson, 2002). Opinion polls demonstrated that electoral confidence in the Conservatives was diminishing and John Major's installation as party leader signalled a more punitive approach to issues of 'law and order' (*ibid.*). Furthermore, in a bid to claim political capital a 'modernising' Labour Party - under the increasing influence of Tony Blair - digressed from their traditional association of crime with economic inequality and social polarisation to an emphasis on the leniency of sentencing (*ibid.*).

That this 'tough on crime' thinking by the main political parties was to signal a 'punitive renaissance' (Pitts, 2001: 13) for juvenile justice was ensured by the media and the police drawing attention to the problems of joyriding; youth disorder; 'bail bandits' and 'persistent' young offenders during the early 1990s (Goldson, 2002; Morris and Gelsthorpe, 2002; Muncie, 1999, 2004). A disregard for the actual extent of and the specificities underlying such incidents 'energised burgeoning public concern' that every troublesome child was 'out of control' and a 'menace to society' (Goldson, 2002: 390). As such, juvenile justice responses were to increasingly embrace the punitive and expressive features associated with Garland's conceptualisation of 'denial' and 'acting out' strategies.

The moral panics, 'folk devilling' and demonisation of young offenders which characterised the early 1990s (see Cohen, 1972; Hall *et al.*, 1978; Pearson, 1983, 1994) were exacerbated by the arrest and charging of Jon Venables and Robert Thompson, both aged ten years old, for the abduction and murder of two year-old Jamie Bulger, in February 1993. Despite the atypicality of the case - there have been 27 such murders in the previous 250 years (Muncie, 1999: 4) - and the contributing socio-economic background

complexities, this case focussed attention on the 'vexed question' of the age of criminal responsibility (Worrall, 1997: 134). The consensus was that Venables and Thomson had committed an adult offence and as such needed to be treated as adults and subjected to the full weight of adult sentencing (*ibid.*).

In the aftermath of the Bulger case childhood was deemed to be in 'crisis' (Scruton, 1997). This 'crisis' was perceived as so 'powerful' and 'pervasive' that it threatened 'the very fabric of social and moral order' (Scruton: 1997: xii). Consequently children have become increasingly conceptualised as 'both the cause and the product of wider social disorder and moral malaise' (Goldson, 1997: 38), which in turn has served to legitimate an increasingly punitive and authoritarian approach to the problems of youth crime, disorder and troublesome behaviour.

A series of legislative developments throughout the 1990s confirmed the punitive and exclusive drift of juvenile justice policy. In 1992 the government announced its commitment to opening secure training units for 12 to 14 years olds who were unable or unwilling to respond to supervision in the community (Worrall, 1997). The 1993 Criminal Justice Act overturned some of the decarcerative principals of the 1992 Act and the 1994 Criminal Justice and Public Order Act doubled the maximum sentence of custody within Young Offenders Institutes (*ibid.*). The 1994 Act also defined the conditions which warranted a secure training order, in effect defining the persistent young offender as one who had committed three or more imprisonable offences, one while subject to supervision and where the offence under current consideration by the court was serious enough to warrant a secure training order (*ibid.*). The first Secure Training Unit was scheduled to open in 1997, the same year in which the 1997 Crime (Sentences) Act introduced mandatory minimum sentences for certain offences, extended electronic monitoring for under-16 year olds (as part of a curfew order) and for the first time allowed convicted

juveniles to be publicly named in court, if the court was satisfied that to do so was in the interests of the public.

The result of this more punitive approach was a 79 per cent increase in the number of 15 to 17 years olds given custodial sentences between 1992 and 1998 and a 122 per cent increase in the number of young people serving custodial sentences between 1993-1999 (Newburn 2002: 557).

'New Labour', youth justice and the 'culture of control'

Influenced by the Audit Commission's (1996) 'Misspent Youth' Report, by the end of the 1990s the youth courts and the youth justice system in England and Wales were considered uneconomic, uncoordinated, inefficient, and ineffective. Published in the midst of a crime scare regarding 'a generation of "untouchable" young offenders' (McLaughlin, Muncie & Hughes, 2001: 308), this report proved highly influential on New Labour's youth justice agenda and by the time of New Labour's election in 1997 the stage was set for major reform (Gelsthorpe and Morris, 2002).

Indeed, the hallmarks of the Audit Commission's conclusions are clearly evident in New Labour's flagship 1998 Crime and Disorder Act, which revealed the government's priorities as managerialism; evidence-based practice; crime prevention, and the diminution of state responsibility through the use of a range of responsabilisation strategies (Muncie and Hughes, 2002; Newburn, 2002, 2002a; Smith, 2003). These priorities are accompanied by a 'rhetoric of remoralisation' (Muncie and Hughes, 2002: 6) and underpinned by a 'persistent, coercive and authoritarian rationale' (*ibid.*: 10). As such, New Labour's commitment to the 'adaptive', 'denial' and 'acting out' strategies inherent in the 'culture of control' was apparent from the outset of its administration.

The core of New Labour's 'managerialism' seems to embody Garland's proposal of 'adaptive' strategies. In an effort to impose control from the centre the 1998 Act created the Youth Justice Board (YJB) whose role is the strategic monitoring of all aspects of the youth justice system. The YJB is responsible for the approval of youth justice plans; the setting of standards and the measurement of performance; the identification and dissemination of 'best practice', and, from April 2000, the placement of all under-18s on remand or sentence from a criminal court in secure establishments (McLaughlin *et al.*, 2001; Morris & Gelsthorpe, 2002; Newburn, 2002). The 1998 Act also established Youth Offending Teams (YOTs) whose primary function is to co-ordinate the provision of youth justice services at the local level and to facilitate 'joined-up', multi-agency and interagency working (Newburn, 2002).

Characteristic of the state's 'adaptive' response to the conditions of the 'culture of control', the provision of youth justice services proceeds in accord with time limits for the administration of justice, national standards, performance targets and the pursuit of 'what works' via evidence-based research and practice (Muncie and Hughes, 2002). However, it is argued that the centrality of this focus on performance and cost effectiveness serves to 'dehumanise' (Muncie, 1999) and 'depoliticise' (Muncie and Hughes, 2002) the issue of youth crime which in turn also serves to legitimate those instances when resort to more expressive, intolerant and punitive responses to young offenders are deemed necessary.

'Adaptive' strategies have also emerged from New Labour's 'enthusiastic endorsement' (McLaughlin *et al.*, 2001) of the conclusions of the Morgan Committee' (Home Office, 1991) within the 1998 Crime and Disorder Act. The result, as Hughes (2002: 128), observes is that for the first time 'crime prevention is an acknowledged purpose of civil government in Britain'. As a consequence, local authorities, alongside the police, have a statutory duty to establish and promote multi-agency community safety partnerships (Newburn, 2002b) for which central government should provide funding and strategic oversight (McLaughlin *et al.*, 2001). However, of particular interest to this study is the fact that the 1998 Act has also

established 'preventing offending by children and young persons' (Section 37 (1)) as the overarching aim of the youth justice system. Youth crime it seems is thought to be best prevented by 'nipping it in the bud' (Walsh, 2002: 70). New Labour's commitment to a range of 'zero tolerance' crime prevention strategies signifies the potential for more punitive and expressive responses.

Indeed, the government's commitment to addressing incivilities and low-level disorder for crime control purposes (Wilson and Kelling, 1982) is embodied in the mobilisation of civil law as 'an instrument of regulation of anti-social but not necessarily criminal behaviour, whether it be rowdy neighbours or young people on the street' (Hughes, 2002: 129). 'Anti-Social Behaviour Orders' (ASBOs) enable senior police officers and/or local government officers to obtain injunctions against those who engage in 'anti-social' behaviour; 'Parenting Orders' are designed to help and support parents/guardians to address their child's anti-social or criminal behaviour; 'Community Safety Orders' have been introduced to address the problem of noisy and disruptive neighbours; local child curfews and curfew orders have been introduced to keep potential and known offenders (respectively) off the streets, and the police have been granted statutory powers to pick up truants.

The potential for expressive and punitive responses to the troublesome and anti-social behaviour of young people is heightened by the fact that underlying New Labour's adoption of these civil orders and measures is a 'remoralisation' agenda wherein the problem of youth crime is perceived 'as greater than offending *per se* involving, rather a break-up of the moral fabric and cohesion' of society' (Muncie and Hughes, 2002: 9). Hughes (2002: 129) asserts that Etzioni's (1995) conservative variant of communitarianism has 'aided and abetted' the 'moralising logic' inherent in New Labour's broad social policy 'project'. Etzioni (1995) argues that we gain our moral sense from the communities to which we belong and that the 'restoration of law and order' can be achieved by 'rebuilding the foundations of a strong

civic society through self-regulating families and remoralised, cohesive communities and by prioritising the needs and rights of victims and law-abiding citizens' (McLaughlin *et al.*, 2001: 304).

The specificities of the influence of communitarian thought on New Labour's youth justice agenda will be considered in greater detail in chapter three. At this point it is sufficient to note that, along with crime prevention, community has come to occupy a central place within New Labour's youth justice strategy. In addition to the 'adaptive' responsabilisation strategies associated with the government's commitment to strengthening communities, inculcating values of 'mutual obligation, self discipline and individual responsibility' (*ibid.*: 303), the willingness to pursue punitive strategies with respect to the troublesome and criminal behaviour of young people is clear in its determination to use the 'disciplinary powers of the state to tackle not just "crime" but to restore order and pro-social behaviour' (McLaughlin, 2002: 55). However, the fact that individuals and groups can become subject to the various civil orders and measures without prosecution or indeed the commission of a criminal offence (Muncie, 2004) has raised inevitable and justifiable concerns. These and other concerns raised by such strategies will be examined in the next chapter.

Finally, resonating most strongly with Garland's assertion of 'denial' and 'acting-out' strategies within the 'culture of control' a punitive authoritarian rationale underpins New Labour's reinvention of youth justice. Muncie and Hughes (2002) assert that New Labour's 'tough on crime' rhetoric and its emphasis on individual responsibility has served to legitimate an increased reliance on the secure estate despite its incongruence to other youth justice aims with respect to crime prevention and evidence-based practice.

Certainly the punitive leitmotif of New Labour's approach to youth justice is apparent in the expansion of the court's sentencing and remand powers. For example, the 1998 Crime and Disorder Act abolished the presumption of '*doli incapax*', for children aged between

10 and 13 years, who are now presumed capable of committing a criminal offence (see Bandalli, 1998, 2000; Monaghan, 2000). The 1998 Act also introduced the Detention and Training Order (DTO), a generic custodial sentence which in effect increases the court's powers in dealing with young offenders and has served to expand the secure estate for juvenile offenders (Newburn, 2002). Sections 90 to 92 of the Powers of Criminal Courts Act 2000 make provision for the detention of 10 to 17 year olds, within the secure estate, for longer than the normal period of two years, at the discretion of the Home Secretary (Muncie, 2004). Furthermore, the Criminal Justice and Police Act 2001 has extended the reasons for giving custodial remands from 'protection of the public from serious harm' to 'preventing the commission of future imprisonable offences' (*ibid.*: 284). Jones (2002a) suggests that this expansion of court powers will significantly increase the numbers of young offenders remanded or sentenced to custody. Again these are issues that will be examined in more detail in the next chapter.

Punitive youth justice?

Within these 'hybrid agendas' (Muncie and Hughes, 2002: 12) the merging of right realist priorities of retributive justice with left realist priorities of social justice and inclusion (Muncie, 2000) raises the prospect for both exclusionary and inclusionary responses to young offenders (discussed further in chapter three). Certainly a number of commentators have highlighted the potential for the development of enlightened policies and practices within the revival of interest in social crime prevention (Smith, 2000), the commitment to restorative justice (Crawford & Newburn, 2002) and the likely nature of services being delivered at the local level by YOT workers (Burnett. & Appleton, 2004). However, New Labour's general stance to youth justice is considered to comprise a harsh and punitive approach to young offenders and an increasingly interventionist approach for those considered 'at risk' of offending (Brownlee, 1998; Goldson, 2000; Haines and Drakeford, 1998; Jones, 2002a; Pitts, 2001, 2003). Thus in accord with Garland's (2001: 175) 'culture

of control' thesis it seems that penal concerns have gained dominance while provision in relation to young people's welfare needs has become 'more conditional, more offence focused and more risk conscious' (*ibid.*).

The discussion will now focus on the transformations occurring within criminological discourses of community within the 'culture of control'.

Criminological discourses of community in the 'culture of control'

In the crime prevention arena the lack of evidence to support social programmes (Skogan, 1990), escalating crime and increasing public anxieties about crime which characterised the aetiological crisis of the 1960s, prompted more defensive and exclusionary criminological visions of community. It is within this context that Garland (2001: 127-8) asserts the 'new criminologies of everyday life' have emerged. These have increasingly become one of the 'key strands of official criminology, shaping government policies and organizational practice in both the US and the UK' and essentially see crime as a 'normal, commonplace aspect of modern society' (*ibid.*). The 'new criminologies of everyday life' comprise a set of 'cognate theoretical frameworks that include routine activity theory, crime as opportunity, lifestyle analysis, situational crime prevention and some versions of rational choice theory', which view crime as a risk to be calculated, managed and controlled (*ibid.*). Priority is accorded to 'rational, morally neutral, knowledge-based, [and] pragmatic' responses to crime which stress 'the modification of situations and opportunity structures' (Garland, 2001: 182). Crime control continues to be offence (rather than offender) focused and 'adaptive' solutions, which utilise 'situational engineering', are employed to minimise the risk of crime and maximise the protection of the public (*ibid.*)

The 'frightened community'

The first manifestations of these 'new criminologies of everyday life' is apparent in the emergence of the 'frightened community' discourse in the late 1960s in the US - and later in Europe (Hope, 1995). Herein crime prevention strategies involved residents intentionally organising community surveillance, and those focused on the design, manipulation and management of the built environment as advocated in Newman's (1973) theory of 'defensible space'. Both approaches aim to reduce crime by 'engendering resident's latent sense of territoriality' (Crawford, 1998: 76) and thereby promoting, simulating and even recreating the informal policing and social control characteristically associated with community life.

Organised resident surveillance – which has taken many forms but is widely recognised under the general heading of Neighbourhood Watch - gained widespread political support in the United States during the 1970s and in the United Kingdom during the 1980s. These schemes were generally envisaged as a means of involving the public in crime control at a local level by encouraging community members to come together in neighbourhood groups to agree to keep watch over one another's properties and report any suspicious activities to the police. 'Defensible space' strategies generally involved the territorial subdivision of residential areas through the use of controlled entrances; the restriction of movement of strangers and the promotion of greater surveillance (Coleman 1985: 80) in order to encourage residents' sense of 'ownership and responsibility' (Newman: 1973: 79).

The fact that such 'adaptive' strategies promoted and relied upon informal mechanisms of protection and surveillance enjoyed widespread political appeal. Not least because in an era of fiscal restraint they offered 'a relatively inexpensive solution' to the problems of crime control and offered 'modest support for communities while diverting attention from demands to address the root causes of crime' (Hope, 1995: 43).

However, the potential of these strategies to regenerate community and promote its informal social control mechanisms is less clear especially in those neighbourhoods where crime and disorder are most rife. This viewpoint is eloquently summarised by Smith (1995: 101):

Neighbourhood Watch is ineffective when your neighbours are the offenders; entry phones to blocks of flats provide no security when it is fellow residents you fear; improved surveillance only increases the risk of detection when people are not too afraid of reprisals to report crime to the police. An estate which is fortified against crime can increase fear and intensify isolation by encouraging an atmosphere of threat and siege. Furthermore, many security measures under-estimate the ingenuity of potential offenders or the skills they may learn within subcultural networks.

The imagery and inference of this discourse is that of the community under siege from the predations of the external offender who presents a threat not only in terms of the potential for criminal victimisation, but also with respect to undermining the quality of community life (Jamieson, 2004). As such 'utopian' goals of reform and rehabilitation inherent to criminological discourses of community in the era of penal welfare were increasingly replaced by the moderate expectations and marginal gains associated with the situational crime prevention strategies premised on protection, defence and exclusion.

The 'disintegrating community'

The shift to increasingly defensive responses to crime problems is developed and consolidated within Hope's conceptualisation of the 'disintegrating community'. In this, the least progressed of Hope's (1995) suggested paradigms, the 'disintegrating

community' was fuelled by the criminological insights - of the late 1980s and early 1990s - that certain areas and particular residents within these areas were more prone to criminal victimisation and that high crime areas were also associated with high levels of disorder.

The first concern has served to promote 'adaptive' strategies based on individual and community defence of property. Herein efforts and resources are targeted at those areas and residents most vulnerable to repeat or multiple victimisation in an effort to positively impact on aggregate crime rates. Hope (1995) argues that this approach is illustrated in strategies such as the Kirkholt Burglary Prevention Initiative, which was established in Rochdale during the 1980s. The Kirkholt project involved instituting a range of measures to protect residents at risk of repeat victimisation, which included upgrading the security of recently victimised properties; property marking; the removal of prepayment utility meters; establishing watching 'cocoon groups' of immediate neighbours of recently victimised households; school-based programmes for the local youth, and group-work and community service initiatives with local offenders. The initiative appeared to have brought about a 75 per cent decrease in the incidence rate of burglary on the estate over a period of three years (Forrester, Chatterson and Pease, 1988). However, which particular factors or combination of factors were responsible for this outcome remains unclear (Tilley, 1993).

Like New Labour's adoption of civil measures to deal with disorder and anti-social behaviour, the second concern to restore order draws on Wilson and Kelling's (1982) 'Broken Window' thesis. Herein minor incivilities - such as, graffiti, vandalism, rowdy behaviour and begging - are perceived to be of crucial symbolic import, demonstrating that 'no-one cares' and that an environment is 'uncontrolled and uncontrollable' and therefore one which 'anyone can invade' in order 'to do whatever damage and mischief the mind suggests'. A spiralling process may be initiated which promotes further incivilities, disorder, crime and residents' fear of crime. Residents with means choose to leave the area leaving behind the weak and vulnerable and exposing the neighbourhood to the risk of

colonisation by street criminals, such as drug dealers, pimps and prostitutes (Muncie, 2001). In this way the spiral to crime and disorder continues.

Wilson and Kelling's (1982) suggested solution to such issues is the aggressive policing of incivilities and other signs of crime in combination with residential surveillance of the environment and their regulation of members' conduct. It is presumed that such strategies will serve to promote residents' satisfaction and feelings of territoriality and safety, thereby enabling the community to reassert moral order and social control (Crawford, 1998). As with New Labour's pursuit of crime prevention strategies on the basis of the 'Broken Windows' thesis, this approach has the potential to combine the 'adaptive' and the punitive and expressive responses to crime which characterise the 'culture of control'. For example, the former are apparent in the low level surveillance and environmental care associated with the installation of caretakers/concierges in problem estates while the latter are associated with strategies such as the much vaunted 'zero tolerance' approach of the New York Police Department in the 1990s.

The empirical evidence of the effectiveness of zero tolerance strategies is mixed (Taylor, 1997; Taylor and Covington, 1998) and again the approach appears least suited to those communities where disorder and crime are major problems. Indeed, while offering positive effects in terms of residents' perceptions of safety and satisfaction, the inherent danger of this approach is that 'the authors of disorder – the marginalised youths, beggars, vagrants, drug abusers and prostitutes – are identified as the architects of neighbourhood change and economic decline rather than its victims' (Crawford, 1998: 133). As such, 'zero tolerance' may promote intolerance, which serves to problematise the relationship between the offender and the community.

Hope's (1995) analysis ends with the 'disintegrating community'. However, the preoccupation with themes of defence and control within crime prevention policies

continue to resonate within the contemporary landscape of criminology, which has witnessed an intensification of the 'adaptive', 'denial' and 'acting out' responses characteristic of the 'culture of control'.

The 'exclusive society'²

Contemporary crime prevention strategies continue to incorporate the approaches apparent in both the 'frightened' and 'disintegrating' community paradigms. However, crime prevention has also embraced the opportunities afforded by the development of new technologies and security hardware, which has facilitated the use of closed-circuit television (CCTV) and the use of private police and the development of gated communities; (Davies 1990a; Loader and Sparks, 2002; Coleman, 2004). The very practical and problem-orientated focus of these situational approaches to crime control favours the advantaged and serves 'to harden divisions between those consumers and communities who are well placed to become active risk managers and those (generally more 'at risk' groups) who lack the economic and social capital to provide for their own and collective safety' (Loader & Sparks, 2002: 89). Likewise Young (2002: 465) observes that the individualism and pluralism characteristic of the 'exclusive society' has produced a contented majority and an underclass of despair 'with respectability on the one hand and stigma on the other, a world of civility and tranquillity over against that of crime and mayhem'. Thus an insidious vision of 'us' and 'them', the 'law-abiding' and 'the criminal', dominates an increasingly divisive and exclusionary crime prevention agenda. As Garland (2001: 165) observes:

The open, porous, mobile society of strangers that is late modernity has given rise to crime control practices that seek to make society less open and less

² Title from Young, J. (1999), *The Exclusive Society: social exclusion, crime, difference and late modernity*, London: Sage.

mobile: to fix identities, immobilise individuals, quarantine whole sections of the population, erect boundaries, close off access.

This emphasis on fears, anxieties and vulnerabilities serves to contribute to the appropriate conditions for the more punitive and expressive crime control policies that Garland (2001) associates with the 'criminology of the other'.

The 'criminology of the other'

In stark contrast to the 'adaptive' responses associated with the 'new criminologies of everyday life' the 'criminology of the other' reflects the 'almost hysterical' responses of the state's political machine to the 'highly charged electoral issue of crime' (Garland, 2001: 131). Herein crime no longer constitutes a routine part of everyday life to be managed, but rather is "redramatized" in 'melodramatic terms', viewed as a 'catastrophe', and framed in the 'language of warfare and social defence' (*ibid.*: 184). Utilising appeals to common sense and exhortations to absolute moral standards the respectable law-abiding citizen is pitted against the feckless criminal outsider with no regard to the criminal's welfare or prospects of rehabilitation.

It is argued that the 'flood of crime, disorder and social problems' (*ibid.*: 184) characteristic of modern society arises from the failure of the penal system and society in general to uphold law and order or maintain respect for authority. Emphasising questions of moral responsibility, the urge is to punish criminals through an 'excess of controls' (*ibid.*: 186) in order to excommunicate or forcibly expel those who do not or cannot fit into 'civil society' (*ibid.*: 184) discounting any social costs or penal consequences. In many respects this sense of community reflects 'an insecure society, suspicious of, and hostile towards, anything and anyone who is different. Community means segregation, prejudice and the desire for revenge' (Worrall, 1997: 58).

Although, largely associated with the American context, and in particular the continued use of the death penalty and the trend to mass imprisonment, elements of this agenda are also apparent in the United Kingdom. For example, in the former Prime Minister's plea 'to condemn more and to understand less' (Major, 1993); the rhetoric of 'Prison Works' (Home Office, 1996) and in New Labour's endorsement of an authoritarian law and order agenda which has culminated in Britain achieving the dubious accolade of 'prison capital of Western Europe' (Travis, 2003, Allison, 2004). As such the prospect of increasingly punitive and exclusive community responses to offenders appears a distinct if unwelcome possibility.

Overall, within the 'culture of control' criminological discourses of community have become infused with the view that offenders and crime undermine and threaten community life. Thus the concern to instil the informal social controls of 'mutual supervision, scolding, sanctioning and shaming carried out as a matter of course by community members' (Garland, 2001: 159) has been increasingly usurped by demands for defence, protection and the exclusion of offenders.

Conclusion

This chapter has opened the engagement with the study's central research questions, specifically by exploring what constructions of, and assumptions, about community are apparent in criminological theories of crime, its prevention and control. The contours and trajectory of the shift from 'penal welfare' to the 'culture of control' has witnessed profound transformations in the views of crime, the young offender and the community. Crime has increasingly become an emotive and highly charged political issue; the young offender is increasingly portrayed as a 'villain' rather than a 'victim' (Hendrick, 1990) and

communities' seeming incapacity to deliver safety and protection to its members has undermined faith in its abilities to act as an effective agent of social control.

Notwithstanding the fact that the portrayal of young offenders as 'victims' within 'penal welfare' facilitated, at times, excessive interventionism and an undermining of their rights, it also had some advantages. In effect it meant that young offenders were constructed in terms of their 'vulnerabilities' and 'welfare needs' and as such were 'located within an essentially protective framework' (Cross *et al.*, 2003: 152). By contrast, within the 'culture of control', the 'profoundly negative' portrayal of young offenders as 'villains' and as a source of fear has served to promote more retributive and punitive popular and political responses to their troublesome and criminal behaviour (*ibid.*). Indeed, Goldson (2001: 40) asserts that the 'responsibilisation' and 'adulterisation' within contemporary youth justice discourse represents the 'institutionalised demonisation and criminalisation of children'. The danger of this construction of the young offender is that it holds children wholly responsible for their 'anti-social' and criminal acts when they may 'lack or are denied the maturity, power and social status that would properly equip them to bear this responsibility' (Cross *et al.*, 2003: 152).

Within penal welfare the criminological discourse of the 'disorganised community' promoted mobilisation of residents and informal resources to support and promote the community's capacities for informal social control (Hope, 1995). Such 'utopian' goals were replaced within the 'culture of control' by the marginal gains to be derived from the situational management of opportunities and localities. In effect the reliance on community's inherent capacities to be 'resourceful, tolerant and healing' (Worrall, 1997: 46) apparent within penal welfare have been replaced by visions of community which are 'rejecting, excluding and intolerantly punitive' (*ibid.*) in the movement to the 'culture of control'. Again the efficacy and desirability of this outcome is questionable, as is the trajectory to the ever more exclusionary and punitive responses envisaged within

Garland's (2001) 'criminology of the other'. Such exclusionary and punitive responses focus on the manifestations rather than the causes of crime; they may negatively impact on the more vulnerable and disadvantaged individuals and groups within society and offenders' attendant experiences of marginalisation and exclusion may serve to exacerbate their criminal activity.

Overall, the shift from 'penal welfare' to the 'culture of control' has elicited increasingly defensive constructions of community within criminological theories and policies of crime prevention and control, and it is this 'defensive community' which has attained an increasingly central role within youth justice discourse and policy. The exclusionary imperatives inherent in contemporary youth justice and criminological discourses of community raise major concerns regarding the community's likely orientation towards young offenders and the possibility of young offenders establishing positive and enduring relationships with the community to which they belong.

The next chapter will develop this analysis by exploring the specificities of New Labour's vision of community and its implications for the young offender, youth justice and the community.

Chapter Three

New Labour, Youth Justice And The Question Of Community

Introduction

Community is a third-way classic, appropriated as a nicer, warmer way of talking about society ... In the beginning it was a Machiavellian kind of word switch to enact a subtle change in ideology and bring us round to the idea that lefties didn't have to take all our money; they might need a bit of it. Now, people who use the word community don't have a thought in their heads apart from some vague notion that people should be nicer to one another. Its talk like that that makes normal people want to break windows. (Williams, The Guardian Weekend, June 29 2002)

Since its election in 1997 the Labour Government has been committed to forge a new political ideology they have called the 'Third Way'. The 'Third Way' is presented as a backlash against political ideologies of the past, but essentially draws on ideas from both neo-liberalism and social democracy. It accepts the 'market' as a fact of life, but recognises that the inefficiencies of market society will lead to the creation of an increasingly unequal and divided society (Szreter, 1999). As Blair himself asserts: 'the task for the centre-left was not to replace crude individualism with an overbearing paternalistic state. It was to rebuild a strong civic society where rights and duties go hand in hand' (Blair, 2002, <http://www.observer.co.uk/crimedebate/story/0,12079,837223.00.htm>). Thus in a break from their Old Labour predecessors, New Labour rejects the belief that 'big state' has the potential to solve every social problem. Rather it favours the ideology of an 'enabling state' where the emphasis is upon the duties and responsibilities of citizens (James and James, 2001: 211).

While tongue-in-cheek, the opening quotation testifies to the allure of community to 'Third Way' politics. In exploring New Labour's commitment to communitarian ideas and how these resonate within the sphere of youth justice, this chapter develops and consolidates the analysis initiated in the previous chapter. Initially the chapter will explore the import of community to the government's pursuit of the 'Third Way' political agenda before addressing the relative import of community to strategies which seek to address youth crime. In particular the chapter will address the influence of communitarian ideas on the development of the law and order agenda with respect to children and young people. As such it will focus on social and crime prevention policies which aim to encourage participation and active citizenship among children, and young people, and on the government's reform of the youth justice system where it is argued that the constructions of 'community as a moral resource' and 'community as a moral claimant' are evident. In exploring key aspects of the contemporary policy context this chapter provides valuable insights regarding the import of community to contemporary youth justice.

Community, 'communitarianism' and the politics of the 'Third Way'

Levitas (2000: 191) argues that in 'offering an alternative to both the untrammelled free market (of neo-liberalism) and the strong state (of social democracy)' community has proved irresistible to the Labour government's vision and ambitions. Further, she asserts that community has become the 'central collective abstraction for New Labour in a discourse whose organising concepts are community, opportunity, responsibility, employability, and inclusion' (*ibid.*: 191). Thus, as Driver and Martell (1997) observe, by emphasising individuals' moral responsibilities as well as their rights, community offers the government a means to create social cohesion within the context of a market culture of self-interest. This social cohesion results in 'a more dutiful and responsible citizenry' that in turn promotes the viability and success of the market economy (*ibid.*).

Levitas (2000) argues that communitarianism, and more specifically Etzioni's (1995) 'moral authoritarian version' (Hughes, 1998: 109) which calls for the renewal and revitalisation of community values and community institutions, has proved central to New Labour's ambitions to revive and emphasise the individual's responsibilities and obligations to civic society (see also Crawford, 1997; Driver and Martell, 1997; Hughes, 1998; Green 2002). McLaughlin (2002: 55) observes that the core themes of Etzioni's 'communitarianism' 'chimed almost perfectly with the resurgent ethical and Christian socialist wing of the Labour Party'. Indeed, as stated in chapter one, New Labour's political mantra 'that *rights* come with *responsibilities*' (Hudson, 2003: 78, *emphasis in original*) echoes the central message of Etzioni's communitarian manifesto which asserts the need for a new relationship between the individual and the community and a redefinition of rights and responsibilities. Accordingly, communitarians argue that individuals should live up to their responsibilities as opposed to merely focussing on their entitlements (Etzioni, 1995: x). For Etzioni, where individual rights and social responsibilities are properly in balance community will prove an important force in shaping individual ideas and practices and in upholding the values of social obligation and civic behaviour (Green, 2002: 54).

That said, Etzioni (1995) is also cognizant of the dangers and insecurities inherent in contemporary society and the damaging impact this can have with respect to community. In respect of the United States, he asserts that the moral structure has been neglected and undermined as a consequence of 'relativism and pluralisation' and the social policies of both the liberal left and the New Right (McLaughlin, 2002: 55). Reminiscent of Murray's (1984, 1990, 1994) underclass thesis, Etzioni (1995) argues that the liberal left has encouraged dependency through their stress on entitlement while the New Right has prioritised self-interest over the needs of social order (McLaughlin, 2002: 55). As such, 'high levels of crime and "anti-social" behaviour are very obvious outcomes of a culture of unrestrained individualism and the quest for instant gratification' (*ibid.*). Thus for Etzioni

(1995: x) the concerns for British society include ‘violent crime, illegitimacy, drug abuse, children who kill and show no remorse and political corruption’ which he believes ‘are all indications of moral anarchy and crumbling social institutions’.

New Labour has forwarded a similar analysis with Giddens (1998), a principal architect of the ‘Third Way’, strongly supporting the need for a new relationship between the individual and the state in order to address the civic decline apparent in ‘the weakening sense of solidarity in some local communities and urban neighbourhoods, high levels of crime, and the break-up of marriages and families’ (Giddens, 1998: 78). He suggests the solution to such decline should include: investment in education and training in order to create a more flexible and cosmopolitan workforce (*ibid.*: 125); the police working with communities in order to improve local community standards and civil behaviour, with a concentration on crime prevention rather than law enforcement (*ibid.*: 87-88); and the democratisation of family life, which in turn will promote mutual respect, decision-making through communication, freedom from violence, and a better quality of family life (*ibid.*: 93).

For New Labour, community is suggestive of the development and renewal of social relationships, social interactions and social solidarities (Levitas, 2000: 189) which will produce a ‘decent society of others’ (Blair, 2000: <http://www.pmo.gov.uk/output/Page1526.asp>) and thereby individual fulfilment and economic success.

The ‘communitarian’ agenda and the ‘threat of youth’

Hudson (2003: 78) argues that the government in the UK, like its counterpart in the US, has in effect adopted a political agenda of ‘value communitarianism’ where communities are posited as having rights in the same way as individuals, and thus individuals have obligations to their communities as well as to each other. This political agenda has had

repercussions for a range of policy spheres but appears to have been most explicitly applied to the government's law and order agenda. Herein the context of the 'childhood in crisis' thesis (Scruton, 1997) - which suggests that childhood is increasingly conceptualised as 'both the cause and product of wider social disorder and moral malaise' (Goldson, 1997: 38) - and heightening concerns regarding youth crime and 'anti-social' behaviour have combined to identify children and young people as prime targets for the application of 'value communitarianism'.

To the fore of this agenda is a repackaging of the enduring concerns associated with the 'threat of youth', discussed in the previous chapter, wherein familiar 'discourses of danger, depravity and deficiency' serve to render intervention obligatory (Muncie, 1999: 45). James and James (2001: 214) argue that the control of children's behaviour is a particular focus of policy initiatives under New Labour precisely because 'it is through shaping the form that "childhood" takes that socialisation of children can be most effectively regulated. And it is through the regulation and control of children in the present that a particular kind of future adult community can be reproduced'. Indeed, the fact that children are still in the process of acquiring the values, norms, meanings and identities means they are unlikely to be fully cognizant of, or socialised, into the communities in which they live. As such, 'childhood constitutes a prime site for managing the tensions between conformity and autonomy' (*ibid.*: 213).

Thus, recent years have witnessed increased government concern and activity to regulate and monitor children's lives. In keeping with the communitarian agenda to revive and emphasise individuals' responsibilities and obligations to civic society, a range of strategies have been pursued to promote the idea of shared community identification and culture, and to control and sanction 'irresponsible' and/or criminal behaviour. For example, citizenship classes have become a compulsory element within the National Curriculum; the New Deal promotes young people's involvement in volunteer activity;

unacceptable 'anti-social' behaviour can incur curfews and a range of other sanctions, while criminal behaviour attracts a range of increasingly punitive penalties. Resonant of the 'governmentality' thesis (outlined in the previous chapter) Mizen (2004: 177) argues that New Labour's determination to tackle many of the problems that have come to define contemporary youth is not driven by a 'genuine attempt to support young people's transitions to adulthood', but rather to reorganise the lives of the young more fully according to the dictates of their 'progressive competitiveness' political strategy.

Despite the inclusive and shared responsibility rhetoric inherent to communitarianism, concerns have been raised regarding its application. Etzioni's 'communitarianism' has been criticised for its failure to engage in any analyses of the structural relations in society or to take into account the material and political determinants of both community decline and regeneration (Hughes, 1998). Indeed, as James and James (2001) observe factors such as class, gender, ethnicity, health status and age can mediate experiences of inclusion in, and exclusion from, community life. Furthermore, the inherent moralistic overtures to Etzioni's 'communitarianism' raise concerns that marginal or 'deviant' categories of people may be subject to social exclusion due to communities' insecurities or fears of the unknown or unusual (Hughes, 1998).

Commenting directly on New Labour's vision of communitarianism Levitas (2000) suggests that the reliance on community rhetoric serves to suppress the visibility of the state's power and the power relations between and within so-called communities. More specifically the application of the 'communitarian' agenda with respect to children is problematic as 'communities have a responsibility to provide socialising structures which will foster children's autonomy as well as their ability to conform' (James and James, 2001: 213). Most significantly, however, the communitarian agenda is flawed in respect of children because they do not share the same rights as adults. Hence if the object is 'to rebuild a strong civic society where rights and duties go hand in hand' (Blair, 2000:

http://www.pmo.gov.uk/output/Page_1526.asp) then demands that children adhere to their responsibilities as community members, in effect conforming to adult norms and values, is inherently problematic (James and James, 2001: 214).

Notwithstanding these difficulties it is argued that communitarianism has proved influential on New Labour's law and order agenda and particularly in relation to youth justice reforms. The influence of communitarianism with respect to youth justice policy will now provide the prime focus of discussion.

New Labour's reinvention of youth justice

An excuse culture has developed within the youth justice system. It excuses itself for its inefficiency, and too often excuses the young offenders before it, implying that they cannot help their behaviour because of their social circumstances. Rarely are they confronted with their behaviour and helped to take more personal responsibility for their actions. The system allows them to go on wrecking their own lives as well as disrupting their families and communities (*Jack Straw, 1997: i*).

As chapter two has highlighted youth justice policy in England and Wales has pursued a range of different directions in the last few decades. Youth justice in the 1960s was characterised by a welfarist orientation, from the 1980s youth justice was dominated by justice orientated responses, which in turn were followed by the managerial and actuarial discourses before the sway of the popular punitiveness took hold in the early 1990s (Newburn, 1998).

That New Labour was to continue this punitive trajectory and distance itself from the Labour Party's traditional welfarist concerns to address the link between crime and

widening social and economic inequalities (Downes and Morgan, 1994) became evident in the decade or so leading up to their general election success in 1997 (Jones, 2002a). Smith (2003: 57-59) argues this transformation was informed by: the emergence of new criminological insights and research evidence which recognised youth crime as a major social issue which had disproportionate impacts for poorer areas and for women and ethnic minorities (Lea and Young 1984; Kinsey, Lea and Young, 1986); the fact that Labour politicians were able to relate these concerns to their own upbringings or the experiences of their constituencies; and the attractions of zero tolerance approaches to crime control which shifted the focus from the causes of crime to its manifestations. Hence, as the above quote from Jack Straw illustrates these insights and developments culminated in a shift in concern from young offender's 'needs' to their 'deeds' and an acceptance of an individualised rhetoric of 'blame', 'responsibility' and 'punishment' (*ibid.*).

The introduction of the flagship Crime and Disorder Act 1998, with its overarching aim of preventing offending by young people, heralded a 'root and branch reform' of the youth justice system (Home Office, 1997: 7) and a concern to rebuild safer communities and to improve the performance of the criminal justice system (Johnston and Bottomley, 1998). Newburn argues that in seeking to redefine its law and order agenda New Labour have drawn on 'the managerialism of the justice model, and added its own potent blend of communitarianism and populism' (1998: 201).

Indeed, in the wake of the 1998 Act a corporatist model of youth justice appears evident in the centralisation of authority and coordination of policy; the growing involvement of non-judicial agencies in youth justice; greater sentence diversity; the high levels of containment and control in sentencing programmes and increasingly administrative decision-making (Pratt, 2002). The expansion of the secure estate, the increased reliance on new technologies and the introduction of a range of responsabilisation strategies which in combination serve to increase the surveillance, regulation and control of young people's

lives comprise a punitive response to youth crime and disorder. Simultaneously, the prioritisation of partnerships, volunteerism, reparation and restorative justice reflect communitarian influences on the government's law and order agenda.

'Communitarianism' and New Labour's reinvention of youth justice

Whilst recognising youth justice is a crowded policy space and appeals to community are likely to be moderated by both managerialist and punitive imperatives, nevertheless it appears that the communitarian discourse of 'rights' and 'responsibilities' is central to New Labour's youth justice agenda. Herein Etzioni's ideas have again proved particularly influential. On issues of crime and disorder Etzioni (1995) forwards a 'mutant' version of Wilson and Kelling's (1982) 'Broken Windows' thesis (Hughes, 1998: 112) whereby contemporary western life is viewed as 'a vicious spiral in which community decline leads to a lack of informal control ...which leads to a rise in criminal and anti-social behaviour ... which leads to further demoralisation and decline of community' (Hudson, 2003: 84).

Although, crime prevention is not a primary goal of 'communitarianism', Etzioni (1995: 191) argues that this occurs as the 'bonus of a moral and civil society'. While crime prevention is best served by the renewal and revitalisation of communities for those who engage in criminal activity Etzioni (*ibid.*) advocates zero-tolerance policing, the full enforcement of criminal justice sanctions, draconian versions of public shaming for first time and more hardened offenders and punishment for parents who fail in their responsibilities to prevent the delinquent or criminal tendencies of their offspring (Etzioni, 1995; Hughes, 1998; Goldson and Jamieson, 2002; Hudson, 2003).

In applying Etzioni's ideas to the issue of youth justice, New Labour emphasise and prioritise the individuals' responsibilities to their community and reinforce these responsibilities through 'joined up' strategies to combat social exclusion which are in turn

combined and supported by an array of civil and criminal orders. The primary aim is the prevention of offending which, it is believed, will promote the welfare of the young offender and the protection of the public. However, it is also clear that the government's commitment to welfare in this instance is conditional and should not outweigh the communities' needs to be protected from the adverse consequences of the young offender's behaviour (Newburn, 1998). Smith (2003: 60-61) argues that in aligning young peoples' welfare needs to their responsibilities in this way New Labour has in fact subsumed 'two quite distinct and potentially contradictory objectives' and in doing so the government has widened the potential for 'justifiable intervention in all aspects of young people's lives'.

Certainly the application of communitarian influences on contemporary youth justice is evident in primary, secondary and tertiary strategies to address troublesome and criminal behaviour amongst children and young people. A more detailed consideration of the nature and impacts of communitarianism will now be explored in respect of New Labour's attempts to renew and revitalise community and active citizenship through addressing social exclusion and youth justice strategies which in effect construct community as 'a moral resource' and as 'a moral claimant'.

The renewal and revitalisation of community

The first area in which communitarian influences on strategies to address youth crime and disorder are apparent is in relation to the government's commitment to tackling social exclusion. Herein the 'Third Way' dual political objectives of economic activity and social cohesion are integral to this approach, which it is assumed will have the effect of renewing and revitalising communities and producing a more cohesive society. This viewpoint is summarised by the Home Office Minister, Joyce Quinn (1998: 189):

An important element in our approach to tackling crime is to see our policies in their overall social context and therefore measures to tackle social exclusion and to promote jobs and training opportunities, such as through the New Deal and Welfare to Work, are vital. Helping people to find and keep a job will reduce the temptation and opportunity for crime. More widely, the more that disadvantaged groups are marginalised or excluded from society, the greater the risk that some of them will be drawn into criminal activity. Conversely, the reduction of social polarisation helps promote a sense of community and a more cohesive society.

Signifying the seriousness of their intent in this respect New Labour swiftly established the Social Exclusion Unit (SEU) on December 8, 1997, which was located in the cabinet office - at 'the heart of government' - with a strategic relationship to all government departments (Young and Matthews, 2003: 7). The SEU's Report 'Preventing Social Exclusion' (2001) identified the causes of social exclusion as the rapid economic changes associated with globalisation; the weakening of social support networks as a result of the breakdown of families and communities, and the failure of previous government policies to manage these problems (Young and Matthews, 2003: 8-9).

The SEU identified and reported on the interconnected nature of a range of problems, including poverty, unemployment, teenage pregnancy, poor skills, homelessness, family breakdown and crime and advocated a coherent, holistic and multi-agency approach to addressing these problems (SEU, 2001). Smith (2003) argues that the SEU's concentration on a limited range of factors each with a direct focus on youth and established links to crime emphasises the government's concern to focus on troublesome and offending children and young people from the outset of their administration (see also SEU, 2001 and Muncie, 2004).

The government's concern to revitalise and renew community and social cohesion by tackling social exclusion is predicated on 'helping' people to fulfil their employment potential. Herein the belief is that economic participation will facilitate the realisation of full citizenship, which through economic, social and political engagement has the potential to foster common interests within communities. If realised these will, in turn, act as a deterrent against crime (Young and Matthews, 2003). Consequently, New Labour has provided funding and institutional support for a plethora of initiatives which Smith (2003) argues could be seen to fall under the ambit of crime prevention. For example, between 1997 and 2001 the government invested £300m to establish Learning Support Units, to fund additional places in Pupil Referral Units and to institute truancy sweeps; a further £420m was spent in 2000 to launch the Connexions service, through which every young person will have access to a personal advisor to support their transition to employment; and £900m has been earmarked for a Neighbourhood Renewal Fund to tackle the problems of disadvantage and deprivation in specific neighbourhoods (*ibid.*: 53-54).

In each of these strategies New Labour's credo of rights and responsibilities is to the fore for example, educational maintenance is dependent on regular attendance, benefits will be withdrawn if job or training opportunities are not taken up and neighbourhood funding is dependent on community involvement (Young and Matthews, 2003: 8). As such Young and Matthews (2003: 6) argue: 'people have the right to security, job opportunities, a stable community; against this they have responsibilities to act honestly, not violate the rights of other citizens and actively participate in workfare'. It appears that New Labour are willing to make 'help' available to facilitate social inclusion but only in return for individual and community contributions (*ibid.*: 8). Thus this entire 'contract' is conditional upon compliance.

To a limited extent there are some positives to be derived from this particular policy drift. Johnstone and Bottomley (1998) argue that in reconnecting the problem of crime to other

social issues such as housing, unemployment and poverty New Labour have proved more progressive than their Conservative predecessors. Young and Matthews (2003) argue that in locating the causes of social exclusion in the transformations associated with globalisation rather than individual inadequacies, the major strength of New Labour's approach is that crime is seen as part of a matrix of problems and a product of social exclusion. Furthermore, Muncie (2004) observes that initiatives to tackle social exclusion can be viewed as long-term, enlightened and structural responses to crime.

However, Young and Matthews (2003) and Muncie (2004) also agree that New Labour's focus on social exclusion is ultimately unsatisfactory and maintain that the initiatives instigated only superficially address the economic, social and political problems which lie at the heart of the complex issue of social exclusion. Young and Matthews (2003: 17) argue that the 'dualism of inclusion and exclusion masks the complexity of social exclusion', giving a false impression that the excluded comprise a relatively homogeneous and static group who are spatially cut off from the rest of society. In reality, of course, social exclusion is a more dynamic process which may impact on a variety of social actors, for varying lengths of time, and whose impacts are likely to be experienced across the whole of society rather than just being located in the poorest areas. A focus on social exclusion massively underestimates the economic and social problems of those in wider society (*ibid.*) and serves to mask the exploitation, discrimination and widening inequalities inherent in capitalist society (Muncie, 2004).

In adopting strategies which aim to alter the characteristics of the excluded and enhance their integration into mainstream society the discourse of social inclusion emphasises individual responsibility (Young and Matthews, 2003: 18). Muncie (2004:243) observes that in-so-doing 'New Labour has ultimately conspired to promulgate the familiar story that crime, however complex, is to be blamed on the moral failure of culpable individuals, families and communities'. Furthermore, in focussing on problems which are particularly

associated with young people, such as dependency, teenage pregnancy and anti-social behaviour, it could be argued that the government is contributing to the process of social exclusion by stigmatising young people as 'inadequate, criminogenic and troublesome' (Young and Matthews, 2003: 21). Indeed, Young and Matthews (*ibid.*) argue that the non-intentional economic exclusion of market forces appears to be reinforced by a more focussed and intentional exclusion produced within civil society and/or the criminal justice system.

Community as a 'moral resource'

The second area in which communitarian influences are apparent in the government's youth crime strategy is in the array of policies and legislation which constitute New Labour's construction of the community as a 'moral resource'. Hudson's (2003: 84) conceptualisation of community as a 'moral resource' draws upon Etzioni's argument that communities have a '*suasive* capacity with which to moralise and control their members' and Braithwaite's ideas in relation to reintegrative shaming. Etzioni's (1995) ideas have been outlined earlier in the chapter and will not be repeated at this juncture. For Braithwaite (1989: 85), 'attachments which invoke personal obligations to others within a community of concern' will reinforce an individual's personal sense of shame, the shame they feel for those they care about and the social shame associated with others who know them witnessing or learning about their involvement in 'anti-social' or criminal behaviour. Braithwaite (1989: 85-87) acknowledges that the anonymity, heterogeneity and individualism which characterise contemporary society effectively undermine the sense of shame traditionally associated with behaving badly, and so he advocates cultivating non-exclusionary processes and institutions in order to inculcate a sense of shame and facilitate reintegrative shaming (Braithwaite, 1989: 85-87, Hudson, 2003: 84-85).

These ideas of community as a 'moral resource' which not only has the capacity to prevent crime *per se*, but also to facilitate the rehabilitation and reintegration of community members who fail to live up to their moral responsibilities, are apparent in the government's commitment to restorative justice, reparation and strategies to instil responsibility in young offenders and the parents of 'at risk' and offending children.

Restorative justice

Newburn (1998) argues that New Labour's commitment to communitarian principles is most clearly articulated in their introduction of referral orders and youth offender panels (YOPs) to the range of youth justice interventions available. Since the introduction of the Youth Justice and Criminal Evidence Act 1999 a referral to a youth offender panel is mandatory for all young people pleading guilty at their first court appearance, except in those circumstances where the court wishes to impose a custodial sentence, a hospital order or an absolute discharge. Referral to a YOP allows the young person's offences to be dealt with outside of the court by a panel comprised of a YOT member and two trained community volunteers.

Influenced by experiences elsewhere in relation to reintegrative shaming, family group conferencing and the Scottish Children's Hearings System, YOPs aim to provide a more informal forum than the court where the offenders, the victim, their supporters and the panel can discuss the young person's crime and its consequences in order to agree a contract for the duration of the Referral Order. Referral Orders can last from between three and 12 months and emphasise the child (and his/her parents) taking responsibility for his/her behaviour; making reparation; putting the offence behind them and being reintegrated into law-abiding society (Smith, 2003). Muncie (2000: 14) argues that the introduction of referral orders and YOPs to the youth justice system has been presented by the government as a movement away from 'an exclusionary punitive justice and towards

an inclusionary restorative justice capable of recognising the social contexts in which crime occurs and should be dealt with’.

However, a range of concerns have been raised with respect to the implementation of YOPs and referral orders (Jones, 2002a). For example, Wonnacott (1999) criticises the compulsion underlying any agreed contracts; Ball (2000) highlights the potential danger of ‘disproportionate sentencing’ for minor and first offenders who may then face more severe punishment if they are unable to keep to their contract; and Goldson (2000b) raises concerns with respect to proportionality, the denial of legal representation, fairness and justice suggesting that the referral order may be incompatible with international treaties, standards and rules for youth justice. The relative advantages and disadvantages of the involvement of community members in the administration and delivery of youth justice services will be explored in more detail in chapter six.

Reparation and responsabilisation

The concern within the ‘community as a moral resource’ discourse to inculcate shame in respect to wrongdoing is apparent in the government’s demand that young offenders take responsibility for their actions. This is most explicit in respect of reparation whereby young offenders are expected to make good their offence directly to the victim or indirectly to the community at large. While Referral Orders and YOPS are targeted at entry-level offenders the idea that young offenders should take responsibility for their offending behaviour has permeated all community penalties and since the introduction of the Crime and Disorder Act 1998 reparation has become an inherent element to Final Warnings, Action Plan Orders, Reparation Orders and Supervision Orders. According to National Standards for Youth Justice (Youth Justice Board, 2004: 10), YOTs are expected to provide a range of reparation services including as appropriate: ‘apology, explanation, and direct work by young offenders for the benefit of victims’.

In addition to reparation the concern for young people to face up to and take responsibility for their behaviour is to be addressed via intervention plans based on the assessment of risk factors associated with the young person's offending. In keeping with the tenets of evidence-based practice the intensity of interventions should be in keeping with the risk presented in terms of further offending but may include offending behavior initiatives, personal development, education and training, mentoring, work with families, restorative work, drug and alcohol awareness, health advice and artistic, dramatic or sporting activities (Youth Justice Board, 2004b, 2004c).

Holdaway *et al's* (2001) national evaluation of the pilot Youth Offending Teams demonstrated that practitioners and managers responded positively and creatively to the new youth justice context and the introduction of a range of new orders. However, they also highlighted that the expectations that victims be involved in reparation activities were eliciting a number of concerns especially as most victims in the pilot evaluation felt that offender's interests were being prioritised. Holdaway *et al.* (2001) also raised concerns regarding the potential for standardised and tokenistic responses to reparation, for example, through the use of letters of apology or general reparative tasks, such as basic conservation work. They argue such approaches will not be appropriate in all circumstances, may bear little relationship to the offence and as such may ultimately prove unsatisfactory in meeting the needs of both victims and offenders.

The question of parental responsibility

In addition to addressing children's responsibility for their involvement in 'anti-social' and criminal behaviour the construction of community as a 'moral resource' can also be discerned in policy developments and statutory provision in respect to parental responsibilities. The notion that the family is in crisis and/or that parents are failing in their responsibilities towards their children has a long and enduring history (Day-Sclater &

Piper, 2000; Gelsthorpe, 1999; Goldson and Jamieson, 2002). However, the legitimatisation of parenting as a seemingly 'appropriate' focus for youth justice interventions emerged during the 1980s and 1990s as a range of studies concluded that juvenile criminality is associated with parental neglect, inadequate supervision, harsh or erratic discipline, parental criminality, family disruption, parental conflict, and separation from a biological parent (<http://www.nacro.org.uk/data/briefings/nacro-2003021902-csps.pdf>).

Studies have also demonstrated that interventions to address these 'parenting deficits', such as the Elmeria intervention programme in New York (Farrington and Welsh, 1999) and the multi-systemic treatment programme followed in Missouri (*ibid.*) have had successful impacts with respect to youth crime and anti-social behaviour. Thus sections 8-10 of the Crime and Disorder Act 1998 formalised the requirement that parents should face up to their responsibilities by introducing the Parenting Order which was designed to 'help and support parents or guardians in addressing their child's anti-social or offending behaviour' (Home Office, 1998: 5). The 'parenting order' is a civil order which can be used in response to criminal or anti-social behaviour by a young person (criminal order) or in response to school refusal or persistent non-attendance by a young person (education order).

A parenting order requires parents to engage in parenting support/education in the form directed by the local court. Generally, an order can consist of two elements: a requirement that the parent/guardian attend counselling or guidance sessions and requirements encouraging the parent or guardian to exercise a measure of control over the child, for example, ensuring that a child attends school or is home by a certain time. Failure to comply with the terms of an order can result in criminal breach proceedings, necessitating a return to court that may lead to a fine (of up to £1000) or to a further order being made. In effect the introduction of the parenting order enshrines in law the assumption that young

people's behaviour can be influenced by the kind of parenting they receive (Ghate & Ramella, 2002).

However, at practice level there has been a marked ambivalence towards working with parents on a mandatory basis, with many parenting projects seeking to offer services to parents on a voluntary as opposed to statutory basis. In fact the national evaluation of parenting projects undertaken by the Policy Research Bureau reveals that from 1998 to 2000 only one in six parents were referred to the projects on the basis of a 'parenting order' (Ghate and Ramella, 2002: ii).

The vast majority of parents referred to parenting projects have been mothers (81%) and almost half were lone parents (49%) (*ibid.*: ii). These parents have reported very high levels of need including the difficult behaviour by their child, debt, housing and problems with health and personal relationships (*ibid.*: ii). Positive changes in parenting skills and competencies were reported as a result of participation in the parenting projects, which included improved communication with their child, improved monitoring and supervision of their child's activities; better relationships with their children; and feeling better able to cope with and influence their child's behaviour (Ghate and Ramella, 2002; Goldson and Jamieson, 2002).

However, it should also be noted that these projects were of relatively short duration and came at a comparatively late stage in these young people's lives. Such parenting programmes or orders are unlikely to offer a quick fix for entrenched criminal or 'anti-social' behaviour. Indeed, research suggests that the majority of parents were doing the best they could in often very difficult circumstances (Goldson and Jamieson, 2002). Notwithstanding the widespread agreement that parents struggling with the challenging behaviour of their children could potentially benefit from support and help, questions have arisen as to whether criminalising 'inadequate parenting' is the best approach to use

(Goldson, 1999; Drakeford & McCarthy, 2000; Goldson & Jamieson, 2002, Arthur, 2005). For example, Drakeford and McCarthy (2000) suggest the criminal sanction inherent to parenting orders may aggravate already strained family relationships; may place children at greater risk; may stigmatise those already at the margins of society and may add to the financial pressures on families.

Furthermore, in a study of two parenting projects on Merseyside (Goldson and Jamieson, 2002) parents asked about their views on parenting orders asserted that mandatory participation on the basis of a court order was based on an unrealistic conception of a parent's ability to control teenage children. They believed that punishing parents through orders (and potentially the family as a whole through the use of fines or imprisonment if breach proceedings were implemented), was unfair and unjust. By contrast, they believed that voluntary participation in parenting projects facilitated openness and positive changes and achievements.

The limitations of 'community as a moral resource' discourse

Ostensibly, the prioritisation of the 'community as a moral resource' within youth justice testifies to the government's faith in communities' capacities to positively contribute to the administration of youth justice and the rehabilitation and reintegration of young offenders. However, a series of reservations have been raised regarding New Labour's prioritisation of this discourse. In respect of restorative justice, Crawford and Newburn (2002: 491-493) observe that concerns in relation to the swift administration of justice, cost reductions, and output and outcome measures are likely to encourage greater formalisation, centralisation and professionalisation in respect of youth justice which, in turn, may undermine the community as a 'moral resource' principle inherent to restorative justice. For example, not only do such concerns have the potential to militate against the involvement of lay community representatives in restorative justice processes but in allowing little space for

the human, expressive or emotive aspects of restorative justice they also downplay the import of all party involvement and risk marginalising the reparative and deliberative elements of the process (*ibid.*).

The fact that restorative justice is largely focussed upon entry level and low tariff offenders, as opposed to their more criminally embedded counterparts, is also open to question. For example, McIvor's (2004) review of evidence suggests that restorative justice has proved more effective with offenders convicted of serious offences than with less serious 'young offenders', in terms of reducing both the frequency and the seriousness of recidivism. While Smith (2003), expresses concern that restorative justice is being implemented 'under the shadow of the court where a considerable array of sanctions await 'failure', and where the tariff insists that it can only be invoked once at a particular point in the young person's offending career' (Smith, 2003: 73).

Likewise the emphasis on reparation and young people's individual responsibilities and obligations to the victim, the community and society in general is in stark contrast to the more enlightened and progressive practices elsewhere. For example, the individual welfare needs of the child - as opposed to their deeds - provide the prime focus of decision-making and interventions within the Scottish Children's Hearings System (Martin, Fox & Murray, 1981; McGhee, Waterhouse & Whyte, 1996). That said, recent concerns regarding the effectiveness of Scotland's non-criminal justice system of diversion to deal effectively with persistent young offenders, particularly those aged 15-17 years, has prompted proposals to introduce youth courts and electronic tagging and community service for children under-16. Whyte (2003: 74) suggests that such developments may 'reflect the beginning of a shift away from the traditional and longstanding adherence to welfare principles in dealing with offending young people in Scotland'. Nevertheless, on reflecting on the principles informing the operation of YOPS and Children Hearings Whyte (2000: 187) observes 'that attempting to define young people in criminal terms alone is an

ineffective form of classification with limited predictive validity in terms of getting positive results’.

With respect to parenting intervention the implicit assumption is that given appropriate opportunities and help parents will have enhanced capacity to contribute to the pursuit of ‘community as a moral resource’. However, it is also widely recognised that the impact of poverty, deprivation and disadvantage, which characterise high crime areas, are likely to have undermined parents’ abilities to respond positively to the problems of crime and crime control. Overall, Crawford (1998: 244) observes that there has been little consideration of the place of individual communities in the wider political economy and how this might sustain crime or undermine the efforts of communities to regulate problematic behaviour. Crawford (*ibid.*: 243) argues that without substantial redistribution of resources to these poorer communities the problems will not be resolved and the danger is that the notion of a ‘pathological community’ becomes further inscribed in public policy.

Community as a ‘Moral Claimant’

The third and final area in which communitarian influences are apparent is in the array of civil and criminal orders to address the anti-social and criminal behaviour of children, which constitute New Labour’s construction of the community as ‘a moral claimant’. Hudson (2003: 83) argues that this discourse of community as a ‘moral entity, as potential victim, as a legitimate claimant for protection’ is inherent to communitarian and New Labour’s criminal justice discourses. Herein the view that crime and disorder represent threats to community is to the fore. If an individual fails to live up to their responsibilities to the community the community has a role to demand that they should, and where an individual persists in their ‘anti-social’ or criminal behaviour ultimately the only option will be to exclude them from the community.

This viewpoint is reflected in Jack Straw's Frank Dawby Memorial lecture in 1998 in which he asserts: 'people who persist in criminal behaviour will put themselves beyond the pale' (1998: 55). In addition to criminal activities, Hudson (2003: 82) notes that a wide range of activities and behaviours may fall under the ambit of what a community views as threatening or constituting potential harm, and these may include littering, dog fouling, skateboarding, kids hanging about, and most recently concerns with respect to binge drinking and smoking in public spaces. Indeed, New Labour has clearly signalled its intention to focus on young people's deeds and to be tough on youth crime and so Pitts (2003: 92) argues that youth justice policies have accorded greater priority to considerations of 'responsibility, culpability and retribution'. These considerations are apparent in crime prevention and early intervention strategies, the introduction of a range of new orders and the increasing reliance on the secure estate.

Crime prevention and early intervention strategies

The notion of community as a 'moral claimant' is evident in New Labour's continued preoccupation with a range of crime prevention and early intervention strategies which strive to maintain standards of behaviour and protect communities from the troublesome and criminal behaviour of young people. Indeed, the range of informal and formal pre-emptive interventions introduced by New Labour over recent years have served to include children previously beyond the reach of the criminal justice and child protection systems (*ibid.*). For example, the 'On Track' initiative was launched in December 1999 to provide preventative interventions for children aged four and 12 years such as home visiting, structured pre-school education and family therapy (Children and Young Person's Unit, 2002); the Youth Inclusion Programme, launched in 2000, targets the 50 young people (13 to 16 years) at greatest risk of offending in the highest crime areas in England and Wales in order to incorporate them into activities with other young people, including sport, after-school clubs, informal education and social skills; and the Splash Programme was initiated

by the Youth Justice Board in 2000 to provide activities in the summer holiday period for young people deemed 'at risk' of offending (Smith, 2003).

A range of new civil orders and powers has accompanied these targeted crime prevention programmes. A Community Safety Order (CSO) may be applied to any child under 10 years who has committed an offence, breached a child curfew or caused harassment, distress or alarm to others and may serve to place the child under the supervision of a Social Worker or YOT Worker for a period of up to 12 months (Muncie, 2004). Seemingly, in response to the fact that not one local authority had applied for a curfew the scope of the original provisions of the 1998 Crime and Disorder Act with respect to Local Child Curfews (LCC) was extended by the 2001 Criminal Justice and Police Act, (Walsh, 2002). Consequently the local chief officer of the police, alongside the local authority, can apply to the Home Secretary for a LCC where children under 16 years (previously under 10 years), are causing alarm or distress to others living in a particular area (Walsh, 2002). An Anti-social Behaviour Order (ASBO) can be applied for by the police and/or a local authority to impose prohibitions on an individual deemed to have behaved in a way that causes or is likely to cause harassment, alarm or distress (Burney, 2005). Non-compliance can result in prosecution and the possibility of five year's imprisonment.

From a communitarian perspective addressing 'troublesome' and 'anti-social' behaviours may have beneficial effects for community safety and social cohesion. However, while ostensibly all these civil orders have been introduced on the basis of child protection and welfare grounds the fact that these powers and orders do not necessarily require prosecution or indeed the commission of a criminal offence in order to be implemented has elicited substantial concerns (Muncie, 2004).

Muncie (2004: 238) argues that the paradoxical effect of such measures is to reduce public tolerance of incivilities and increase public fear of young people. Indeed, commenting

with respect to curfews Walsh (2002: 73) suggests that their very existence will feed 'public fear and paranoia about crime' and prove 'extremely damaging'. A viewpoint which is supported by findings in relation to the Child Safety Initiative in Hamilton, regarding which Waiton (2001: 93) argues 'it is possible that by highlighting the 'need' for a curfew the prejudices that many adults have of young people on their estates will be reinforced – resulting in greater fear and a fall in the number of adults who are prepared to make contact with these young people' (2001: 93). Overall, Walsh (2002: 77) asserts that the use of the LCC legislation seriously 'transgresses' the rights and 'curtails the freedoms' of young people, a situation she views as unacceptable 'by virtue of the fact that there is no evidence that the existence of curfews will have any effect on crime rates.' (*ibid.*).

In addition to concerns regarding a community's likely orientation towards young people who engage in 'anti-social' and/or criminal behaviour, the use of early and pre-emptive strategies also elicit serious concerns in respect of 'wider, stronger and different' nets of youth justice (Austin and Krisberg, 1981, Cohen, 1985). Cohen's (1985: 363-364) 'dispersal of discipline' thesis contends that as crime control strategies are increasingly dispersed into the community they penetrate more deeply into the social fabric where the net impact of community alternatives to crime prevention is that 'petty or "potential" offenders are subject to more intrusive and disguised control in the name of diversion or prevention'.

ASBOs in particular are characterised as a reactive and punitive strategy that Brown (2004: 210) describes as a 'means by which one part of the State asserts the right to use force in the absence of "effective" action by the police and prosecutors and the criminal justice system'. The ASBO has been critiqued with respect to the power it gives to local officials to criminalise conduct; its 'inappropriately low standards of proof' and the fact it can be made without the defendant being heard (Jones, 2002a: 19). Of particular concern

is the fact that the ASBO may serve to introduce criminal measures through the 'back door' (Crawford, 1998a: 241), a concern that seems justified in view of the fact that nearly 50 receptions each month into Young Offender Institutions, in the first quarter of 2005, were as a result of ASBO breaches (Burney, 2005: 5). Overall, Jones (2002a: 19) asserts that ASBOs are contradictory to New Labour's plans to reduce social exclusion, while Brown (2004: 210) suggests that the targeting of 'anti-social' behaviour within official discourse and by means of the legislative measures serves to construct 'new routes of exclusion'. In particular, for those individuals already marginalised within society (*ibid.*) and those with 'unconventional lifestyles' (Jones, 2002a: 19).

A further danger associated with this increasing scrutiny and targeting of young people for such interventions is that if they later progress to committing offences and proceed through the attendant formal processing they will be viewed as having already failed elsewhere in the system (Muncie, 2004: 243). Hill and Wright (2003: 290) argue that the paradoxical effect of drawing more young people into the youth justice system is to ensure the 'further marginalisation and alienation of youth, to further fuel the association of youth and crime and ultimately to outlaw youth from the community'.

'Tough on crime' intervention and orders

These early and pre-emptive strategies have been complemented by the introduction of a range of punitive interventions and orders, which ostensibly not only provide protection for the community but also demonstrate 'the community's' intolerance of disorder and crime. The government's intolerance of youth crime is demonstrated by an emphasis on utilising 'stigma' as a deterrent strategy whereby young offenders are brought before the courts earlier and more swiftly and the anonymity traditionally afforded young offenders may be waived if the magistrate deems this to be in the public interest (Pitts, 2003: 92). Thus the previous - and successful (Goldson 2000) - practice of police cautioning which

diverted young people out of the criminal justice system has been replaced by a formalised system of reprimands and a final warning. Absolute and Conditional Discharges - which previously accounted for 28% of all juvenile cases - have been replaced by the Referral Order whereby first-time offenders found guilty at court are referred to a Youth Offender Panel which, as previously discussed, comprises of professional and lay members who will determine the nature of penalty to be imposed and the type of programme a young person should undergo (Pitts, 2003).

Intolerance towards more serious and 'persistent offenders' is demonstrated in the increasingly tight schedules for dealing with cases to fast-track these offenders through the system, and in progressively tough community disposals including the use of additional conditions such as 'intensive supervision and surveillance' (ISSP) which was launched in June 2001. An ISSP can be utilised as an additional requirement to 'supervision orders' (SO), 'community rehabilitation orders' (CRO), the community part of 'detention and training orders' (DTTO) and as bail conditions. It involves at least 25 hour's intensive contact time for the first three months of the programme, which continues thereafter at reduced intensity, and the surveillance of offenders through tracking, electronic tagging, voice verification or intelligence led policing (Smith, 2003).

This hardening of community penalties as a means of addressing youth crime has also elicited concerns regarding net widening. Smith (2001: 27) observes that the likely consequence of strategies to speed up the judicial process is the 'rapid acceleration of young people up the tariff of penal sanctions'. For example, research on the pre-court work of Northamptonshire YOT - cited by the Audit Commission as an exemplar of good practice - estimated that the use of final warnings compared to the local 'caution plus' scheme increased the number of young people prosecuted by 22% and the number of pre-court referrals by 13% (Kemp *et al.*, 2002). In view of this projected 35% increase in the YOT's caseload Kemp *et al.* (*ibid.*: 12) conclude that it is 'beneficial wherever possible to

divert young offenders from prosecution'. Furthermore, Pitts (2003) cites evidence from a scheme in Denmark which closely resembles the implementation of Referral Orders in England and Wales, and suggests that the practice of breaching young people for failure to attend one session of their agreed Referral Order contract is likely to result in increasing numbers of young people reappearing in court.

Despite the government's faith in these new, improved and 'evidence-based' community orders, Pitts (2003: 93) argues that the policy that a community penalty can only be imposed on two occasions is also likely to accelerate many young people's progress to imprisonment, particularly as 50 per cent of young people sentenced to community penalties reoffend. Indeed, reoffending and failure to comply with community penalties will not only lead to young people proceeding further into the machinery of youth justice; it will also result in their 'becoming known ever more exclusively by the label of young 'offender' and becoming progressively isolated from the mainstream and normality' (Smith, 2001: 27). As Goldson (2000: 43) argues, interactionist, labelling and social reaction theorists (Becker, 1963; Lemert 1951; 1967; Matza, 1964,1969) have warned that interventionist strategies, especially in the form of prosecutions and court appearances, serve to confirm delinquent identities.

This issue of the 'othering' and 'criminalising' of young people is one that shall be explored in more detail with respect to the empirical findings of this study. The analysis of the repercussions of the 'community as a moral claimant' discourse – in terms of how young offenders view themselves and their relationship to the community - is presented in chapter six

The increasing reliance on the secure estate

The final and inevitable pinnacle of the community as a 'moral claimant' discourse is of course, the incarceration of those children and young people who commit serious crime or who offend on a persistent basis. Indeed, against the backdrop of a steadily falling crime rate, from 1994 onwards, Pitts (2003: 95) observes that in Spring 2002 more children and young people were being locked up than at any time since 1908 when the youth justice system was brought into being and more than any other Western European country. Although the numbers of 10-17 year olds being remanded or sentenced was subsequently reduced (Youth Justice Board, 2003), the first three months of 2004 witnessed a 10 per cent rise in the numbers of children in custody, following a 15-month trend of reducing numbers (Youth Justice Board, 2004a; Morgan, 2005).

Notwithstanding entreaties from the outgoing Chair of the Youth Justice Board, Lord Warner, for an increased use of intensive community penalties and greater use of electronic tagging and other developments in new technology (*ibid.*), Pitts (2003) argues that government policies and directives demonstrate its continued commitment to penal incapacitation. For example, the Youth Court powers to remand children and young people directly into secure and penal establishments have been extended. Thus in Spring 1998 the Home Secretary observed 'prisons are a demand led service; if the courts want to impose custodial sentences, it is my job to provide the cells'; 'de facto one strike' breach conditions were introduced by the Criminal Justice and Court Services Bill, 2000; a 'three strikes' sentencing strategy for repeat juvenile offenders was introduced in June 2001; and the government is committed to providing 400 additional secure training centre places (Pitts, 2003: 94).

Garland (2001a) observes that no credible European or American criminologist is prepared to defend imprisonment on any grounds aside from their capacity to offer temporary

containment and incapacitation. Indeed, the problems associated with sending young people to secure and custodial institutions are multiple and manifest. These include risks in respect of bullying; intimidation; theft, extortion and robbery; physical and/or sexual assault; emotional and psychological abuse; drug use; and a greater propensity to self-harm or even suicide (Goldson and Peters, 2000). Additionally, the separation from family, friends, home and community entailed by entry into a secure or custodial setting is likely to result in strained family relationships; disrupted education; the reinforcement of negative behavioural traits; the fuelling of anger and alienation, and the attendant risks of institutionalisation and stigma (*ibid.*). As such Goldson (2002a: 160) concludes 'to lock up a vulnerable child is a sign of failure. To lock up the number of children we do in England and Wales is failure in the extreme'.

As such, Pitts (2003a) argues that the incarceration of children and young people is likely to jeopardise their re-entry into formal education or training on release and hence seriously undermines future job prospects. Furthermore, attempts to address offending behaviour and facilitate rehabilitation are routinely undermined by institutional subcultures (*ibid.*). Subsequently, reconviction rates are higher (Goldson and Peters, 2000: 26, Pitts, 2003a: 11). A recent submission by the Prison Reform Trust (2003) to the Home Affairs Select Committee on the Rehabilitation of Offenders reported that two years after discharge 74 per cent of young male offenders were reconvicted compared to 59 per cent of all prisoners.

Overall it appears that exclusion from the community in which they live via a custodial sentence or remand may not only further embed a young person's criminal identity but also have detrimental impacts on the young person's relationships to the very institutions of community, which New Labour and communitarian discourses valorise as a means to secure greater social cohesion within society. As Crowley's (1998: 59) study of children who were potential candidates for Secure Training Orders concludes:

The exclusion of children from normative influences of home, school and youth club can reinforce delinquency. Children and young people find it difficult to invest in and conform to social norms if they are denied access to the accepted ways of achieving them within that society. At a national level and in a range of government policy areas there is a need to consider practical ways of attaching value and incentive to the integration, rather than the exclusion, of disadvantaged young people.

The hazards of the 'community as a moral claimant' discourse

Underlying New Labour's commitment to the 'community as moral claimant' discourse is the recognition that community moral resources will not always be sufficient to prevent, address or resolve offending behaviour and that such behaviour, in turn, represents a threat to community. Inevitably the perceived need for protection from, and the exclusion, of young 'miscreants' promotes an intolerance of youth crime and troublesome behaviour and undermines the relationship between the young person and the 'law-abiding' community. In turn, exclusionary and punitive responses fail to address the many causal factors implicit in youth crime while offenders' experiences of custody and exclusion may exacerbate the severity and extent of their offending on their eventual return to the community. In these circumstances a return to the 'community as a moral resource' is difficult to envisage.

Accordingly, Hudson (2003: 107) argues that the danger of applying value communitarian ideas to the issue of criminal justice is that 'the rights and responsibilities are seen flowing in just one direction: towards the community' and she concludes 'communitarianism, in the version that appears to underpin the policies of present and recent governments in the UK and USA, certainly sees responsibility as a one-way street'. The equity and fairness of

this particular policy drift is all the more problematic given that, as noted earlier, young offenders by definition do not share the same citizenship rights as adults within their communities (James and James, 2001).

Conclusion: Whither Community?

Communitarian objectives in relation to law and order do not appear to be able to deliver on regenerating a spirit of community which is tolerant, inclusive, and which distributes rights to, and resources for, freedom and security equitably. In the risk society sense of community appears to be a narrow vision, and to be something which is easiest to realise in communities that are already strong and united. Crime is a divisive, not a unifying phenomenon, and for a community to come together on crime and disorder involves deciding who to exclude, who to include, who to protect and who to control. (Hudson, 2003: 90-91)

This chapter has sought to address the research question posed with regard to the assumptions about, and constructions, of community which underlie youth justice interventions. As the above quotation illustrates, reservations have been raised regarding the desirability of community as a focus for crime control strategies. It appears that in its pursuit of a politics of the Third Way, to which 'value communitarian' ideas have proved central, New Labour's vision and conception of community is essentially narrow and constrained.

Indeed, the government's social and criminal justice policies in relation to children and young people have demonstrated a willingness to define, legislate and sanction with respect to the responsibilities and obligations viewed as fundamental to the membership rights of the law-abiding community. This is demonstrated in the construction of a 'one

nation, one community' discourse with strong – even punishable - ideas about the community duties individuals should live up to, for example in terms of the place and shape of family relationships, parental responsibilities to children and acceptable behaviour in public and private spaces (Driver and Martell, 1997: 36). It is also apparent in New Labour's emphasis on the responsibilities and obligations of citizenship which has not only induced conservative agendas in a range of policy areas including the family, parenting, education, employment and training, social destitution, and youth crime (*ibid.*: 38), but also elicited the use of statute to define the responsibilities and obligations deemed reciprocal to the rights enjoyed through citizenship (*ibid.*: 40).

Furthermore, New Labour's commitment to strong moral values as the key to social cohesion is abundantly demonstrated in their willingness to enforce personal moral responsibility through a range of legislation and sanctions focussed on issues such as 'anti-social' behaviour and parenting and crime (*ibid.*: 41-43). Thus as Driver and Martell (1999) have argued, New Labour's commitment to community appears to be ethically conformist, conditional, conservative, prescriptive, moral and individualistic, wherein opportunities, support and community empowerment are underpinned by series of coercive measures.

While this discussion and analysis ultimately presents a pessimistic view of the influence of Third Way politics and communitarianism, commentators argue that the history of youth justice (Muncie, 2004) and contemporary practices (Burnett and Appleton, 2003) suggest that more optimistic outcomes may be forthcoming. Muncie (2004: 275) argues that the history of youth justice is a 'history of active and passive resistance' where the 'translation of policy into practice depends on how it is visioned and reworked (or made to work) by those empowered to put it into practice'. Thus, Muncie (*ibid.*) asserts challenges to managerial and punitive imperatives are apparent in: the haphazard implementation of national legislation and youth justice standards in different localities; the decision by the

Welsh assembly to locate youth justice services in the portfolio of Health and Social Services as opposed to Crime Prevention, and in the continuing disparities between courts in the sentencing of young people to custody (*ibid.*).

Furthermore, as a result of their research in respect of Oxfordshire YOT, Burnett and Appleton (2004: 49) support a more benevolent interpretation of the Labour government's youth justice reforms, arguing that youth justice personnel 'would be outraged by the possibility that they are merely contributing to a policy of punitive social exclusion that disregards the rights of children and young people'. However, Cross *et al's* (2002) report of ongoing ethnographic research in two Welsh YOTs suggests that while youth justice practitioners may perceive themselves to be retaining social work values which treat young offenders 'as children first' (*ibid.*: 154), social work students on placement in these YOTs perceived a 'clear tendency to construct young people as "young offenders" with an emphasis squarely placed on offending' (*ibid.*: 158).

The importance of community to youth justice and the potential for inclusive as well as exclusive outcomes will be further explored within the empirical work undertaken for this study (the empirical analysis is presented in chapters five and six). This work is introduced in the next chapter which outlines the auspices, nature and detail of the empirical work undertaken.

Chapter Four

Studying Community, Young Offenders and Youth Justice

Introduction

The word community seems to have survived unscathed all attempts to question or send up the way in which it is used. It is now heard in contexts which sound as if they are a joke but aren't. The United Nations Security Council is now an International Community. People whose main aim in life is to become wealthy by the labour of others are now called the Business Community. People who police us secretly and unaccountably are the Intelligence Community. (Hardy, 1998: 7, cited in Levitas, 2000: 192).

Hardy's observation highlights the indiscriminate appliance of the term community to a range of phenomena and contexts. In part this reflects the positive connotations associated with the term, which Hardy (*ibid.*) argues, 'enables people to promote shared interests from a position of strength and confidence'. However, it is also likely to reflect the elusive nature of this concept, which is, in turn, demonstrated by the extent of energy, literature and debate elicited with respect to its definition (see discussion in chapter one). Notwithstanding the fact that such characteristics suggest that community is likely to prove an incredibly difficult concept to investigate empirically, the previous chapter has asserted the crucial importance of community to New Labour's youth justice rhetoric and policy and as such I think this makes it an unavoidable research subject.

Within criminology the question of community has been most rigorously and robustly debated in relation to issues of community safety (see discussion in chapter two) and in terms of responses to crime at the local level (Power, 1987, 1997; Taylor, Evans and Frazer, 1996; Walklate and Evans, 1999; Girling, Loader and Sparks, 2000; Hughes and Edwards, 2002). Despite a long history of studying offenders within particular localities and social networks (Shaw and McKay, 1942; Elias and Scotson, 1965; Parker, 1974; Foster, 1990; Campbell, 1993, Holman, 1995, Jones, 2002a) the particular significance of community to the lives and experiences of offenders remains relatively unexplored. As such, this study comprises an attempt to contribute to the criminological exploration of this concept which shall be investigated through the specific lens of youth justice.

Commenting in relation to 'welfare', McIntosh (2003: 31) observes that abstract concepts are often talked about in vague terms which, in turn, raise a host of 'intriguing questions' about how they are conceptualised and understood. In this instance I sought to explore what young offenders and youth justice professionals understood by the term community, if, and in what ways, it informs young people's relations to and dealings with others and if, and in what ways, it informs youth justice practice. By focussing on the experiences of young offenders - a group commonly perceived as threatening to the law-abiding community - this study offers the potential to explore both the inclusive and exclusive aspects of community life and the impact of involvement in the youth justice system upon such experiences.

This chapter provides an account of how the study of these issues was addressed. It outlines the research objectives, methods and ethics and reflects on the difficulties encountered in the conduct of this work and the overall validity of the completed study.

Research objectives

The previous chapter contends that community is central to New Labour's political ideology and that communitarian principles are inherent in contemporary youth justice policy. On the one hand the championing of 'community as a moral resource' (Hudson, 2003) 'offers the prospect of low price options for softening conflicts, producing harmony, trust and obedience to rules and identification with fellow citizens' (Jordan, 1996: 21). While on the other the 'community as a moral claimant' (Hudson, 2003) discourse prioritises law-abiding citizens' rights to demand protection from crime and the punishment and exclusion of those who offend. In both instances the offender is viewed as problematic and to greater or lesser extent is perceived as a threat to community. The development of the empirical work for this study draws upon how such concerns have variously been addressed within the criminological literature.

Criminology and the question of community

Prevalent within the criminological literature is the view that community has a positive impact with respect to crime so that, as Crawford (1997, 1998) observes, more community is believed to result in less crime. This idea has been translated into a range of strategies which seek to encourage and enhance communities' capacities for informal social control. These include strategies to promote and support community infrastructures and members' participation in community life and crime control, such as the Chicago Area Project (Shaw and McKay, 1969) and the Priority Estates Project (Hope 1995); strategies to promote residents' surveillance of the environment, for example by means of Neighbourhood Watch (Bennett 1989, 1990; McConville and Shepherd. 1992); or environmental design (Newman, 1973; Coleman, 1985; Wilson and Kelling, 1982); and even responsabilisation strategies which not only encourage

individuals (and organisations) to become more active with respect to risk management (Garland, 2001; Loader and Sparks, 2002), but also with respect to involvement in community politics, organisations and activities (Etzioni 1995; Putnam, 2001) and the administration of justice (Braithwaite, 1989).

Underlying the promotion of these various strategies is, of course, the recognition that those 'communities' which are particularly vulnerable to crime and victimisation, are often far from cohesive but, rather, fragmented along lines of age, race, gender, economic activity and criminal involvement (Smith, 1995). Their characteristics ensure that attempts to facilitate and enhance communities' informal social controls will prove incredibly difficult (Hope, 1995; Smith 1995; Crawford, 1998). Overall, such concerns raise questions regarding whether community is a significant feature of contemporary life, how community is understood and experienced and whether, and in what circumstances, community can contribute to crime prevention and control.

Community is also considered an essential element to criminal justice interventions. In combination with a range of other principles the 'What Works' literature emphasises the importance of utilising community-based settings for the delivery of effective criminal justice interventions (McGuire, 1995, 2002; Raynor, 1996, 2004). Hence, while practitioners' efforts are concentrated on addressing criminogenic risk and recidivism it is assumed that the community setting will provide 'opportunities for involvement and participation in pro-social activities, relationships and employment' (Chapman & Hough, 1998: 7), which, in the event of an offender's desistance will facilitate their reintegration to society. However, Spencer and Deakin (2004) argue that the potential for offenders to become integrated into 'law abiding' activities and networks is effectively undermined by the fact that many offenders' lives are characterised by long-term poverty, social exclusion and personal biographies that include

high levels of abuse. Thus, such concerns raise questions regarding the resonance of community to criminal justice interventions and to the rehabilitation and social inclusion of offenders.

By contrast a loss of faith in communities' capacities and the rehabilitative strategies permeates Garland's (2001: 184) assertion of the 'criminology of the other' (discussed in chapter two). Herein Garland (*ibid.*) argues that crime has become a spectacle, which serves to emphasise the failure of the state, the penal system and society in general to uphold law and order or to maintain respect for authority. As such, questions of law and order are characterised by a perpetual sense of crisis and ever more punitive solutions serve as a means of reassuring 'law-abiding' citizens that something is being done about the problem of crime. Garland (2001: 196) argues that such approaches to questions of social order and crime control are likely to impact disproportionately on the most disadvantaged groups in society, that is 'the urban poor, welfare claimants, and minority communities'. Furthermore, in her analysis of punishment in the community Worrall (1997: 89) asserts that the pursuit of a reactionary penalty based on control, condemnation and confinement, with little consideration for questions of offenders' welfare or rehabilitation, is likely to promote criminal embeddedness. Hence, questions are raised regarding the relationship between the offender and the community and the implications this may have for preventing and controlling criminality.

The elusive and promiscuous nature of community underlies its appeal for policy purposes. However the various and, at times, contradictory manner in which it is asserted within criminology and criminal justice discourse raises questions regarding how community is conceptualised and experienced, in this instance by young offenders and the youth justice practitioners working with them. My expectation was that in talking to young offenders and

youth justice practitioners about community their responses would also prove vague and contradictory. Getting a sense of how they talk about and relate to community, however, would provide some indication of its appropriateness as a conceptual focus within youth justice policy.

The research questions

The empirical work undertaken for this study therefore comprises an attempt to address the following research questions:

- to explore how young offenders understand and experience community;
- to explore the nature of the relationship, if any, between young offenders and their communities;
- to explore the resonance of community to youth justice interventions with young offenders;
- to explore if, and how, community contributes to the control and prevention of offending from the perspective of young offenders and youth justice practitioners; and
- to explore if and how community contributes to the rehabilitation and social inclusion of offenders from the perspective of young offenders and youth justice practitioners.

A secondary concern within the study was also to investigate whether these findings differed with respect to the gender and age of the young offender and the relative tariff of the sentence to which they were subject.

Research methods

Henwood and Pidgeon (1997: 14) observe that the choice between quantitative and qualitative approaches comprises more than a choice regarding method alone, but rather also reflects considerations of what 'constitutes legitimate inquiry and warrantable knowledge'. Quantitative approaches are characterised by a 'realist ontology' with an emphasis on cause and effect, and thus the prioritisation of 'experimental, positivist and hypothetical-deductive' approaches to empirical study (*ibid*: 15). By contrast, qualitative approaches are characterised by an 'interpretative' paradigm that rejects the imposition of *a priori* theory, but instead emphasises naturalistic, contextual and inductive approaches to understanding society and human activity (*ibid.*). Denzin and Lincoln (1998: 3) assert that 'qualitative researchers study things in their natural settings, attempting to make sense of, or interpret, phenomena in terms of the meanings people bring to them'.

As outlined above this study seeks to explore the resonance of community within the everyday contexts and complexities of the lives of young offenders and with respect to the professional practices of youth justice workers. The concern was to 'document the world from the point of view of the people studied' (Hammersley, 1992: 165) and to focus upon individuals' 'understandings and interpretations of their social environments' (May, 2001: 26). As such a qualitative approach was judged both necessary and suitable given the concern to elicit rich descriptive accounts of and insights in relation to respondents' definitions, understandings, perspectives and experiences with respect to community.

To access these accounts my aim was to conduct 'conversations with a purpose' (Burgess, 1984: 102) by means of semi-structured interviews. The use of semi-structured interviews allowed me to be fairly informal with respect to my interactions within the interview context.

This approach allowed me to probe beyond the answers given and to facilitate a dialogue with interviewees, while at the same time providing the necessary structure to address a range of issues and to facilitate comparisons between respondents.

A common approach when undertaking criminological research which focuses on community is to undertake a locality-based study (Walklate and Evans 1999; Girling *et al.*, 2000). Notwithstanding the fact that the terms locality and community are often utilised interchangeably within policy and practice discourses across a range of public services, I have tried to avoid imposing a particular definition of community within the interview schedules but rather to explore what meanings and understandings respondents associate with the term.

That said, my involvement in a previous study in Scotland which investigated young people's understandings and experiences of community suggested that respondents might have difficulties relating to questions on this issue given the abstract nature of the concept (Jamieson *et al.*, 1999). I therefore approached the issue in two ways. Drawing on the definitions of community discussed in chapter one I asked a range of questions relating to young peoples' views and experiences of the 'key' characteristics often associated with communal life, that is locality, social relationships, social networks and the community institutions, organisations and activities and how and in what ways these experiences impacted on offending behaviour. I then asked 'what do you see as your community?' and asked a number of questions which sought to elicit the likely impact of their status as offenders to their community experiences. Finally, I asked a range of questions relating to their supervision by the YOT and the relative import of the community context to this experience (appendix one).

Involvement in the Scottish study (*ibid.*) also suggested that children and young people could not only answer the types of questions I wanted to pose but also enjoyed being asked their

opinions about issues which impacted upon their lives (see Roberts, 2000). The Scottish study (*ibid.*) also highlighted the importance of keeping the interviews with children and young people as relaxed and informal as possible.

The interview schedules

The interview schedule for young people was piloted with two 'volunteers', aged 14 years and 17 years respectively, who were clients of one of the projects I was employed to evaluate. It was slightly amended and refined following these pilot interviews and the resulting schedule is presented in appendix one. Specifically the interviews addressed the young person's current living, educational or employment status; their views on the localities within which they live; the nature and extent of their use of resources and facilities within this locality; their views on the nature of their relationships with family and friends; the nature and extent of their offending behaviour; the extent to which the adult and peer relationships and the responsibilities and activities they had identified as important aspects of their lives impacted on their offending; their experiences of YOT supervision and whether this had impacted on their offending; and, finally, the impact of their offender status (if known) on their relationship to their community.

A more direct approach regarding the resonance of community was employed in the interviews with practitioners (appendix two). Thus at the beginning of each interview practitioners were asked 'how do you understand the term community?' Then a series of questions asked them to reflect on the community context within which they worked; the likely nature of the relationship between YOT clients and their communities, the relevance of community in the supervision of young offenders; and finally the value and relevance of community to the success or failure of youth justice interventions and to the likely rehabilitation and social inclusion of young offenders.

All interviewees consented to the interviews being tape-recorded. This allowed me to concentrate on the conduct of the interviews and the issues being discussed without having to take copious notes. Furthermore, this process facilitated the employment of what Seale (1999: 148) refers to as 'low inference descriptors' which in turn promotes the reliability of the interview material. That is, it enabled the full transcription of interview tapes and in turn the presentation of verbatim accounts of what respondents actually said as opposed to my reconstitutions or attempts to provide a general sense of what a person had recounted.

Research access

In March 2001 I informally approached three YOT Managers in Merseyside regarding the possibility of undertaking interviews with a sample of their clients and practitioners for the purposes of the empirical work for this study. At this juncture I had been working with the YOTS for twelve months. I had obtained the police and social services checks necessary for working within this context and I had developed good working relations with YOT personnel across a range of locations and activities. The YOT Managers were encouraging regarding the research, and formal requests for research access were submitted to all three YOTS (appendices three and four). After due consideration by the relevant management committees formal research access was finalised by the end of June 2001.

This was followed by presentations to a variety of YOT Teams in all three local authority areas in which I informed them of the research objectives, methods and proposed respondents. Prior to each of these presentations I forwarded to the relevant team managers the research proposal, the interview schedules and letters for children and parents (appendices one, two, three and four) The latter were to be utilised in those instances where young people were less than 16 years of age. These documents were provided in advance to enable practitioners to

raise any concerns, issues or questions they had with respect to the research or its conduct at the presentation. Overall, the presentations ran smoothly and practitioners reported their willingness to talk to their clients about the study with a view to engendering their participation and to potentially being interviewed themselves. By the end of June 2001 I was in position to start identifying a sample of young people for interview purposes.

The selection of young people for interview

Glesne (1999) observes that qualitative research aims to add to the understanding and knowledge of issues and phenomenon rather than to produce generalisable conclusions. As such, qualitative researchers tend to identify cases on a purposeful basis which involves making theoretically informed decisions regarding the cases to be included in the research study (Pole and Lampard, 2002). Given that this study sought to explore views and experiences in relation to community from the perspective of young offenders the primary requirement for inclusion in the study was that young people had been formally processed through the youth justice system.

Previous research has suggested that gender differences are discernable with respect to young people's attitudes and orientations towards their communities (Campbell, 1993; Jamieson *et al.*, 1999) and hence a related concern of the study was to include both male and female respondents. Furthermore, on the basis that it was considered likely that the severity and persistence of young people's offending would have repercussions for their inclusion or sense of 'belonging' to their communities, the aim was to include offenders subject to a range of orders across the sentencing tariff¹. Finally, given that young people's propensity to offend

¹ Referral orders were not included within the auspices of the research study given that these orders were being developed and implemented after the fieldwork was already in process.

varies according to age (Rutherford, 1986) there was also a concern to ensure a diversity of ages within the final sample.

In the first instance administrative staff from two of the participating YOTs² provided an overview of cases referred to the YOT, which were to serve as a framework to identify potential cases for inclusion in the study. This information was derived from the data returns they prepared for submission to the Youth Justice Board. Given the greater number of potential male respondents in all three YOTs I decided the best approach was to target female offenders subject to YOT supervision and then to identify a corresponding sample of male respondents matched in terms of order type and age. The intention was that I would identify suitable cases with respect to considerations of gender, order type and age and then contact the relevant practitioner who had key responsibility for supervising that young person's order. The practitioner would in turn ascertain the young person's willingness to participate in the study and, as appropriate, send a letter seeking parental consent, on an opt-out basis, in those instances where the young person was under 16 years of age (appendix five).

It is worth noting that this process was being undertaken in the aftermath of the Crime and Disorder Act, 1998 and its subsequent reorganisation of the youth justice system in England and Wales. While this context had facilitated my access to undertake the research, it also presented a range of practical difficulties. Overall, this study was being undertaken within a fast-moving youth justice context, which placed numerous demands on youth justice practitioners and managers alike. It was also being undertaken at the same time as a range of evaluative activity being funded by the Youth Justice Board. Practitioners were thus already subject to demands on their time and energies for research purposes, which were probably

² Negotiations regarding access to this information were ongoing with the third YOT but subsequently abandoned given the limited utility of this information for sampling purposes.

viewed as more legitimate than my own. All such considerations were further exacerbated by the fact this study was being conducted on a part-time basis while I was in full-time employment.

Despite YOT workers' best efforts and my attendance at a girls-only outdoor pursuits weekend, the sampling process initially employed proved time-consuming and ultimately unfeasible. In addition to the relatively small numbers of young women being supervised by the YOT, this outcome was exacerbated by the time lags associated first with data input and then with my subsequent identification of suitable respondents. In a number of instances this had meant that orders, particularly low tariff orders, were spent before I had even considered contacting the relevant YOT worker to approach the young person regarding participation in the study. However, the difficulties of securing young people's participation also reflected the fact that the practitioners, who were essentially sponsoring my access to their clients as potential research participants, were undertaking this task in addition to a range of other, more important demands and priorities inherent in their role as youth justice workers.

Indeed, by the end of September 2001 with only 5 interviews (3 female and 2 male respondents) completed it was obvious that a more pragmatic approach to identifying the sample was necessary in order to secure a reasonable number of interviews with young people. That this is a common problem and conclusion with respect to the conduct of qualitative work is reflected in Platt's (1996: 275) observation that: 'frequently methodological choices are steered by quite other considerations [than objectivity], some of a highly practical nature'.

Thus in March 2002 when I had a further period of time to devote to the fieldwork I decided to change tack. At this stage I had been working with the various YOTs as a Researcher for two years across nine different Youth Justice Board funded evaluation projects and as such I was a

fairly familiar figure to the various teams within a range of YOT premises. Therefore I decided to utilise the ongoing and often frequent contact I had with YOT Team Managers and YOT Workers to identify potential respondents for the study.

Despite problems experienced with respect to identifying and eliciting the participation of girls, gender remained a primary consideration in the identification of respondents. I asked practitioners and managers to identify and approach girls they knew were subject to supervision, to ascertain whether they would be willing to be interviewed for the study. If and when interviews were undertaken with female respondents the intention was to utilise the order and age profile of that case, where possible, to inform the identification of potential male respondents.

However, in order to progress the fieldwork I also decided to target male offenders subject to low tariff orders, particularly action plan orders, as the data returns suggested that this was the most likely basis on which girls were subject to YOT supervision. Furthermore, in order to explore the potential influence of serious or persistent involvement in offending behaviour on young people's views and experiences with respect to community. I also decided to interview a sub-sample of young offenders subject to ISSP, irrespective of gender. Finally, to address age considerations I strived to interview young people of a diverse range of ages.

The sample of young people

By August 2002 I had completed 30 interviews with young offenders. As table 4.1 illustrates, interviews had been undertaken with ten female offenders subject to a variety of orders; 12 male offenders subject to a variety of orders; and eight male respondents undertaking an ISSP programme.

Table 4.1: The court orders to which respondents were subject

Court Orders	Number of male respondents	Number of female respondents
Supervision Order	7	3
Action Plan Order	4	6
Intensive Supervision and Surveillance	8	-
Community Rehabilitation and Punishment Order	1	-
Detention and Training Order	-	1
Total	20	10

Table 4.2: Age of respondents by gender

Age in years	Number of male respondents	Number of female respondents
12	1	-
13	2	-
14	3	4
15	5	1
16	2	3
17	7	2
Total	20	10

Table 4.3: Age of respondents by order

Age in Years	ISSP	SO	APO	CRPO	DTO
12	-	1	-	-	-
13	2	-	-	-	-
14	2	1	4	-	-
15	-	2	4	-	-
16	-	1	2	-	1
17	4	5	-	1	-
Total	8	10	10	1	1

To provide greater insight into the characteristics of the young people interviewed a range of contextual data was also collected directly from YOT case records. In brief, all the young people interviewed described themselves as White British. Furthermore, while the majority of respondents were living at home with their parents, at the time of interview, three male respondents were being 'looked after'³ by a local authority and one male and one female respondent were living in supported accommodation (table one, appendix six).

All five of the girls of compulsory school age were in full-time mainstream education while this was only the case for three of the 12 boys in the same situation (table two, appendix six).

³ These three young men were living in children's homes in the care of the local authority.

Of the other male respondents of compulsory school age three were attending a pupil referral unit, three were receiving specialist tuition and three others were excluded and in receipt of no educational provision. The majority of respondents (nine of 13) who had left school at the time of interview were unemployed (six male and two female), while three were participating in training programmes (two male and one female) and one young woman had gained full time employment (table three, appendix six). The relative influences of such characteristics on respondents' relationships with their 'communities' is explored in greater detail in chapter five.

Although the matching process was not undertaken as systematically as had been originally anticipated, as Tables 4.2 and 4.3, illustrate, the resulting sample did contain a sufficient degree of overlap with regard to gender, order and age to allow comparisons to be undertaken between various groupings of interviewees.

Furthermore, the legitimacy of utilising such comparisons is further enhanced by the consideration of YOT case record material with regard to respondents' respective histories of youth justice involvement. This revealed that female interviewees, irrespective of court order, were significantly less likely than their male counterparts to have been subject to any previous court disposals. Indeed, while only five male respondents had no previous criminal justice involvement, in contrast only one female respondent had been subject to a previous court order.

Overall, the extent of previous youth justice involvement was in accordance with the relative tariff of the order to which young people were subject (Tables four-six, appendix six). For example, interviewees who were undertaking an ISSP programme had the most previous involvement in the youth justice system, with an average of eight previous disposals, while

interviewees subject to APOs had the least, with eight of ten respondents having no prior court appearances. Indeed, only two male 17-year-old respondents, both subject to ISSP, had previously served a custodial sentence. Age, however, did not appear to be a particularly notable factor in terms of respondents' records of previous court appearances.

In terms of the offence that had resulted in the court order to which respondents were subject at the time of interview half of all respondents had committed offences of violence against the person. Court orders had also been given in respect of offences involving vehicle theft, theft, robbery, burglary, possession of a Class B drug and public order offences (table seven, appendix six).

A consideration of Youth Justice Board's (2003a) offence seriousness scores, which have been developed for assessment purposes, reveal discernable differences between respondents with respect to court order and to a lesser extent gender (Tables eight to nine, appendix six). Indeed, as would be anticipated, those respondents subject to ISSP were more likely to have relatively high offence serious scores, while those subject to an APO were more likely to have a relatively low score. Generally, female respondents had lower average scores than their male counterparts. Again in this instance age did not appear to be particularly important in terms of respondents' relative offence seriousness score (table ten, appendix six).

Overall, it was decided that this sample of 30 young offenders was of sufficient size and diversity to concentrate on the ongoing transcription and analysis of this data and to proceed with the practitioner interviews.

Selection of practitioners for interview

Given my ongoing involvement with the YOTs as a local evaluator, and for the purposes of this study, eliciting practitioner involvement in the interview process proved relatively straightforward. I wanted the interviews with YOT workers to include a diverse range of perspectives and therefore I approached managers, practitioners with juvenile justice backgrounds and those whose professional background and expertise was relatively new to the youth justice arena.

Between August and September 2002 I undertook 20 interviews with YOT personnel, which included interviews with YOT workers who were directly responsible for the supervision of young people. As a result I was able to gain a counterbalance to the interviews with young people by asking these workers to discuss the specificities of six particular cases and the relative import, or otherwise, of community to the lives and experiences of these young offenders and to the supervisory process from the perspective of their supervising YOT worker.

The sample of practitioners

As table 4.4 illustrates, the final sample of practitioners achieved a degree of diversity within the sample both in terms of position and role within the YOT and in terms of gender profile. Indeed, the practitioners interviewed were drawn from a range of services provided under the auspices of the various YOTs and included representatives who were working in court services, post-court services, restorative justice, youth work services, Intensive Supervision and Surveillance Projects and a day centre. In view of their specific remit to undertake community consultation and outreach activities I also undertook interviews with

representatives from an 'On Track' project, a youth inclusion project (YIP) and from the education/careers services.

Table 4.4: Position and gender of YOT practitioners interviewed

Position	Male	Female
Deputy YOT Manager	2	-
Team Manager	4	-
YOT Worker	3	5
ISSP Worker	1	1
Education/careers worker	2	-
'On track' manager	-	1
'YIP' manager	1	-
Total	13	7

The practitioners interviewed had varying experiences of working in other contexts prior to their current position within the YOT or YOT-related projects. Many had moved into youth justice from a variety of related agencies, including social work, probation, youth work, education and the voluntary sector. Others had attained youth justice positions on completion of a social work or youth and community work qualification. Practitioners' experiences of working within a youth justice context ranged from nine months to 18 years. Half of the practitioners interviewed had worked in youth justice for less than two years while seven respondents were able to draw on in excess of six years' practical experience.

Ethical considerations

The selection of respondents and the conduct of the interviews were of course informed by an array of ethical considerations. Hollway and Jefferson (2001) observe that the consideration of potential ethical issues in the conduct of research is concerned to safeguard the interests, welfare and rights of participants. In this instance the empirical work was conducted in accordance with the ethical guidelines of the British Society of Criminology (2003) and the British Sociological Association (2002) which require that the research participant has full

information regarding the research - for example, why it is being undertaken and how it is likely to be disseminated - in order to provide 'informed consent' regarding their participation and ensure that their consent is 'freely volunteered' (Mason, 1996: 57-58 & Silverman, 2001: 270-1). Subject to consent all the interviews were tape-recorded.

YOT practitioners made the first approach to young people about participation in the study explaining the purpose of the study, that participation would involve my accessing information regarding their involvement in offending from their YOT case records, being interviewed by myself at a location of their choosing, that anything they said would remain confidential and that they would not be identified in any reports of the research. I had prepared a letter to be given to, or sent to, parents to request their consent for those young people who were willing to participate in the research under the age of 16 years (appendix five).

In order to address the issue of parental consent I decided to utilise an 'opt-out' approach. This was a pragmatic decision and one informed by previous research experience which suggested that on those occasions when you do ask potential respondents, or in this case their guardians, to opt into a research project you are unlikely to achieve your sample. In the event the ongoing and often frequent contact practitioners had with parents and guardians meant that YOT practitioners often preferred to seek parental consent directly and verbally rather than using the letter provided for this purpose.

These issues were reiterated with the young people immediately prior to each interview when I would provide an introduction to the interview along the lines of:

I am conducting research on the issues of young people, crime and community. This means that in this interview I'm going to ask you some questions about yourself and

your views on and experiences of a range of different things, like your family, your friends, where you live and your involvement in offending. The interview is likely to last between 30 and 45 minutes. If you don't want to answer a particular question that is OK and you can end the interview at any time. Anything you tell me in the interview will be treated in strictest confidence. For example, I won't speak about what you say in the interview to the YOT staff and your name will not appear in any report of this research.

After the interview I'd also like to find out in a little more detail about your involvement in offending, that is the types of offences you have committed and the sentences you have received, from your YOT case records. So I'd also like to know if you are agreeable for me to have access to this information.

This research is part of a degree course that I am undertaking at the University of Stirling for which I will write a report of the findings. This report will be assessed and published at a later date.

Two young male participants, both subject to APO's, withdrew consent during the course of the interview when the attractions of football and making a table proved preferable to taking part in the research. Neither of these partially completed interviews have been analysed or included in this study, nor did I access their YOT case records.

During the course of the interview prior to addressing the young person's domestic circumstances, lifestyle and offending behaviour I would caution that in the event that they disclosed that they, or someone else, was at risk of or suffering from some sort of harm, be that physical or sexual, then I would discuss with them the best way to take the matter forward but

also that the disclosure of such issues was ultimately something that I would have to report to the appropriate authorities. This issue had been discussed with the YOT managers prior to my embarking on the fieldwork and within each YOT it was agreed that should this issue arise my first contact should be the relevant Deputy or Team Manager.

The fact that I would be interviewing potentially vulnerable young people (Goldson, 1998; Moore, 2002) was to the forefront of my mind when making the practical arrangements for the interviews. Thus to facilitate access to help or advice should any issues or problems arise I only undertook interviews with young people during office hours. All but one of the interviews progressed without raising any cause for concern. However, I terminated one young woman's interview when she became distracted and was obviously upset, and, subject to her consent, I then called in the young women's key worker to talk to her. Fortunately her distress was not related to the interview process or the issues addressed and this interview was completed at a later date without further incident or concern.

While young people were given a choice as to where they were interviewed for this study, in the end all but two were undertaken on YOT premises, often with the young person's key worker within the immediate vicinity. In each of the YOTs I had access to an interview room which ensured the privacy and confidentiality of the interview process. Despite explaining to young people the auspices and purposes of the research, undertaking interviews within YOT premises may have, to an unknown degree, undermined the impartiality of the interview process. For example, the young people may have felt I was connected to or closely aligned to the YOT and thus may have tailored their responses accordingly. That said, there was a high degree of similarity in young people's attitudes towards and responses within the interview regardless of where it was undertaken.

In the two cases where the young person wanted to be interviewed in their own home a YOT Worker met me at the family home to provide an introduction to the young person and their family. In one case a young woman, 16 years old and subject to an Action Plan Order, was interviewed at home in the presence of her mother. This young woman was very unconfident and asked her mother to stay in the room during the interview to give her some support. Inevitably the mother's presence impacted on the interview process, however in this case I think in a very positive sense. The mother would encourage her daughter to talk about things she obviously felt uncomfortable discussing, most notably the circumstances surrounding her offence, and would often interject to reiterate her daughter's account of events, views or experiences. When it came to discussing the young woman's views and experiences of her home circumstances and family relationships the mother judiciously left the room to make tea, allowing her daughter to talk more freely.

In the other case a young man, aged 14 years and subject to an action plan order, was interviewed in a local café at his suggestion when it became obvious that the confidentiality that he associated with the interview process was not going to be achieved in the family home. Again, while not the ideal environment for the purposes of the privacy and confidentiality of the interview process this was a quiet space and one in which the young person felt comfortable and able to engage with the interview process.

As many of the practitioners interviewed for the purposes of the study had acted as gatekeepers in terms of identifying young people for inclusion in the study their familiarity with the study and the issues I was addressing with young people facilitated their 'informed consent' to participate in the study. They also received assurances regarding confidentiality and anonymity within any reports of the study.

Mason (1996) observes that ethical considerations do not only apply to the conduct of research but should also be considered with respect to the analysis and presentation of findings to a wider audience. Hence Hollway and Jefferson (2001) argue that a fundamental ethical guiding principle to ensure participant's confidentiality is to render interview material anonymous. Therefore, in order to protect the confidentiality of respondents I have decided not to identify the YOTs that facilitated and participated in the conduct of this study. I have also tried to minimise the potential for extracts from transcripts to be attributed to individuals by anonymising all records and reports of interview material and changing specific details where I thought this necessary to protect an individual's identity.

The analysis

On completion of interviews with young offenders and youth justice practitioners the transcription of this material proved to be the first process of data analysis, insofar as it facilitated my familiarity with the interview material. Due to considerations of time and the fact that the sample was relatively small and manageable, I decided not to utilise an analysis programme for coding the data but rather to utilise traditional cut-and-paste methods, albeit within a word processing programme.

Qualitative research valorises the understandings and interpretations individuals bring to their social worlds (Denzin and Lincoln, 1998; Hammersley, 1992; May 2001) and so each individual interview was systematically coded and analysed. In the first instance this involved the simple process of collating the answers and related discussions with respect to each of the questions posed in the interview schedule (appendices one and two). This data was then subject to further scrutiny in order to identify common and divergent themes and issues, which in turn were explored across the data set as a whole.

As Henwood and Pidgeon (1997: 26) recognise, comparison between different cases is a useful device for challenging initial assumptions and categories and for modifying and elaborating theory where necessary. In this instance the analysis of young peoples' interviews involved comparisons between male and female respondents, offenders subject to low tariff and high tariff orders and between respondents of various ages. Comparisons were also undertaken with respect to the accounts offered by the young offenders and the practitioners.

As the presentation of the empirical material in chapters five and six will illustrate, differential perspectives and experiences between the young people were most marked with respect to considerations of gender and tariff. Age did not prove a particularly important issue in this analysis and I suspect this was due to the fact that many of the younger respondents were subject to orders at the extremes of the tariff, that is either APOs or ISSPs. Finally, the content and scope of the data and analysis as a whole was analysed with respect to addressing the specific theoretical concerns and research objectives outlined earlier in this chapter.

Validity

Scholfield (1997: 201) argues that generalisability, in terms of producing some universal theory, is by and large to be rejected as a useful standard or goal for qualitative research. Rather, as Mason (1996: 134) observes, qualitative research is concerned with providing rich descriptions of social interactions with every subject regarded as 'carrying its own logic, sense of order, structure and meaning'. However, the production of rich descriptive empirical data can also enable 'reasoned judgements regarding the extent to which findings can inform or speak to what is likely to occur in other situations' (Scholfield, 1997: 207). Thus a rigorous, sensitive and reflexive approach to the conduct of empirical work will contribute to the validity and legitimacy of qualitative findings and conclusions.

As has been highlighted, the conduct of the empirical work for this study was informed by a range of pragmatic concerns. Inevitably this has served to undermine the extent and rigour of the empirical work and, as such, it is obvious that some caution must be exercised regarding the interpretation of the empirical data. However, these pragmatic decisions and choices were undertaken with care rather than casually. Thus, while I did not achieve the sample I had originally planned I did ensure that respondents were elicited across a range of research sites and that the final sample of young people included male and female respondents of varying ages who were subject to a variety of orders. I also ensured that the sample of practitioners represented a diverse range of YOT roles and professional backgrounds.

Furthermore, I would argue that the theoretical concerns in which the empirical work was grounded contribute to the overall legitimacy of the study in that the issues addressed are pertinent to how young offenders may experience and negotiate relationships within the communities to which they belong and how these experiences may impact upon the success or otherwise of youth justice interventions. Furthermore, I would argue that the exploration of the resonance of community within youth justice interventions provides a means to critically engage with the political ideology and assumptions underlying contemporary youth justice policy in England and Wales.

Conclusion

Ultimately the validity and legitimacy of the empirical work undertaken for this study will be judged in terms of the analysis and conclusions presented. These are contained in two empirical chapters, which have been constructed in relation to Hudson's conceptualisation of community as a 'moral resource' and as a 'moral claimant'. Chapter five explores the idea that

communities have 'suasive' powers to control and prevent offending. It addresses young people's understanding and experiences with respect to community and whether and how these experiences impact on their offending. By contrast chapter six focuses exclusively on the punishment of young offenders. Specifically it addresses how youth justice interventions are experienced by young people, the relative advantages and disadvantages of youth justice interventions and how young offenders' relationships with their communities are affected by their involvement in youth justice and their status as offenders.

Chapter Five

Community as a Moral Resource?

Respondents' Understandings and Experiences of community

Introduction

The specificities of the communitarian agenda with regards to New Labour's youth justice policy, in England and Wales, have been outlined in chapter three. This, the first of two empirical chapters, seeks to develop this analysis by focussing explicitly on the communitarian conceptualisation of 'community as a moral resource' (Hudson, 2003). While the analysis in chapter three has raised reservations with regard to the New Labour's commitment to this particular discourse, the findings presented in this chapter will explore the efficacy of the assumption that communities have 'suasive' capacities with which to moralise their members and assert appropriate standards of behaviour.

The empirical work for this study was undertaken in the city of Liverpool. This city has a long history of economic decline and disadvantage and poverty remains at more than twice the national average (Clarke, 2001). The research was conducted across three local authority areas in Liverpool where employment rates were significantly less than the national average, with over a third of the unemployed not having worked in over a year and between 10 per cent and 17 per cent having never worked (Office of National Statistics, 2001). Crime is also a significant feature of life in this city. Crime statistics for the three local authority areas in which the empirical work for this study was conducted reveal that one area had higher rates of crime - per 1,000 population - than the average for England and Wales across all offence categories (ONS, 2001), while the other two had higher rates than the average in respect of violence against the person, burglary and theft

of a motor vehicle; comparable rates in respect of sexual offences, and slightly lower rates with respect to robbery and theft from a motor vehicle (ONS, 2001).

Such statistics inevitably raise serious reservations with regard to communities' capacities to act as a 'moral resource'. Hence by investigating the resonance of community to the lives of young offenders this chapter addresses the research questions posed with regard to young offenders' understandings and experiences of community; the nature of the relationship between the young offender and the community; and the extent to which communal experiences contribute, or otherwise, to the prevention and control of crime. It will be argued that while community appears to offer some potential with respect to addressing youth crime, this potential is mediated within and by a range of other community experiences, which simultaneously perpetrate, encourage and embed criminal behaviour and identities for young people.

Addressing the elusive nature of community

Defining community has elicited an abundance of academic energy, literature and debate (discussed in chapter one). Anticipating the likelihood that respondents might have difficulty in defining and talking about community in abstract terms, the interviews for this study combined open questions relating to respondents' understandings of community with directive questions relating to a range of factors which are routinely identified in definitions of community, namely place, social interactions and common ties/identity (Bell and Newby, 1971; 1974; Lee & Newby, 1983; Willmot, 1986; Crow & Allan, 1994).

While a few respondents, both young people and practitioners, had a degree of difficulty in trying to articulate what they considered an appropriate and relevant response to encapsulate their understanding of the term community, it was clear from the interviews conducted that community does resonate in the lives of these young offenders. Indeed, as

was the case for respondents in Walklate and Evans' (1999) study in Salford, both the young people and the practitioners interviewed articulated descriptions of community which encompass familiar contours, presenting a clear picture of community as delineated by a series of boundaries involving locality, relationships and a sense of 'belonging'¹.

In order to explore these communal experiences the nature of the data presented in this chapter is twofold. Firstly, respondents' definitions of community will be outlined in more detail. Secondly, their responses to questions regarding a range of factors commonly associated with community life, (place, social interactions and common ties/identity) will be utilised to illustrate the nature of young offenders' experiences of community. Consideration of the relative impacts of these experiences, if any, in relation to offending behaviour will then be drawn on to reflect upon the 'community as a moral resource' discourse.

'Community as locality'

Locality was identified as fundamental to respondents' understanding and experiences of community. For the young people interviewed community was very closely associated with the area or the estate in which they lived, or in which they had previously resided. Thus in reply to being asked to describe their understanding of community typical responses included:

¹ These definitions were accompanied by two further understandings of community on the part of practitioners, that is, 'community as collective action/responsibility' and the 'political community'. The former reflects demands within the current youth justice context to consult, educate, empower and include the local community in respect to addressing the criminal and anti-social behaviour of its young people (discussed in chapter three). The latter reflects the YOTs' own responsibilities to elected politicians, the youth justice board and to the public to provide credible and effective services which respond to community needs, are in keeping with legislative demands and national standards and which address and prevent youth crime (discussed in chapter six).

'X' [neighbourhood] I've lived there from I was one and a half until I moved to my Uncle's. (Male, 16 years, APO).

It's the area you live in. (Male, 12 years, SO).

Round ours. (Female, 17 years, SO).

It's the estate and the people in it. (Male, 15 years, SO).

X estate. (Female, 15 years, SO).

It's just around here. It's where we hang around. I live round here and so do all my mates. (Male, 17 years, ISSP).

Practitioners concurred with the young people's emphasis regarding the import of the local estate and a few practitioners commented on the symbolic importance of community membership in terms of young people adhering to or asserting their territoriality. Hence community was not just about inclusion or 'belonging to' a particular locality, but also the exclusion of others who were deemed unknown or threatening. For practitioners the issue of territoriality was reflected in the differential experiences apparent across the geographical area served by the YOT. For example:

As a worker I'm supposed to serve the whole community but even at an institutional level it is split between the north and the south of the borough and that's very marked in terms of attitudes, dialect, accent. The kids don't identify with each other and on those occasions when they meet up at some event on a Saturday it's warfare. (YOT Worker, Mersey 1)

I think in this area it depends where you are. At the north end you may think it's one community, but actually it's made of three or four different communities and in the centre there's a few but in the south end there's just loads [...] And for the young people in particular it's about where they go, where they hang around. It's about their territory. (On Track Manager, Mersey 2)

The issue of territoriality, and hence the symbolic construction of community, was also reflected in a few interviews with young people. For example:

Sometimes if someone comes by who doesn't come from round here some of my mates will kick off on them, but I wouldn't really unless they do something to my family or that. But some of my mates they treat it like our territory or something, which is stupid I think coz most people you see round here like they're just from up the road, like they're coming from their house to McDonalds, and some of my mates will beat them up coz they're not from around here. (Male, 17 years, ISSP)

For practitioners locality was also thought to influence the likely experience of community given that the local context of client's lives and their interventions were mediated by the resources, services, and facilities available in the locality. For example:

As a youth justice worker I really think about community as the local provision available within a given neighbourhood, so it's about the shops, the churches and the environment within which young people live and survive and also on which they have an impact. (YOT Worker)

I guess I think about it very much in terms of geographical area but it's more than that. It's about what is used and available within that area and I guess we're [the YOT] perceived as part of it. (YOT Youth Worker)

I think our work is very much tied up with the influence and the ownership of the community both in terms of the provision, resources and facilities available, but also in terms of the credibility of the work and resources we provide and access for young people. (YOT Careers Worker)

The majority of young people interviewed considered the area in which they lived to be 'OK' or "all right". Thirteen interviewees had moved house, within the previous six weeks to five years, moving to what the majority considered to be a better neighbourhood to the one they had lived in previously. This viewpoint is illustrated in the following quotation:

It's all right where I live, like its nicer than 'X' [Mersey 2], where I was before, and it's not all council. There are normal houses as well. We've lived here for about four years and it just doesn't have as many problems as other areas. (Male, 15 years, APO)

A few of the young people interviewed considered themselves to live in a 'quiet; 'peaceful' or 'nice' neighbourhood or one which was 'nicer' relative to others in the area. These 'nice' neighbourhoods were variously associated with mixed housing tenure; long-term, older and law-abiding residents; the absence of street life; and feeling safe. However, the majority were forthright in portraying the neighbourhoods in which they lived as being characterised by a range of deprivations and disadvantages, which they often encompassed in the description 'rough'. These 'rough' neighbourhoods were associated with 'trouble'; a high and visible police presence; an active street life; groups or 'gangs' of kids 'hanging

out'; the buying and selling of drugs; the presence of 'smack-heads' and vigilantism. For example:

Round mine its full of smack-heads, people doing drugs and that and they are selling it as well, not on my street though, but on other streets. (Female, 14 years, APO)

Its all right, well it's a bit rough now and again. There are loads of people messing about vandalising and that. Just a lot of troublesome people. (Female, 15 years, SO)

There's nothing to do so there's always a big crowd of us, and the police pull us up and search us all the time asking what you're up to and all that all the time. (Male, 15 years, SO)

I'd say a lot of people round here get into trouble. I'd say about half of them are into robbing cars and that. (Male, 14 years, ISSP)

Locality was obviously an important element within the lives of the young people interviewed, as aside from occasional forays into the city for shopping, events or clubs, they spent the majority of their time in the locality in which they lived, either 'hanging out' with mates on the streets or in each other's homes. However, this was, in many respects, an enforced resort to locality informed by young people's lack of resources to move beyond the bounds of their own neighbourhood. Mizen's (2004) analysis of 'the state of youth' within British society suggests that such an outcome is likely to be exacerbated by the parsimonious nature of state welfare provision for young people. As such, it might be expected that young people's experiences of communal life have quite profound influences on their likely involvement in offending behaviour.

Locality and 'community as a moral resource'

Locality was firmly established as a prime focus of analysis in relation to youth crime at the outset of the twentieth century as academics from the sociology department of the University of Chicago sought to understand crime within the burgeoning city of Chicago (discussed in chapter two). For the Chicago School high and persistent rates of crime were associated with those neighbourhoods in the city characterised by a shifting and fluid population, poverty, decline, and instability. Shaw and McKay (1942) postulated that the processes of urbanisation and industrialisation induced social disorganisation within the most deprived neighbourhoods, undermining dominant value systems and creating communities with competing norms and values. In such neighbourhoods the ability of families, peers and other social groups to provide and enforce consistent standards of non-criminal behaviour was seriously impaired. Consequently alternative definitions of proper behaviour emerged and involvement in criminal activity was encouraged by exposure to criminal traditions, goals and values, which developed over time within these disorganised areas of the city.

As chapter two demonstrates, criminology's foci and concerns have shifted markedly since the early twentieth century. The Chicago School's theory of social disorganisation however, has proved of enduring influence and its heritage is abundantly apparent in contemporary concerns regarding risk factors. Reviews of research on general offending have identified risk factors within multiple domains of influence - individual, family, school, peer group and community (Brewer *et al.*, 1995; Farrington, 1998; Hawkins *et al.*, 1998; Lipsey & Derzon, 1998; Herrenkohl *et al.*, 2001; Beinart *et al.*, 2002). Whilst it is acknowledged that locality is neither the only nor necessarily the prime source of 'risk', nevertheless the community risk factors most empirically supported in cross-sectional and longitudinal studies are identified as neighbourhood disadvantage, neighbourhood disorganisation, residential mobility, neighbourhood laws and norms favourable to crime,

with additions relating to the availability of firearms and media portrayals of violence (LeBlanc *et al.*, 1991; Loeber *et al.*, 1991; Maguin & Loeber, 1996; Loeber *et al.*, 1998; Loeber *et al.*, 1998a; Herrenkohl *et al.*, 2001).

The individualistic basis of these positivist and predictive 'knowledges' is robustly critiqued (Taylor *et al.*, 1973; Hollin, 1989; Young, 2003; Gelsthorpe, 2004), and hence these conclusions must be treated with extreme caution. That said, elements inherent to the both these sociological and individualistic positivist approaches to understanding crime in respect to locality were evident in the empirical work undertaken for this study, providing evidence which both supports and undermines the proposition of 'community as a moral resource'.

The consideration of findings with respect to the research question on the nature of the young offender's relationship to their community serves to highlight the complexities and ambiguities underlying the association between locality and crime. Generally the young people interviewed reported that they got on well with other people in their neighbourhood and generally positive relationships with other residents were facilitated by the fact that they and their families were known in the area or had lived there for some time. Others felt their relationships within the neighbourhood were mixed, usually being good with their peers but more problematic with adults due to their offending, hanging about with 'gangs' of youths or their having a 'bad reputation' (this issue will be explored in more detail in chapter six). A few young people said they just 'didn't bother' or had as yet not established any relationships with people in the area they lived. This was particularly the case for the young people who were or had been 'looked after' by the local authority or who had recently moved to a new area.

Overall, the relationships young people establish within their neighbourhoods have the potential to both prevent and encourage their involvement in criminal or anti-social behaviour, as is illustrated in this quotation:

There are all these people who do my head in. There are the old ones who give you a hard time if you do anything at all, the muppets who'll argue with you and the dirty smack-heads, skanks and tramps who should be got rid of. And then I've got loads of mates round ours, loads of different types of mates as well, some of them are dead straight and others are getting into trouble and that. (Male, 15 years, APO)

Consideration will now turn to the third research question of interest within this chapter, that is the extent, or otherwise, to which young offenders' communal experiences of locality contribute to the prevention or control of their offending.

In discussing the specificities of the locality in which each of the three YOTs operated practitioners acknowledged that they catered for a wide range and diversity of communities, which included both inner and more peripheral urban areas and those which were characteristically 'small town' in nature. However, while practitioners recognised that their clientele was likely to comprise young people from across the social spectrum, they emphasised that the majority of young people with whom they worked were likely to come from the poorest and most disadvantaged communities. Typical responses in this respect included:

We work right across the borough in all sort of different areas and socio-economic groupings. But the majority of kids we work with come from the most socially disadvantaged communities and even in the so-called posh bits there are pockets of deprivation. It's the same for the kids from social

services. It's just the same picture of poverty and deprivation. Occasionally we'll get referrals for kids with more middle-class backgrounds but to be truthful they are few and far between. (Operational Manager, Mersey 1)

It's difficult to generalise in some ways. As a whole 'X' [Mersey 2] is a mixed area with many types of community – working-class, middle-class and affluent. In terms of the kids we work with they generally emanate from the working-class neighbourhoods, which are characterised by discrimination, unemployment, and poverty. (YOT Worker, Mersey 2)

Well there's such a diverse range really, from the really affluent to the really deprived. But the majority of our clients come from a background of deprivation, a lack of education, poor housing, living on benefits, strained family relationships. The usual suspects I guess. (YOT Worker, Mersey 3)

In describing the characteristics of the communities within which they worked practitioners identified a range of deprivations and difficulties which were likely to be experienced at some time by the young people with whom they worked. These included poverty; poor housing; poor schooling; unemployment; benefit dependency; strained family relationships; relationship breakdown; alcohol and/or drug use/dependency; high rates of crime and disorder; stigma and discrimination. In short, the characteristics associated with a socially disordered and high crime community.

The fact that such characteristics are likely to undermine the community's capacities to act as a 'moral resource' is reflected in the findings of successive studies that the communities' inherent capacities for crime prevention and control are most difficult to stimulate in those communities with least material resources (Rosenbaum, 1988; Skogan, 1990; Hope, 1995; Bright, 1997; Crawford, 1997). However, Walklate and Evans (1999:6)

observe 'poorer, inner-city neighbourhoods, far from being the disorganised neighbourhoods of popular representation, may exhibit many and different community structures and patterns of local organisations and networks'. Thus, rather than community being absent in difficult material circumstances, it is merely experienced in different ways, albeit in ways that may well challenge conventional conceptions of community life (*ibid.*).

The findings of this study suggest that young offenders' communal experiences are likely to be in stark contrast to that envisaged within the government's 'community as a moral resource discourse'. Regardless of gender or the relative tariff of the sentence to which they were subject - the majority of young people observed that crime was often viewed as a 'normal' or 'everyday' activity within the areas in which they lived, albeit that for some such involvement in criminal or anti-social behaviour was thought to differ according to age. For example:

Round here I think kids are more into it than adults. Kids are just like, if someone goes and buys something, like they'll go and buy it, or if someone goes and does something stupid and offends then they'll go and do it.

(Female, 14 years, APO)

There's loads of smack-heads who live down here. There's like four families of smack-heads so it is just expected really. (Female, 17 years, SO)

Where I live offending is seen as an everyday thing. There are always bizzies flying around, there's just stuff happening all the time, it's just a crap, horrible way of life. (Male, 15 years, SO)

It's mixed. I guess the older ones like my Nan, they think it's awful, but the younger ones, like me, just see it as a normal thing you do. (Male, 17 years, ISSP)

Practitioners concurred with the young people's views that the localities within which they worked were characterised by routine and embedded involvement in criminal activities. As one YOT manager observed: 'everywhere you go there are people selling stuff door to door or around pubs, they just turn a blind eye'. That said practitioners suggested that older residents generally disapproved of young people's involvement in criminal activities. However, unless directly related to the young people concerned they were unlikely to intervene in any way. While practitioners viewed adult residents' apathy and acceptance in relation to criminal and anti-social behaviour as understandable given the structural problems inherent in many of the neighbourhoods in which they worked, they also believed that such attitudes encouraged and perpetuated young people's involvement in anti-social and criminal activities. As one YOT Manager observed:

It's probably true when the adults in the local community don't care and are not active in stopping young people from offending that the neighbourhood context can be detrimental to preventing offending. If the adults in the community don't lead by example that may inadvertently encourage it to become the norm, you know. That's just the way it is. But if there are lots of groups and lots of activity, leading by example, I think that is less likely. But of course how likely is that to happen when the adults round here have their own worries and problems? (Operational Manager, Mersey 1)

Such findings suggest that the neighbourhood context within which these young offenders live their lives often serves to undermine those aspects of community life which are associated with the 'suasive' capacities inherent in the 'community as a moral resource'

discourse. Indeed, a range of studies suggest that far from engendering social control some experiences of community may serve to encourage and embed criminal behaviour (Hobbs, 1988, 1995; Robbins, 1992; Foster, 1990; Jamieson *et al.*, 1999). For example, Foster's (1990) study of the Priority Estates Project in Tower Hamlets observes that close and intimate interpersonal relationships of the type one associates with community, served to promote and entrench intergenerational involvement in criminal activity. Jones (2002b) found that threats to 'traditional community' and local (Welsh) culture from in-migration resulted in the use of disordered, deviant and criminal behaviour which, in turn, appeared to reinforce and signify community, cultural belonging and identity.

The focus will now turn to the consideration of second aspect of respondents' understandings of community, namely 'community as relationships'.

'Community as relationships'

For the young people interviewed understandings of community were also bound up in a range of social relationships and interactions, with family, friends and peers being variously identified as crucial to what they viewed as comprising their communities. It appeared that for the female interviewees, in particular, community was very closely tied to such relationships, which were often identified in isolation from other factors, for example:

Just my friends and my family really. (Female, 15 years, APO)

I see it as like my friends and my family and all my important relationships.

Everyone around me is there who I need. (Female, 14 years, APO)

At the moment I'd say it is just my family really and no one else. (Female, 17 years, SO)

While the import of familial relationships and social networks were also identified in interviews with the young men, such relationships were often delineated with reference to the locality in which they lived. For example:

My family, especially my mum and the street where I live. (Male, 15 years, APO)

Where I live and my crew. (Male, 13 years, ISSP)

Practitioners also emphasised the importance of locality with respect to the relationships and networks which were likely to comprise young people's experiences of community. Typical responses in this context included:

Community is concerned with an individual's support networks, which involve the environment in which they live and the norms and values which hold sway. (YOT Careers Worker)

I think of community as being the kid's family, who they go about with and the areas in which they live. All these things have a massive impact on the kid's likely experiences of community. (ISSP Education Worker)

There's just loads of communities in this area it's all about where people feel they belong to, it's where their kids go to school, it's about how they view themselves and that might prove very different from the people living in the next street. (On Track Manager)

The discussion will now focus specifically on young people's family life in order to further explore the research questions regarding the nature of young people's experiences of community and the potential for such experiences to prevent or control offending.

Family relationships and the 'community as a moral resource'

There appears to be an overwhelming agreement within criminological literature that close family relationships can have valuable protective capacities in respect to discouraging criminal involvement (Braithwaite 1989). For example, Hirschi's (1969) theory of social control contends that conventional groups and norms provide constraints in relation to deviant behaviour and it is only when an individual's bond to conventional institutions, such as the family, the school and to a lesser extent the church, is weak or broken that a delinquent act is likely to occur.

In describing their family backgrounds it was clear that the majority of the young people interviewed had been brought up in a family unit and at the time of interview 11 young people were living with their mother, seven with both parents and three with a parent and step-parent. Of the remainder, four young people lived with a relative, two were 'looked after' by the local authority in children's homes, two lived in supported hostel accommodation and one young person lived independently.

The majority of the young people interviewed lived in unemployed or workless households and for many young people, especially those living with immediate or extended families, their living situation had remained fairly stable for some time. However, a minority, including all five young people who had previous or current experience of being 'looked after' by a local authority, reported that their living arrangements were often short-term and/or transitory. Indeed, common to the experiences of many young people from a care background they observed their experiences of multiple

foster and institutional placements (Hagel and Newburn, 1994; Coles, 1995). Indeed, many practitioners were of the opinion that young people with care backgrounds were often the most difficult young people to work with or have any impact upon precisely because they lacked the care and support networks to which other young people had access.

Just over half of all the young people interviewed considered themselves to have had an 'OK', 'good' or 'normal' upbringing. Indeed, in discussing the merits of their current living arrangements the majority of young people interviewed were appreciative of family life in general, close and loving relationships, 'getting on' with parents and siblings, having someone to talk to and/or confide in, being looked after and the emotional and material security that they associated with family life. Thus, it is of no surprise that the majority of the young people interviewed variously described their relationships with parent/s or guardians in wholly positive terms, such as, 'great', 'good', 'lovely' and 'sound'. The only exceptions in this respect were three young people, from a care background, who had no contact with their families.

Furthermore, despite the usual sibling bickering and fighting, the young people interviewed were also largely positive regarding relationships with their siblings. Growing older and the maturity of both respondents and their siblings were viewed as facilitating better and more reciprocal relationships. Again these relationships were described as close, supportive, protective and in some instances young people felt more comfortable confiding in siblings about issues they would not discuss with their parents, for example their fears regarding court appearances or the prospect of a custodial sentence, relationships with boyfriends/girlfriends and being bullied.

Relationships with an extended family were also a common feature in the lives of many of the young people interviewed (22/30), with only five young people reporting no contact whatsoever with members of their extended family. Regular contact was obviously

facilitated by family members living in close proximity, and daily or weekly contact with grandparents, aunts, uncles and to a lesser extent cousins was frequently reported. However, even where the extended family was more geographically dispersed young people also reported occasional visits and telephone contact as a matter of course.

Overall, the majority of young people interviewed considered the long-term and reliable care, comfort and security associated with family relationships to be a very important element in their lives. Indeed, there was nothing that the majority of young people wanted to change about their current living arrangements, although all the young people living in local authority or hostel accommodation and two young men who had recently become fathers expressed a desire to move on, either to live independently or to return to the family home.

However, as previous studies have also found this rather rosy picture of family life does not portray the whole story (Hagel and Newburn, 1994; Jamieson *et al.*, 1999; Goldson, 1998). Despite these descriptions of close family attachments the young people interviewed also acknowledged that family life was not without its difficulties. For example, being brought up in a single-parent household, parental relationship breakdown, strained parental relationships, strained inter-familial relationships, financial difficulties, overcrowded accommodation and, at the extreme, domestic violence and being taken into care.

While acknowledging that the YOT was likely to work with children and young people from a diverse range of family backgrounds the fact that family life was likely to encompass a range of difficulties for many of the young people interviewed was reinforced in interviews with practitioners who observed that the majority of their clientele were likely to emerge from families living in intergenerational, long-term and embedded poverty. Such problems present a number of issues - including fractured families, chaotic

lifestyles, drug and alcohol abuse; a history of school failure and unemployment, low aspirations, alienation, boredom, unhappiness, despair, parental criminality, parental imprisonment, neglect and abuse - which may undermine families 'suasive' capacities in respect of preventing or controlling their children's offending behaviour.

Indeed, given this everyday landscape to family life, practitioners argued that it was no surprise that 'parenting' often suffered. For example:

I think the stress that poverty causes impacts on people's ability to parent. They have so many problems in terms of trying to make ends meet. Add to that their own personal problems and struggles and the kids go down the list in terms of priority, especially the older ones. So you live in a shitty area, your family have no money and so you start to see why at 13 or whatever kids start to think I won't bother going to school any more – why should they cooperate with institutions and organisations that they don't trust. (Restorative Justice Team Manager)

A lot of kids are struggling in terms of their relationships with parents who've often got enough on their plate with respect to poverty without worrying what little Jimmy is up to out on the street. It's really difficult for them to get a handle on that. (Deputy YOT Manager)

Such findings are reflected in more recent formulations of the links between family experiences and criminality where the focus is upon the risks presented by poor family functioning. Family criminality (West and Farrington, 1977); large family size (Hirshi, 1969, West and Farrington, 1973); poor parent management skills (Graham and Bowling, 1995); poverty; marital conflict; child maltreatment; parental attitudes which are favourable to violence/antisocial behaviour; family break-up and parent-child separation

are all deemed contributory risk factors to delinquent behaviour (Wasserman and Seracini, 2001; Herronkohl *et al.*, 2001 and Beinart *et al.*, 2002). Indeed, certain types of 'inadequate parenting' are viewed as particular risks, with both the Cambridge study and the Pittsburgh study (cited in Wasserman and Seracini, 2001) concluding that low levels of parental involvement/attachment, a lack of parental supervision and harsh and erratic discipline are likely to encourage juvenile delinquency. Notwithstanding the empirical basis for these conclusions, Wasserman and Seracini (2001:189) suggest that caution should be employed in relation to predictive capacities of this risk discourse given that delinquency can arise from many sources, 'both within the family and in the other systems where children live and learn'.

In order to further explore the potential of family relationships to prevent or address their offending behaviour the young people interviewed were invited identify to the relationship with an adult - family or carer - that they considered of most importance. The majority of young people interviewed (28 of 30) identified their primary carers, that is their mums and/or dads, grandparents, aunts and uncles, in this respect as the relationship which they viewed of greatest importance. The two exceptions were young people who had been 'looked after' by a local authority, neither of whom identified a relationship with any adult as an important aspect of their lives.

The majority of young people interviewed (26 of 30) described these 'important adults' as disapproving of their offending and it appears that the attitudes and reactions of these 'important adults' to the young people's offending behaviour did not differ substantively according to gender or the relative tariff of the sentence to which interviewees were subject. However, young people subject to Action Plan Orders were more likely to comment on the shock their offending had caused, for example:

My dad just can't understand why I'd do it in the first place [...] he just can't get his head around it. (Male, 15 years, APO)

She's [mum] really disappointed coz I had a good upbringing and that and then stuff like this happens and she feels like I've let the whole family down coz I'm the only one who's ever done anything like this. (Female, 15 years, APO)

In general terms the young people observed that their offending had variously elicited disappointment, anxiety, upset, hostility, and anger, which resulted in a range of recriminations, restrictions and punishments. For example:

At first she [mum] wouldn't talk to me for about a day and my sister was saying to me that my mum had been crying all the time, but then I got grounded and so I had nothing to do and it was boring. All I could do was watch the telly and play on my computer. (Female, 14 years, APO)

They just didn't speak to me at the time and then mum and dad didn't want me to live there anymore. (Female, 17 years, SO)

He's [dad] mad at me. He says to stop it and he stops giving me money. He shouts at me and everything and then he grounds me. (Male, 15 years, SO)

She [mum] talks to me about it. We sit down and talk and sometimes we argue and sometimes she gives me a hiding if I get arrested. (Male, 13 years, ISSP)

However, many young people also acknowledged that once the initial upset had subsided these 'important adults' often proved very understanding and supportive in terms of accompanying the young person to court, advocating on the young person's behalf to a range of agencies and attempting to help the young person to stop offending.

As was the case in a comparable study undertaken by Jamieson *et al.* (1999) in Scotland, young people's perceptions as to whether the views and reactions of these 'important adults' made any difference to their involvement in offending did appear to differ quite significantly in terms of gender. All of the girls and young women interviewed stated that the views and reactions of the 'important adults' had made a difference to their involvement in offending, while this was only the case for seven of the male interviewees. Typical explanatory comments in this respect included:

I was just a bit ashamed by it all really. My mum's expecting me to make her proud over the years and I haven't done that so far, but I will. (Female, 16 years, APO)

She stood by me and said she'd do anything she could to help me out and I'm chuffed about how she hasn't given me a hard time really. She just treats me the same as she always did, so I'm going to do my best now not to get into any more trouble. (Female, 16 years, SO)

I can see they are getting upset and I don't want to upset them. (Male, 15 years, APO)

It just makes me feel very small really. It makes me feel like shit really and I don't like that feeling of doing that to her [mum], so I'm going to try and keep myself out of that shit. (Male, 15 years, SO)

No doubt reflecting the fact that a substantial proportion of the male interviewees were subject to an ISSP, and by definition more serious and/or persistent offenders, ten of the male interviewees stated that the views and reactions of 'important adults' had no impact whatsoever on their offending behaviour. Offending for these young men was something which occurred outwith the confines and influence of family relationships. For example:

I just do it anyway. (Male, 16 years, APO)

It doesn't bother me. It really doesn't bother me coz I'm not listening and I don't take it that seriously. (Male, 15 years, SO).

She's [nan] not got much control over me. What with me being a criminal and all, I'm not exactly going to stay in if she asks me to. (Male, 17 years, ISSP)

Overall, in keeping with comparable research (Goldson, 1998; Jamieson *et al.*, 1999; Goldson & Jamieson, 2002) the majority of the young people interviewed (26 of 30) believed that these 'important adults' had done all they could to divert them from offending. Typical comments in this respect included:

Your mum can't exactly lock you up. She's giving you your freedom and she just has to trust you. (Female, 14 years APO)

They [mum and dad] didn't bring me up that way. It was just a mistake I made. (Female, 17 years, SO)

They tell me its wrong and not to get into fights or anything, so I don't know what else they could do. (Male, 15 years, APO)

Mum didn't know what I was doing so there was nothing she could have done at the time. (Male, 15 years, SO)

She [mum] just thinks I'm a naughty bastard. She asks me to go places and that, but I just go and get into trouble. (Male, 17 years, SO)

There's not much she [mum] can do. I'm just one of those naughty kids aren't I? (Male, 12 years, ISSP)

The four young people, two of whom had experience of being 'looked after' by a local authority, who dissented from this view believed that the 'important adults' in their lives could have taken more remedial action with regard to their offending. One 17-year-old, subject to an ISSP, reflecting on his experiences prior to being taken into care provides a typical explanation of this viewpoint:

She could have done more for me, but because of how I was at the time she didn't know what to do. [JJ: What do you think she could have done?] I don't know but she could have stopped me from seeing my mates or given me a clout round the ear now and again and sent me back home. [JJ: Do you think that would have stopped you?] I don't know.

Notwithstanding the understanding and support which was so often offered by families when young people became involved in offending behaviour, many of the young people interviewed acknowledged that their involvement in offending had damaging impacts on their relationships with the 'important adults' in their lives. For many this had resulted in short or longer-term tensions in these relationships. For example:

I've always got on well with my mum and dad but I just started meeting the wrong people really and dad doesn't like that [...] and we've been having some problems about that. He thinks I've been changed by them because I'm starting to get into trouble more [...] He just goes on and on about it and he can't drop the subject. (Female, 15 years, APO)

Sadly, for some young people involvement in offending had elicited enmity towards the young person, which in two cases resulted in their exclusion from the family home. For others, damage to these familial relations appeared to exacerbate their involvement in offending behaviour. The following quotations are illustrative:

My dad just said to me 'you shouldn't do it', but now he calls me 'crim' and all that and just goes on and on about it. Mum is more supportive about it but he just thinks I'm useless. He puts a lot of pressure on me and it pisses me off ... and I just walk out and lash out at people. (Male, 14, years, SO)

My mum wasn't happy. She tried to hard to keep me under control but I'd just get out. So she was getting fed up with me and she thought I was going to get worse so she put me into care and then things did get worse. So my mum she's not really important to me and I'm not that bothered by what she thinks coz she put me in care. I'm still doing stuff. (Male, 13 years, ISSP)

The discussion of familial relationships and their relative impacts with respect to young people's offending illustrates that while these relationships can prove valuable in discouraging criminal behaviour they provide no guarantees with respect to the prevention of anti-social or criminal activities. The findings of this study suggest that the informal social control exerted within familial relationships can be undermined by difficult domestic and material circumstances, which place stress on parents and parenting

(Goldson and Jamieson, 2002; Jones, 2002), and by young people's attraction and adherence to relationships, activities and values which encourage their involvement in criminality (Graham and Bowling, 1995; Jamieson *et al.*, 1999; Flood-Page *et al.*, 2000).

Consideration will now be given to the nature of the young people's peer relationships and their potential to contribute, or otherwise to the prevention and control of offending behaviour.

Peer relationships and 'community as a moral resource'

In describing their relationships with friends the majority of young people interviewed (24 of 30) asserted that friendships were an important element within their lives and in doing so they often differentiated between 'close' friends, 'best' friends and boyfriend/girlfriend relationships, all three of which were accorded greater import than friendships with the groups of young people with whom they 'hung out'. Three young people were ambivalent regarding the importance of friendships depending on their desire for company, to be 'out and about' and the extent to which they felt these friends could be 'trusted'. Three others did not consider friendships important to their lives at the time of being interviewed and all three reported that they were actively distancing themselves from relationships with offending friends.

In comparing the relationships they had established with friends to that with their family just over half of all interviewees considered their relationships with their family to be of greater importance. Female interviewees were more likely than male interviewees to prioritise relationships with family in this way. Typical explanations of why relationships with family were considered more important than those with friends included:

You feel more for your family, though, don't you, than you do with your friends. Like my brother and my mum are the most important to me. (Female, 14 years, APO)

I rely a lot on my mates but I think I'm closer to my family at the end of the day, coz they just accept you no matter what. (Female, 14 years, APO)

I'm not really close to any of my mates and I don't talk to them about stuff that I talk to my family about. I'm getting a good reputation for fighting and being a bit mad so I don't want to start talking about stuff that worries me. I leave that for my mum. (Male, 15 years, APO)

I think family are more important. I live with them, don't I and besides, they give me more, don't they, and I rely on them more and they just accept you for what you are. (Male, 15 years, SO)

Some of the young people interviewed, particularly males, felt reticent in distinguishing the relative importance of family and friends to their lives stating that these were distinct and different relationships, for example:

You get together with your family and that and I enjoy family occasions and its close, but with my mates its just about getting pissed in the park and letting off a bit of steam. (Male, 15 years, APO)

It's just different, isn't it, like with my mates I talk to them about different things sometimes, like girls maybe, and sometimes getting into trouble. (Male, 12 years, SO)

Your family are your family, aren't they? And they are there for you but I do everything with my mates. (Male, 17 years, ISSP)

Four of the male respondents viewed relationships with friends as more important. In three cases the young people felt alienated from their family given that two had been brought up in care and the third's relationship with his father had become strained. The other young person observed that he spent more time with friends than he did with his family. That such differences in the relative prioritisation of family and peer relationships may prove important has been highlighted by a number of studies which suggest that familial relationships rather than peer relationships have greatest impact in whether a young person becomes involved in criminal activities (Graham and Bowling, 1995; Coie and Miller-Johnson, 2001).

A significant gender differential was also discernable with respect to those relationships with peers that the young people interviewed considered of most importance. Just over half of all interviewees observed that their 'best' mates, 'close' friends, with boyfriend/girlfriends and/or siblings were not offenders. Relationships with non-offending friends were more likely to be identified as important by female interviewees and these were generally same-sex friendships. Only two female interviewees identified offenders - a brother and a boyfriend - as the peer relationship which they considered of greatest importance to their lives.

No doubt a reflection that a substantial proportion of male interviewees were subject to a high tariff sentence, and hence their involvement in criminal activities was likely to be more embedded, just over half of the male interviewees observed that their most important peer relationships were with offenders and, again, these were largely same-sex relationships. Male interviewees who identified friendships with non-offenders as the most

'important' peer relationships in their lives generally identified relationships with girlfriends or siblings in this respect.

Non-offending peers and community as a moral resource

Research has illustrated that associations with non-delinquent peers may serve to discourage offending behaviour (Graham and Bowling, 1995, Jamieson *et al.*, 1999, Beinart *et al.*, 2002). The findings of this study provide further support for this proposition. Most of the female interviewees reported that their offending had elicited shock and censure from their non-offending peers. The exceptions were with respect to two incidents of assault which respectively had been deemed understandable or had elicited sympathy. Furthermore, even the two female respondents who had identified offenders as their most important peer relationships remarked that their offending had caused upset to these relationships. In contrast to many of the male respondents, female interviewees considered the views and reactions of their 'important peers' to have made a significant difference with respect to their likely involvement in offending behaviour. For example:

She [best friend] was shocked. She knows I've never done anything like that before and neither has she. We've always been two good girls and so she was shocked that I'd done it. She was going 'you must have changed, you've gone dead different' coz I've not done it before. [JJ: And do you think that makes any difference to you?] Yeah. I just don't like that at all. (Female, 15 years, APO)

I could tell she [best friend] wasn't impressed. She just kept saying 'you're stupid, you're stupid, you've got to stop hanging around with people who are like that'. [JJ: And does that make any difference to you?] I suppose so coz I

keep thinking 'what does she think of me, does she think I'm this or that?'

It's just not what I want between us. (Female, 16 years, APO)

He [brother] was quite surprised and he didn't speak to me after it happened. He's quite protective of mum and he couldn't believe that I would do something to upset her so much. Then one day when the court case was coming up he bought me a bar of chocolate and after that we had a couple of big chats and he realised how scared I was and he was great, really supportive and that. [JJ: Has this made any difference to your offending?] Yeah I really don't like it when I fall out with my brother. There's this really horrible atmosphere and you know that you are responsible for that it, and it's just horrible really. (Female, 16 years, SO)

The majority of female interviewees did not believe that their 'important' peers could have done anything to help them to stop offending. Indeed, aside from two respondents who reported that they had been drawn into offending by their boyfriends, the majority of female interviewees took full responsibility for their involvement in offending behaviour.

Male interviewees who had identified non-offenders in respect of the peer relationships which they considered of most importance, reported similar experiences to the female interviewees in that girlfriends, siblings and family friends were upset or dismayed by their involvement in offending. However, in contrast to the experience of female interviewees, the views and reaction of these important peers did not appear to make much difference to these male respondents' involvement in offending. Notwithstanding the positive and calming influences of non-offending peers, male interviewees reported that they often offended despite these influences and the repercussions it had with respect to these relationships. For example:

I hate it coz I know my girlfriend is gutted and that, and having to tell her dad, you know what I mean. I'm just embarrassed coz I've known her for three years. But its down to me really I could stay with her instead of like going off with my mates all the time. (Male, 15 years, APO)

I'm used to it really, her flipping on me and going off her head throwing things and that, so I'll just go and do stuff. We've been engaged for two years so she has stuck by me through a lot of stuff and I know when she calms down she is supportive. (Male, 17 years, CPRO)

I mean being with 'X' [girlfriend] does make a difference to me, but I don't really think about it that much. I don't really think about what the consequences will be at the time and sometimes you just don't think about any consequences at all. You just go and do it and worry about it afterwards. (Male, 17 years, ISSP)

These male interviewees were unanimous that their involvement in offending was their own responsibility and there was little that these non-offending 'important peers' could do to help in this respect. Although, as the first quotation above illustrates, a few acknowledged that spending more time with non-offending peers could prove useful in helping them to stop offending both in terms of reducing the opportunities and inducements to offend.

Offending peers and 'community as a moral resource'

Numerous theories of youth crime note the importance of associations with deviant peers or a deviant peer group for the initiation and continued involvement in criminal activity. Empirical support for the idea that deviant peer associations contribute to juvenile

offending dates back to the 1930s and Shaw and McKay's (1931) observation that at least 80 per cent of Chicago juvenile delinquents were arrested with co-offenders. The importance of delinquent peers is also apparent in subculture theory wherein Cohen (1955) suggested that failure to achieve within the conventional institution of the school promoted subcultures with alternative status systems which valorised delinquency. Developing Cohen's ideas, Cloward and Ohlin (1960) suggest that when legitimate means of achievement are blocked different types of delinquent subcultures may develop and whether these take the form of criminal, conflict or retreatist subcultures is dependent on the opportunities available for illegitimate achievement.

Matza (1964) also addresses the issue of subculture in his theory of drift, which suggests that subcultures are characterised by values which allow but do not demand delinquency. In a similar vein 'differential association theory' (Sutherland, 1947; Sutherland and Cressey 1970) suggests that delinquency is learnt through interactions with others in a group whereby associations with delinquent peers provide the motivation, skills and techniques for committing criminal acts and serve to reinforce delinquent behaviour.

By contrast, Gleuck and Gleuck (1940) and Hirshi (1969) argue that choosing to associate with delinquent peers is the result of a young person's underlying pre-disposition to deviances. However, Thornberry (1987, Thornberry *et al.*, 1994) maintains that there may be some bi-directional influences in the development of delinquency careers whereby young people predisposed to offending tend to associate with each other and the association with a delinquent peer group actively promotes offending behaviour. Notwithstanding debates about whether 'birds of a feather flock together' or 'bad company corrupts', empirical evidence with respect to risk factors, which in itself has raised concerns (Taylor *et al.*, 1973; Hollin, 1989; Young, 2003, Gelsthorpe, 2004), supports the general proposition that having associations with delinquent peers, especially during adolescence, increases the probability of delinquency (Coie & Miller-Johnson, 2001: 193).

In keeping with previous research which has found a strong association between young people offending and their having 'delinquent' friends (Reiss, 1988), male interviewees observed that their own offending behaviour elicited little reaction or censure from the 'important peers' who were themselves involved in offending behaviour. For example:

I don't think they think about it. They're all at the same stuff. (Male, 15 years, APO)

They all get into trouble themselves, that's just how we are. You can't judge people coz they're offending or that. I think sometimes they are surprised, but they don't give me a hard time coz they do it as well. (Male, 13 years, ISSP)

Whatever my mates do I've got to do as well. (Male, 17 years, ISSP)

While a few of these young men conceded that pressure from these 'important peers' was sometimes implicated in their offending, in many instances they were at pains to emphasise their own responsibility for involvement in offending behaviour. Consequently these offending 'important peers' were considered to have little to offer, even if they were to try to discourage the interviewees from offending. For example:

If I wasn't with them I'd be with someone else, maybe doing something different. (Male, 16 years, APO)

It's [offending] just my own decision really. (Male, 15 years, SO)

I just got introduced to bent ones and they led me astray for a bit and if I wasn't with them I might not, but I guess I'm just one of those naughty kids coz I'm with them and I'm not quite straight. (Male, 12 years, SO)

Whilst acknowledging that friendships with peers had the potential to both discourage and encourage young people to offend, the majority of practitioners asserted that the peer group was rarely a positive influence with respect to the young people with whom they worked. Indeed, practitioners acknowledged that membership of a peer group in which others were offending often had quite profound influences in terms of opportunities to offend, the potential to instil crime-related aspirations and in allowing the young person to utilise 'techniques of neutralization' (Matza, 1964) to minimise or negate the harm their offending causes. Most importantly, practitioners observed that membership of a peer group often offered young people a profound sense of belonging and so 'hanging out' with and engaging in group activities, including offending, provided a means for young people to gain self-esteem, status and identity.

The variance and diversity of young offender' experiences views and experiences with respect to peer relationships highlights the complexities involved in the attempting to exploit the community's capacities to address youth crime. In particular, the consideration of peer relationships has illustrated the importance of gender considerations in the potential for communal experiences to discourage involvement in criminality. That considerations of gender are important to the development of effective strategies to address crime is reflected in the recognition that sex differences in offending are related to gender differences in opportunity, upbringing and expectations across society (Worrall, 1996; McIvor *et al.*, 2004; McIvor, 2004a; Gelsthorpe, 2005). Likewise, Ramsbotham (2003) highlights the importance of considerations of age, ethnicity and disability in the development of effective community justice interventions

The focus will now turn to the final aspect of respondents' definitions of community, that is 'community as belonging'. Again the discussion will be structured to address the research questions with respect to the nature of young people's relationship to the

community and the potential these community experiences have to prevent or control crime.

Community as 'Belonging'

Crow and Allan (1994) suggest that common ties in respect of residence, interests, attachments and shared experiences are thought to promote a sense of belonging within a community. This is reflected in the findings of this study wherein the local context and the network of social relationships that inform every day interactions combine to provide the familiarity, security and inclusion that respondents associated with community life. For example:

It's the estate and the people in it. I feel part of it coz I've lived there a long time and my friends are there. (Male, 15 years, SO)

It's my family, my mates and living here in 'X' [Mersey1]. We've always stayed here and I'm known round here and my family are known. (Male, 17 years SO)

For me its family and friends and where I stay, being known and knowing people about me (Female, 14 years, APO)

Practitioners concurred with this perspective and asserted that for the young people they worked with community membership was strongly linked to being brought up and conducting everyday life activities within a given locality and in the context of long-standing social networks.

However, the young people interviewed also recognised that the inclusiveness associated with community was by no means straightforward or guaranteed, and could be undermined by a range of life events including moving home; being transferred to a different local authority care home; or changing or leaving school. Furthermore, as shall be explored in chapter six, the very fact that these young people were involved in offending behaviour impacted upon how they were viewed by the wider community and the nature of their membership of that particular community.

Obviously, this feeling of ‘belonging’ has formed an integral, if elusive, aspect of preceding analyses of young people’s relationships within a given locality and established social networks. Rather than repeat aspects of this analysis the remainder of this discussion will focus briefly on those community institutions and organisations that New Labour, communitarians and social capital theorists view as essential in the construction of the productive law-abiding citizen, namely, education, training and employment, and participation, or otherwise, in formal community leisure provision.

Respondents’ experiences of education, training and employment

In discussing experiences and attitudes towards education and school, gender differences were apparent across the sample and with respect to interviewees of compulsory school age. It also appears that differences were discernable with respect to the relative tariff of sentence to which the young people were subject. In total eight of 17 interviewees – five girls and three boys - of compulsory school age were in full-time mainstream education (table two, appendix six). The majority of these young people were subject to action plan orders and reported their commitment to working for and attaining good exam results and qualifications.

Six male respondents of compulsory school age, subject to both supervision orders and ISSP, were in receipt of a range of specialist educational provision (table two, appendix six). Many of these young people were ambivalent regarding a return to mainstream education and some reported problems in relation to literacy and numeracy for which they required more specialist and one-to-one provision, assistance which they believed was not forthcoming in the mainstream sector.

Three male respondents, subject to an APO, Supervision Order and an ISSP programme, appeared to be outwith the education system completely after being excluded from a number of educational placements. Indeed, replicating patterns discernable at a national level (DfEE, 2000), it appears that exclusion was a relatively common experience for male interviewees (12 cases), but less so for female interviewees (2 cases) across the sample as a whole.

All of the interviewees over compulsory school age had chosen to leave school at the earliest opportunity with only two female interviewees, subject to an APO and SO respectively, and one male interviewee, subject to a CPRO, successfully attaining a number of GCSEs. The majority of young people who had left school were unemployed (six male and three female interviewees), three others were participating in a government funded training course and only one 16-year-old female, subject to an APO, was in full-time employment.

All but one of the young people interviewed acknowledged that getting an education and some qualifications were important in terms of accessing secure, well paid and interesting employment with prospects, albeit that for those young people who had already left school this acknowledgement arose with the benefit of experience.

Respondents' experiences of leisure

In relation to leisure time and leisure activities it appears that interviewees' experiences did not differ substantively in terms of gender or the relative tariff to which young people were subject, though access to licensed premises was obviously mediated by age considerations. All but one of the female respondents and half of the male interviewees reported having 'lots of' or 'too much' spare time. The other male interviewees reported that their spare time was curtailed by curfews, the demands of the ISSP and childcare responsibilities, while the other female interviewee had limited spare time due to work and college commitments.

While four of the girls and six of the boys reported formal participation in a youth club or organised sport, it appears that the favoured pastimes, for both all the young people interviewed, was hanging about with mates, usually on the street but occasionally in someone's house, and 'staying in' to 'hang out' with their families, watch television and generally 'lounging around'. This is consistent with Hendry's (1993) findings that 'hanging about' was the preferred use of leisure time among young people aged between 13 and 16 years.

Interviewees acknowledged that there was often a range of facilities and resources which they could access within their local area, including youth clubs, gyms, snooker halls, park, and local shops. However, the majority did not make use of such facilities considering them unsuitable provision due to age considerations, not fitting in with those who did attend or because they were barred due to previous misbehaviour. The boys were more likely than the girls to report their engagement in a range of hobbies and interests, including football, snooker, computing, fixing cars and/or motorbikes, going to the gym or playing an instrument, while a few of the older respondents, both male and female, went 'clubbing' or 'pubbing' whenever finances permitted.

Despite the apathy and despondency with respect to the resources and facilities available within their neighbourhoods, when asked to identify ways in which these areas might be improved the young people interviewed generally agreed that they would like 'more things for young people to do' including cafes, a cinema, football and bowling facilities, or simply safe and warm places where they could hang out with friends. The caveat which many young people emphasised with respect to such provision was that it should be tailored to accommodate exclusive use by particular age groups.

'Belonging' and 'community as a moral resource'

As chapter three has illustrated, the New Labour government places a lot of faith in the view that educational and economic participation will promote citizenship which, in turn, is believed to encourage social cohesion and crime prevention. Likewise, Putnam (2000) suggests that involvement in community institutions, organisations or 'clubs' is likely to engender social capital in the form of trust, reciprocity and civil engagement. Hence a commitment to education, employment and other community-based organisations may serve to give young people a 'stake in society' so that they are less likely to offend (Hirshi, 1969; Braithwaite, 1989; Graham and Bowling, 1995; Beinart *et al.*, 2002). Conversely disrupted, incomplete and relatively unproductive educational careers (Brewer *et al.*, 1995; Maguin & Loeber, 1996; Herrenkohl *et al.*; 2001; Beinart *et al.*, 2004); low aspirations and unemployment (Mizen , 2004); and a lack of involvement in the community (Beinart *et al.* 2002) are thought to present risks with respect to involvement in offending.

In order to address the extent to which community organisations or institutions were likely to contribute or otherwise to the prevention or control of offending the young people were asked to identify what they perceived to be the most important responsibility and/or activity in their lives.

The majority of female interviewees (five of six) and just under half of the male interviewees (six of 13) of compulsory school age identified school attendance in this respect. Others of compulsory school age identified YOT supervision (four males and one female interviewees); involvement in the army cadets (one male interviewee) and membership of a local football team (one male interviewee) as the important responsibility or activity in their lives. Only three male interviewees, of compulsory school age failed to identify any responsibilities or activities as an important element of their lives. By contrast only three of the 11 interviewees over compulsory school age were able to identify any responsibilities or activities which they considered of importance to their lives, that is employment (female), an ISSP (male) and membership of a football team (male) respectively.

The majority of the young people interviewed believed their involvement in these responsibilities and activities helped to prevent them offending. The exceptions were two female interviewees subject to Action Plan Orders who asserted they did not intend to offend again. In general terms, school and participation in other activities were thought to help prevent offending by occupying young people's time, keeping them off the streets and staving off boredom. YOT and ISSP supervision served similar purposes and while young people acknowledged that their offending often provided a focus for supervision, they were more likely to report that they were deterred from offending because they did not want to breach their current order.

For those young people subject to lower tariff sentences, particularly APOs, involvement in offending was not considered to have impacted in any way on their participation in school or other activities, largely because few people were aware they were involved in offending or the youth justice system. However, for those subject to higher tariff sentences, court appearances and youth justice involvement was reported to have

adversely impacted on their attendance and progress at school and in respect of other activities. For example:

It just got in the way of my exams. I had an exam the day before and the day after I was in court. And after I got a job but had to go to the 'X' Centre [YOT] two days a week, so it was getting in the way of me being with my friends and that. And I didn't like that so I had to give it up and now its just once a month.

(Female, 17 years, Supervision Order)

I've missed a lot of school for court appearances [...] I'd be in court every week so my dad would also miss loads and loads of jobs and now he only works part-time and that makes me feel bad. (Male, 14 years, ISSP)

They've threatened to kick me out [football team]. When I got my name and my picture in the paper they got loads of complaints at the club so I got suspended and fined £380.00. My mum paid it for me so I was allowed back. (Male, 17 years, Supervision Order)

Practitioners were of the view that their clients' participation in and commitment to education, training or employment could prove beneficial with respect to preventing their involvement in anti-social and criminal activities. On the one hand they agreed with the young people interviewed that participation in education and training was likely to keep them out of trouble by keeping them occupied, while on the other hand they observed that positive engagement was likely to motivate and promote aspirations with respect to gaining qualifications and skills which in turn would facilitate their access to 'good' employment.

However, practitioners expressed doubts as to whether either the mainstream or specialist provision available was adequate to deal with the numerous and particular problems and needs presented by young offenders. For example:

Education provision is a nightmare for these kids. In many cases I think they do have very different needs and lots of them don't even get to the starting gate because the system is so poor. For example, if you look at the ISSP kids, a lot of them are on vocational training programmes. They've got statemented needs and they send them to a youth club type environment. Where are they going to get the basic literacy and numeracy skills they need to even try and get a job? They've never even been picked up. They just get lost in the system and now at 14 years the education department thinks 'why bother? they're going to be gone soon anyway'. (Operational Manager)

I think the training available doesn't meet their needs and the starting points are now drastically reduced in terms of quality. Training is no longer properly resourced and the expectation is that you can deliver effectively despite the multiple problems of the client group. Young people quickly see that the quality is low and that makes them feel they are being dumped upon. (YOT Education/Careers Worker)

Similarly, practitioners believed that participation in informal and formal leisure pursuits was an important aspect of young people's lives, which could promote interpersonal skills, and self-esteem and counteract boredom. In particular, engagement in formal and organised groups and activities was thought to offer some benefits in term of crime prevention, both by keeping young people occupied and by widening their experiences and aspirations. However, practitioners also acknowledged that their clientele were often resistant to getting involved in such provision, identifying a range of potential barriers to

participation which included fear of being seen as different or 'nerdy', apathy, suspicion, expense, exclusion due to previous misbehaviour, and unwillingness to access resources outwith their neighbourhood.

Overall, the consideration of education, training, employment and leisure activities of young people again presents an ambiguous picture in respect of 'community as a moral resource'. While participation and engagement with community institutions and organisations may well have beneficial impacts with respect to discouraging involvement in criminal behaviour, it appears that the particular needs and preferences of the young people interviewed undermines their ability and commitment to this provision in general, and to mainstream and formal provision in particular.

Conclusion

This chapter has addressed the research questions posed with regard to young offenders' understandings and experiences of community; the nature of the relationship between the young offender and the community; and the extent to which communal experiences contribute, or otherwise, to the prevention and control of crime.

Interviews undertaken for this study reveal that community, whether discussed in abstract terms or with respect to common sociological definitions, holds resonance in the lives and everyday experiences of the young offenders interviewed. Indeed, as was found in a comparable study in Scotland (Jamieson *et al.*, 1999), community is often an inclusive experience for these young offenders and one that is associated with familiarity, security, acceptance and a sense of belonging.

However, it is also clear that for these young offenders the relationship to and experience of community is complex and that their commitment to the various social networks and

relationships, which constitute their understanding of community, are variable, transitory and contradictory. This finding is further complicated by considerations of gender and to a lesser extent the relative severity, and/or persistence of a young person's offending. As such, the informal social controls associated with the responsibilities and reciprocity inherent in the 'community as a moral resource' discourse are by no means automatic or guaranteed. Indeed, just as some community experiences were likely to prevent and deter these young people from offending, others in particular in relation to peer relations and locality, were likely to present a range of opportunities and inducements to involvement in criminal activity.

As Muncie (2004:110) observes, it is generally recognised that 'no one theory can, or should, be capable of accounting for all forms of youthful criminal conduct' given that young people may choose to engage in criminal activities for a variety of complex reasons. As such, it is perhaps to be expected that young people's experiences with respect to community will not always have the intended crime prevention and control impacts inherent in the 'community as a moral resource' discourse. As has been illustrated by studies on community safety (Hope, 1995; Crawford, 1997; 1998), poverty, deprivation and disadvantage are likely to undermine crime control strategies which rely on the 'suasive' capacities of communities, while the status of 'young offenders' raises specific concerns regarding the informal community controls envisaged in communitarian discourses.

Indeed, by definition of their 'youth', young offenders have yet to attain the full rights and responsibilities of citizenship and as such occupy an ambiguous place in society raising questions regarding the applicability of the responsibilities and obligations inherent in the 'community as a moral resource' discourse. Furthermore, as a consequence of their status as 'offenders', they are often viewed by their communities with varying degrees of suspicion and hostility and such exclusive community experiences may serve to perpetuate

and embed criminal behaviour and identity. Overall, the assumptions and objectives inherent in the 'community as a moral resource' discourse appear to have inadequate regard for both the complexities of everyday community experiences and those that arise from being a 'young offender' within these communities.

Continuing the focus on the empirical work undertaken with young offenders and youth justice professionals the next chapter will consider the 'community as a moral claimant' discourse and in particular the impacts of offending and involvement in the youth justice system on respondents' experiences of community.

Chapter Six

Community as a Moral Claimant?

Respondents' Experiences of Youth Justice and Community Censure

Introduction

Notwithstanding the recognition that 'youth justice is a confusing and messy business' (Muncie and Hughes, 2002: 15), in chapters two and three it is argued that an ideological commitment to 'communitarianism' is discernable in New Labour's youth justice rhetoric and policy. On the one hand this has promoted the discourse of 'community as a moral resource', and on the other that of 'community as a moral claimant' (Hudson, 2003). The preceding chapter has explored the resonance of the former with respect to communities' capacities to regulate and control young people's behaviour. This chapter will consider the latter and, in particular, the impacts inherent in legitimating and prioritising a community's right to expect and demand that members conform to certain standards of behaviour.

Hudson's (2003: 78) conceptualisation of 'community as a moral claimant' envisages that communities have rights in the same way as individuals. As such, the community has a right to expect protection from 'troublesome' and criminal behaviour, and, if this is not forthcoming, to demand the censure and ultimately the exclusion of those individuals who persistently fail to live up to their responsibilities as community members. The 'community as a moral claimant' discourse is reminiscent of Garland's (2001) 'criminology of the other' (discussed in chapter three) which asserts that in those instances where penal policy is explicitly informed by communities' symbolic and expressive concerns it will serve to pit the respectable citizen against the feckless criminal and, in turn, will invariably result in the prioritisation of the control, condemnation and confinement of offenders.

Garland (*ibid.*) acknowledges that his analysis is more in keeping with the US context and recent studies in the UK suggest that the general public are not as punitive in their attitudes towards offenders as the media, politicians and public officials would have us believe (Allen, 2002; Maruna and King, 2004; Bottoms and Wilson, 2004; Roberts and Hough, 2005). However, the punitive imperatives of the 'community as a moral claimant' discourse are a cause for concern within the youth justice context, especially given youth's perennial role as 'society's folk devil' (Muncie, 2004: 120). Indeed, the very term 'youth' conjures up a range of emotive and troubling images for adult society (Muncie 1999, 2004) and a dominant and recurrent theme for successive generations has been the expectation that youth is 'the age of deviance, disruptiveness and wickedness' (Brown, 1998: 3).

The violence of Teddy Boys and Skinheads, the weirdness of punks, the drugged-up nature of rave and contemporary political and media preoccupations with gangs, gun culture and 'anti-social' behaviour have elicited similar and enduring forms of adult concern and censure (Hall and Jefferson, 1976; Pearson, 1983, 1994; Gelder and Thornton, 1997). Davies (1990: 19) argues that the fascination of adult society with respect to the 'problem of youth' reflects the fact that the 'youth question has served as a kind of 'screen' upon which commentators and analysts have projected far more general hopes and fears concerning the condition and future of our societies as a whole'. Likewise, Brown (1998) argues that views of youth often have very little to do with the lived experience of youth itself and everything to do with adult conceptions and imaginings, particularly with regard to social change and ontological insecurities.

The prevalence of this view of 'youth as a problem' provides the context for the analysis presented in this chapter. Drawing largely on empirical material, this chapter explores young people's perceptions, experiences and responses to youth justice interventions and the impacts of their status as 'offenders' on their interactions with, and relationships to, the

communities they belong. Given the long-standing and enduring nature of this general concern regarding young people it seems likely that the small minority of young people who end up being brought to the attention of the criminal justice system become the 'legitimised target for the harshest and most destructive impulses directed against their contemporaries as a whole' (Haines and Drakeford, 1999: 1). Certainly the empirical analysis presented in this chapter will suggest that the exclusionary imperatives inherent in the 'community as a moral claimant' discourse presents potential dangers in respect of alienating and encouraging further criminality among young offenders.

While the previous chapter drew on respondents' own understandings and definitions of community it was clear from interviewees' responses to the questions posed that in this instance community was invariably interpreted as the residents, networks and relationships within a particular locality.

Addressing youth crime

Young people offend for a variety of complex reasons. In this study the young people commonly explained their offending in terms of their being 'influenced by' or 'led astray' by friends. For example:

I started hanging about with this lad at school and the crowd he went about with were into all sorts and I just got dragged along really. I just went along with stuff on the night. (Male, 15 years, APO)

My boyfriend's mate said 'I've found this car and its got keys in it so lets rob it'. And I was saying 'we can't be doing this, we can't'. And 'X' [boyfriend] didn't want to do it at first but he thought I can't just leave him to go off on his own to rob this car and then I went along coz he did. (Female, 15 APO)

My mates just say 'lets do this' and I usually go along, especially if they get me on days when I'm bored. (Male, 17 years, SO)

I was in with the wrong crowd at the time and a lot of it was posturing and proving you were hard and all that. (Male, 17 years, ISSP)

Others, particularly those being supervised by the YOT in relation to offences involving violence against the person, often explained their offending behaviour in terms of provocation or self-defence. The following quotations are illustrative:

It was just one of those things that got really out of hand. I was seeing this lad and apparently he'd slept with this girl and she started ringing me up and taunting me about it and how he didn't want to go out with me any more. It was a Saturday so I was at home and all my mates were round, so we decided to go up there and have it out with her. They'd just come along to support me but I guess we were all hyped up about it and I was so angry about it and I just thought this girl was out of order. We couldn't find her so we just battered some girl and then it turned out it wasn't even true. (Female, 14 years, APO)

There's a gang thing in this area so you fight with guys from other areas and I'm getting a good reputation for it. There's loads of lads after me and wanting to fight me at the minute so it means I have to watch my back a bit. I'm trying not to, but if someone comes after me I'll defend myself. (Male, 15 years, APO)

Its usually self-defence or a case of I'm not backing down. (Male 17 years, SO)

For a few offending was explained in very utilitarian terms, that is needing money to engage in desired activities or pursuits. For example:

It's just been my lifestyle for the last three years. There's nothing to do but drink or smoke and you need money for both so you have to get that somehow, going on the rob or shoplifting. (Male, 17 years, ISSP)

We want to go to the arcade and you need money to go. All your mates have it, so you have to go and rob to get some money. [...] We're taxing [stealing from] anyone who's hanging around the arcade. We don't care if they are older or younger than us. (Male, 14 years, ISSP)

Each of these individual explanations can be related to a range of criminological theories, which variously envisage youth crime as a consequence of individual, social, economic, political or cultural factors. While these many and various theories will not be addressed here (see Muncie, 2004) the purpose of highlighting the diverse and abundant nature of criminological activity on this issue is to emphasise that explanations for youth crime are neither simple nor uncontested.

In recognition of the fact that the causes of youth crime are likely to be complex and varied it seems reasonable to assume that they will also 'defy simplistic solutions' (Jamieson *et al.*, 1999: 162). This recognition provides the context within which the punitive imperatives of the 'community as a moral claimant' must be considered.

New Labour and 'community as a moral claimant'

As chapter two has highlighted, youth justice policy in the UK has undergone a range of transformations with different permutations variously adopting 'welfare' and 'justice'

orientations (Harris and Webb, 1987; Gelsthorpe and Morris, 1994; Muncie *et al.*, 2002). It has also been argued that, breaking with the Labour Party's traditional welfare concerns and priorities, the New Labour government has actively sought to accentuate the punitive character of youth justice provision. Indeed, as discussed in chapter three, the influence of the 'community as a moral claimant' discourse has witnessed a commitment to early and pre-emptive crime control strategies; ever more demanding criminal orders; and an increased reliance on the secure estate all premised on public protection and on demonstrating society's intolerance of disorder and crime.

In pursuit of the objectives of crime prevention and public protection the youth justice system aims to provide appropriate levels of censure and interventions which effectively address anti-social and criminal behaviour. As such, punitiveness and a focus on offender accountability have proved key components of New Labour's youth justice strategy, not least because being seen to hold young offenders to account for their anti-social and criminal actions allows the government to escape the 'populist condemnation that they are "soft on crime"' (Muncie, 2004:278).

Certainly the young people interviewed for the purposes of this study were clear that intrinsic to the various orders to which they were subject was a distinct punitive element. In particular they identified mandatory supervision sessions and the restrictions that the demands of orders placed on their free time and autonomy in this respect. Understandably those subject to the higher tariff orders, particularly ISSP, seemed most aware of such restrictions, for example:

For the community service part it's just a lot of hours to keep you occupied, and for 12 months I've also got a supervision order so I'll also be losing time during that coz I've got to see my supervisor and talk to him about my offending. (Male, 17 years, CPRO)

I've got to come here every day and wear this bloody tag. I'm on surveillance so if I don't comply I'll get arrested. For me this is the last resort before custody. (Male, 13 years, ISSP)

This is hard because you've got the three things at once. You've got to go to training, you have to come here and you've got to keep your tag. They've even got us doing evening activities and we do three hours on a Saturday as well, and then they visit you on a Sunday. But it has to be done, otherwise I'll get breached and end up inside. (Male, 17 years, ISSP)

Reflecting New Labour's prioritisation of offender accountability, youth justice provision is premised on the 'what works' orthodoxy, which claims that intensive, highly structured programmes that address offending behaviour are capable of success (Gendreau & Ross, 1980; Ross & Fabiano, 1985; McGuire, 1995; Bonta, 1996; Underdown, 1998; Dowden and Andrews, 1999; Andrews, 2001). In practical terms the implementation of this approach has been influenced by studies such as 'Young People and Crime' (Graham and Bowling, 1995) and 'Misspent Youth' (Audit Commission, 1996), which advocate a focus on the risk factors underlying the aetiology of youth crime. Hence youth justice interventions are premised on a young person's 'criminogenic' needs, that is those problems and needs which are directly related to offending behaviour and the risk of re-offending they present. A key objective for YOTs has been to provide 'interventions to tackle the problems underlying offending' (Home Office, 1999).

The young people and practitioners interviewed for this study were clear that YOT supervision was primarily focussed on offending behaviour, that is what caused and contributed to offending behaviour; what impacts offending had for the victim, the perpetrator and those who cared for them; how young people could avoid further offending; and the potential consequences of further involvement in offending behaviour.

In keeping with the 'what works' philosophy many respondents undertook a range of cognitive behavioural type exercises to address these issues. Most commonly cognitive behavioural work was undertaken within the context of individual supervision sessions with a YOT or ISSP worker. However, many respondents, especially those subject to ISSP, also participated in group-work sessions on a regular basis.

In this study the bias towards offender accountability within youth justice interventions was considered both positive and problematic. Getting young people to accept responsibility for their involvement in criminal activities is undoubtedly a necessary aspect of community disposals, particularly for ensuring their acceptability and credibility with sentencers and the general public alike. Furthermore, addressing offending behaviour was identified as a beneficial aspect of youth justice supervision by many of the young people interviewed for this study. Typical comments in this respect included:

Everyone does drinking and drugs round where I go round. Well it's mostly drinking, and just being able to talk about that and the offending stuff it helps me to see that it's wrong and I shouldn't be doing it. (Female, 14 years, APO)

It was good having someone to talk to about my offending. Each time we met we'd have a chat and she'd [YOT supervisor] make sure I was alright and see what I was getting up to and making sure that I was staying out of trouble. Being able to talk about it felt good and it also meant I was able to get the support and understanding I needed to stay out of trouble [...] Before I did this I was very quiet and now I feel a bit better and I guess it has helped my confidence really. (Female, 17 years, SO)

I think it's the questions they ask you. It makes you think more about your life. At one time I'd just go out with my mates and not think about my family

that much and now it's different. I try to think about my family first and not just act out and do something. Like my mum she'll just say 'what are you like?' or 'I don't know how come you're always so naughty?' and she lets it go. But here you're not allowed to let it go and you've got to deal with it.

(Male, 17 years, ISSP)

However, the preoccupation with 'criminogenic' risk and offender accountability within youth justice interventions has also led to a degree of frustration in terms of the types of youth justice interventions practitioners believe that they can legitimately provide. In particular the prioritisation of offender responsibility was believed to undermine practitioners' ability to take adequate account of the socio-economic reality and complexity of offenders' lives. As one YOT worker observed:

I do feel despondent about the current system. I think we need to spend more time, as opposed to less time, dealing with offence-related issues, such as debt and poverty. Realistically until those underlying issues are dealt with you can't do cognitive behavioural work.

Indeed, practitioners emphasised that offending behaviour was often only one of a complex constellation of concerns relating to individual clients and many recognised that the interventions they undertook with young offenders could not begin to address the plethora of personal, economic and social issues which often contribute to and embed criminal behaviour. Overall, practitioners' dissatisfaction with the emphasis on offender accountability appeared especially marked for those clients for whom choices, resources and opportunities were most limited. In particular, being 'looked after' by a local authority, while often underlying and compounding offending behaviour, also presented a host of other issues, which often made for a difficult supervisory relationship. For example:

X has been offending since a young age. He was brought up in a children's home and has had negative input from his peers all the way. [...] He's been institutionalised really and he relies on others and needs a great degree of help and support, but he's also rejecting of authority, so he often rejects the very people who are there to offer that support to him. (ISSP Worker)

I think for X it is really all about boredom. He's a really intelligent lad but he very quickly got into that 'care' mentality. He'd never been involved in the justice system prior to going into care [...] He's also heavily into drugs and alcohol, which doesn't help the situation any, but for him I think it provides a bit of escapism from what is an unpalatable situation. (YOT Worker)

It is important to note that even the 'what works' literature recognises the need to take account of the realities of offender's lives, not least because offence-focussed cognitive behavioural approaches are unlikely to succeed if they neglect an individual's lived circumstances (Drakeford and Vanstone, 1996; Crow, 2001; Eadie and Canton, 2002) Indeed, Eadie and Canton (2002) suggest that it may be advisable to devote time and energy at the beginning of an order to addressing practical needs prior to commencing upon formal rehabilitation programmes.

The managerialist and organisational ethos which underlies youth justice policy in England and Wales has also served to constrain discretion on the part of the youth justice worker regarding the work they undertake and the issues they address with young people (Eadie and Canton, 2002). As Jones (2001) has suggested, it appears that the prioritisation of quantifiable throughputs and outcomes has led to concerns that youth justice interventions have become geared to meeting targets rather than responding to the needs and circumstances of young offenders.

For example, many practitioners interviewed for this study expressed misgivings regarding the impact the introduction of 'National Standards for Youth Justice Services' (Youth Justice Board, 2004) was having with respect to their ability to deliver effective interventions to young people. Signalling New Labour's intention to focus on young people's 'deeds' and to be tough on youth crime, National Standards govern how young offenders are supervised and set stringent criteria for the enforcement of orders to ensure that offenders actually experience the intended restrictions on their liberty, or are punished if they do not (Bottoms *et al.*, 2004: 6). Practitioners perceived such managerial demands, and their associated bureaucracy, to be reducing the time they could devote to individual clients. As one YOT Team Manager observed:

Since the implementation of 'National Standards' the main impetus is to try and make the figures look good and that does away with a lot of the issues that are raised in assessment. Basically, you neglect the issues that perhaps most need to be addressed while you focus on those directly related to the offence. So you now do the minimum in terms of supervision.

Notwithstanding such reservations, the empirical work undertaken for this study has also identified a great deal to be positive about with regard to the interventions young people were experiencing at the local level (see Burnett and Appleton, 2004). The majority of young people interviewed reported that their experiences of supervision were relevant to their individual needs and circumstances and had provided them with constructive advice and support. Furthermore, in pursuit of effective interventions, practitioners, particularly those with long term experience of working in juvenile justice, stated that they were able to bring a range of experience, skills and expertise to the supervision process, which they utilised to promote and support their clients to take responsibility for their actions and to make positive choices with regard to fulfilling their aspirations. For example:

I've been a juvenile justice worker for just over ten years now and I think our job remains that of keeping them out of custody. Of course, within the current context the emphasis is upon addressing offending behaviour, but I think our role extends further than that and I do try as far as I can to undertake meaningful work with them. I think it is incredibly important to try and offer them new opportunities. It's also about showing them that there are other ways out there of getting what they want out of life and they can do that by moving forward and having fun rather than offending. (YOT Worker)

I have reservations about ISSP but at least those young people get the chance to work on particular programmes and to confront particular issues. And supervision can provide a means for these kids to get some of the help they need, whether that be offence related, education, mental health or whatever else. I'm confident that a crucial aspect of the service we provide is that my staff have a lot to offer and I think the kids benefit from the chance to work with skilled and professional practitioners. (Deputy YOT Manager).

While somewhat marginalised within the current youth justice context, the 'what works' orthodoxy recognises the importance of a community base in facilitating 'pro social' relationships and activities which assist in addressing offending behaviour and enhance offenders' resilience to the factors which place them at risk of offending (Chapman and Hough, 1998:67). Indeed, in addressing the research questions of this study the empirical evidence suggests that the community can make positive and valuable contributions both to the control and prevention of offending and to rehabilitation and social inclusion of the young offender.

For the young people interviewed, serving their sentence within the community had provided an opportunity to sustain family and other significant relationships and to engage

in a range of legitimate activities. While practitioners asserted that one of the major strengths of their interventions was their ability to address their clients' offending behaviour within the context and relationships in which they lived their everyday lives.

For example:

The important part of the work we do with young people is that they get a chance to put into practice alternative strategies and things they can do to avoid offending. They need that bit of immediacy, and reward is also important, you know. 'Well that worked and that was good, lets see if we can keep that up'. Overall, I guess community sentences offer the opportunity to deal with the reality of their lives. (Deputy YOT Manager)

The kid stays in the area, probably where they've been causing havoc, but you undertake an intervention with them while they are involved in the same networks of family, education or whatever. Realistically if you are going to address their offending in any way you need to do that within the context of where they live their lives. And it is in that context that you can try to provoke change and work with them through their problems. (YOT Youth Worker)

I think community orders are important because you are dealing with their offending and other issues within the environment and the cultures within which they live [...] I do think that if workers can help young people establish positive and effective relationships within the communities they live in that can make a huge difference. (Education Worker)

Furthermore, despite some reservations regarding the efficacy of 'joined-up' working arrangements, practitioners also believed that the ability to link their clients to specialist

services within the community, such as health, mental health, education and training, enhanced the supervision they provided. Likewise, the young people interviewed were particularly appreciative of the fact that youth justice involvement provided a gateway for them to access specialist education, training, alcohol, drug and leisure placements and services.

Complimenting the provision of interventions within a community setting, Chapman and Hough (1998: 67) assert that efforts to ensure community reintegration will help offenders to find a 'place in the community where they can lead a law-abiding life, be accepted and make a positive contribution'. In particular, they emphasise the importance of 'pro social' family relationships, authority figures and participation in activities such as education, training and employment. As such the community is regarded as a resource which may help to address offending behaviour.

Support for this idea that community reintegration may prove effective in addressing offending behaviour was apparent in the interviews with young people who variously asserted that re-entry into mainstream education, accessing specialist education provision, gaining a training placement, changing friendship groups, being in a relationship with a partner and/or becoming a parent had proved important to encouraging and consolidating their personal motivations to stop offending. The importance of community reintegration was also echoed in interviews with practitioners who emphasised the beneficial impacts of opportunities for young offenders to become involved in respectful and positive relationships with adult community members.

Notwithstanding the recognition that a focus on the personal and social circumstances can have a profound impact on offenders' likelihood of stopping offending (Farrall, 2004; McNeill, 2004), practitioners asserted that community reintegration was not accorded that

much priority within the current youth justice system. As one YOT Team Manager observed:

To be truthful, I think the government is not willing to take action or resource the reintegration and rehabilitation roles in the way it should and that means it's a part of our role which gets sidelined

Echoing the arguments in the previous chapter, many practitioners asserted that the commitment to community within youth justice was premised on the young people's responsibilities to their communities rather than the communities' responsibilities to their young people. Thus efforts in this respect were reliant upon the discretion and efforts of individual practitioners.

Indeed, the fact that young people's experiences of youth justice provision was to some extent removed from the punitive intent inherent in the 'community as a moral claimant' discourse appears, in no small degree, attributable to youth justice workers' commitment and dedication to the young people they supervise. Notwithstanding the contrary tenets of policy, rhetoric and guidance, the evidence here and elsewhere (Burnett and Appleton, 2004) suggests that youth justice practitioners are striving to build constructive and supportive relationships with their clients premised on more than just 'criminogenic' needs.

Both the practitioners and the young people interviewed for this study noted that the establishment of a positive relationship between the supervisor and the client was an essential element of 'effective supervision'. Indeed, with only one exception, the young people interviewed for this study were incredibly complimentary with regard to the relationships they had established with YOT and ISSP personnel. These workers were

variously described as 'sound', 'nice', 'open', 'approachable', 'non-judgemental', 'supportive' and 'trustworthy'. For example:

I don't really like to talk about it [her offence] properly. I just don't like to do that. But X [YOT Worker] knows all about it so it is OK and she doesn't seem like she is here to give me a hard time. I can also talk to her about other things. She doesn't make me feel uncomfortable. She's not like a teacher or that. She's not here to teach me stuff like how not to be naughty. She's here to help and to give me advice. (Female, 16 years, APO)

The staff are quite helpful coz they know how to handle young people and they don't just start at you as if you were a kid. They speak to you and I'd say they were understanding. (Male, 17 years, ISSP)

The relational aspects of effective supervision have been emphasised in previous studies (Bailey, 1995; Beaumont and Mistry 1996; Ford *et al.*, 1997; Mair and May, 1997; McIvor and Barry, 1998; Rex, 1999, 2004; McIvor and Westmarland, 2002). As Smith (2004:44) observes:

Research, as well as intuition, suggest that the quality of the relationship between the helper and the helped (or supervisor and supervisee) matters, perhaps as much as the content of the intervention, as a predictor of success or failure of efforts to help people change.

However, New Labour's construction of 'community as a moral claimant' shows a marked disregard for the resources the community might bring to deal with youth crime and thus the longer-term sustainability of practitioners' ability, or indeed commitment, to addressing more than a young offender's 'criminogenic' need has been questioned.

Commenting on the influence of positivism on probation practice, Smith (2004: 45) also observes that the punitive imperatives which characterise contemporary youth justice discourages practitioners from 'seeing those with whom they work as anything other than offenders, carriers of risks to be managed and controlled, rather than of problems and troubles to be solved and assuaged'. Furthermore, Eadie and Canton (2002:14) argue that working in a 'context of ambivalence' is likely to undermine practitioners' ability 'to do justice to the diversity of individual's circumstances'.

Effective Youth Justice?

The evaluative research evidence regarding the application of the 'what works' approach to youth justice is as yet unavailable. However, Raynor (2004: 213) argues that while 'evidence based' approaches, in general terms, have shown some promising signs, to date they have not lived up to the high expectations generated by the international research literature. Furthermore, the 'offence focussed' supervision which is central to contemporary criminal justice interventions have been subject to methodological and scientific critiques from a range of commentators (Farrall, 2003; Tilley, 2003; Mair, 2004; Raynor, 2004); not least because such approaches have been developed on the basis of studies of white, male and mentally stable offenders (Hedderman, 2004; Kemshall, Canton and Bailey, 2004; Shaw and Hannah-Moffat, 2004).

In this study, while the majority of respondents asserted their determination or need to stop offending, they were ambivalent regarding the extent to which YOT or ISSP supervision had undermined their likelihood of continuing to offend. Certainly many of the young people interviewed observed that in keeping them occupied and 'off the streets' supervision had undermined their opportunities for offending. Additionally, they credited the nature of the interventions provided to have undermined their motivation to offend.

However, the likelihood of desistance from offending was in large part attributed to young people's personal motivations. Indeed, while generally positive regarding YOT supervision, it appears that the personal motivation to desist from offending for all female respondents, and the majority of male respondents subject to APOs, was the shame, regret and fear they had experienced with regard to their involvement in the youth justice system and a corresponding desire to avoid such involvement and its personal consequences in the future. Typical responses included:

I'll never offend again. It's too much bother and I'm scared of the court, so I wouldn't do anything that would get me in that type of trouble. (Female, 15 years, APO)

It was all so scary and not a very nice thing to put your family through. It just wasn't a good thing to do and for me it was a horrible experience. Incredibly stressful and I really don't like to talk about it. (Female 16 APO)

I won't offend again. I just want to put all of this behind me. (Female, 17 years, SO)

The majority of male respondents also asserted their motivation and/or need to stop offending. Unlike the female respondents, for whom prior criminal justice experiences were fundamental, male respondents identified the prospect of further or higher tariff involvement in the criminal justice system as key to deterring their involvement in offending. For example:

I'm never going to offend coz I really don't want to go inside. (Male, 15 years, APO)

Nearly going to prison made me really think and it just not something I ever want to experience. (Male 16, SO)

I'm coming up to 18 now and it is all going to change and I can't carry on doing all the same stupid things. I don't want to go away for years and years. (Male, 17 years, ISSP)

While such findings may provide some support for the deterrent impacts inherent in the punitive aspects of the 'community as a moral claimant' discourse, it is important to note that the relationship between deterrence and crime is one which has elicited much debate within the criminological literature. Reflecting on empirical evidence available on this issue with respect to a range of punishments including imprisonment, community penalties and regulatory interventions, Easton and Piper (2005: 119) conclude that 'punishment may deter fewer offenders and potential offenders than we would like'. Furthermore, while criminal justice interventions may well have deterrent impacts they argue that this is likely to reflect the fact that the offenders in question 'are in deterrable states of mind' (*ibid.*).

However, the punitive imperatives that have increasingly come to characterise youth justice appear to leave little room for the pursuit of inclusionary and reintegrative approaches. Indeed, the prioritisation of the need to punish wrong-doing and to demonstrate disapproval within interventions raises concerns regarding the very possibility of community reintegration and social inclusion for young offenders (Spencer and Deakin, 2004).

In view of the pitfalls of child incarceration outlined in chapter three, community-based youth justice interventions are without doubt preferable to custodial alternatives on humanitarian, economic and, of course, effectiveness grounds (Andrews *et al.*, 1990; McIvor, 1990; Sherman *et al.*, 1998). Indeed while practitioners recognized that custody

was an inevitable pinnacle of the youth justice system it was viewed as an undesirable and damaging option. In addressing the merits and weaknesses of custodial sentences typical responses from practitioners included:

While I recognize that secure establishments are needed for the minority of cases where the young person has particularly high needs or where they present a danger to the public on the whole I think custody should be abolished for all but the most serious of cases. Custody is such a damaging experience for both the child and their family. It's not just a case of a criminal record, which might get in their way at a later date I think sending kids to custody hoards up all sort personal and psychological problems which will hit them or the public in the face at a later date (YOT Worker).

Custody is the most damaging thing that you can do to a child. Its impossible to do any cognitive behavioral work in prisons, they get doss house education and they're in there with lads who are harder and more experienced so it's like a university course in crime for them. So they come out with newly acquired skills and not only do they make more sophisticated offenders but they're also more dangerous (YOT Team Manager).

I think the core weakness of custody is that in removing kids from the community, even for a short time, you aren't addressing the issues that put them there in the first place. The transition from community to custody to community is also very difficult to plan especially in terms of education and training and of course you know while they're in there that the educational provision is very poor. Perhaps more importantly they'll also be mixing with other criminals and regardless of what they feel about that and about being in prison they won't express their fears, anxiety or stresses. They keep their

heads down do their bird and its only later that the consequences become apparent (YOT Deputy Manager).

It is to the consideration of young offenders' relationships to their community and the perceived impact of their 'offender' status on this relationship that attention will now turn. This analysis will address the study's research question with regard the nature of the relationship between the young offender and his/her community and the extent to which the community contributes to the rehabilitation and social inclusion, or otherwise, of young offenders.

Offending youth and intolerant communities?

Notwithstanding falling crime rates and the fact that the most recent official quarterly crime figures, in England and Wales, show that the risk of becoming a victim of crime, at one in four, is lower than at any time in more than 20 years (Nicholas and Walker, 2004), fears in respect of young people continue to haunt the public imagination. Indeed, while fear of crime has diminished, a quarter of all respondents to the 2002/3 British Crime Survey identified the biggest problem in their local area to be teenagers hanging around (*ibid.*: 61). Furthermore, perceptions of anti-social behaviour were highest in areas of social rented and low-income housing (*ibid.*: 59) and were associated with higher levels of fear of crime, particularly burglary, vehicle crime and violent crime (*ibid.*: 64).

In short, young people continue to be construed as threatening, and negative perceptions of young people's preferred social activities heighten insecurities and fears in relation to crime (Waiton, 2001, Walsh, 2002, Muncie, 2004). Despite a few contrary indications the empirical work for this study overwhelmingly suggests that communities' frustrations and fears in relation to young people in general and young offenders in particular have served to promote intolerance with respect to troublesome, anti-social and criminal behaviour.

When asked to comment on the nature of communities' views in respect of young people's engagement in anti-social and criminal activities, practitioners observed that often what communities perceived as problematic behaviour was not necessarily different from or in any way worse than types of behaviours perpetrated by previous generations of young people. For example:

Anti-social behaviour is basically now seen as kids just messing around and that's what kids have always done but it has never actually been criminal and treated the way it is now. Just what are kids supposed to do? (YOT Worker)

Robbing cars and all sorts is seen as a normal part of growing up. These areas are notorious for vacant houses so there's a lot of vandalism and setting of fires. I dare say the communities are fed up with it, but there's a cycle to it as well, and if you talk to the parents they're quite accepting of it really coz they were doing the same stuff as well. It's intergenerational in many ways. (YOT Worker)

To some degree adult recognition of the problems and issues faced by young people, particularly with respect to a lack of leisure resources and opportunities, within a context of inherent and intergenerational poverty and crime, was believed to elicit a modicum of empathy and understanding. However, overwhelmingly practitioners reported that the communities in which they worked were frustrated and intolerant with respect to younger residents' engagement in troublesome and criminal activities.

For some individuals and communities the prevalence and normalcy of crime served to undermine capacities and abilities to act as a 'moral resource' to control or prevent youth crime (as was discussed in more detail in chapter five). As such, a common response to the problems presented by young people was often to do nothing. For example:

I think the older generation really struggles with what they see as the lack of values among the young. Criminal and anti-social behaviour is just not challenged because that takes them into dangerous territory. There's a real fear of complaining even though they know who the perpetrators are. There's also credibility within the area and then leaving yourself open to victimisation. So there is an element of collusion really. You don't grass. You protect your own. (YOT Education Worker)

For others the prevalence and normalcy of crime served to amplify and exacerbate community intolerance and condemnation with regard to juvenile crime and anti-social behaviour. Indeed, from the community perspective the problematic behaviour of young people was perceived as a threat to the community and this perception had damaging implications for the nature of the relationship between the community and its younger members. For example:

I think there is a lack of understanding and tolerance from both perspectives. Years ago if the kids started acting up someone would have gone out and told them off. Part of the problem now is that they are just not challenged. People are too frightened and then the situation just escalates with both sides becoming increasingly antagonistic. For the adults it's about 'I'm going to get the police on you', and the kids they hang about in large groups, they smoke, they drink, they laugh, they shout and that can be quite intimidating. (On Track Manager)

Often they live in areas where there are no facilities so they hang about often in large groups and then they just get moved on and complained about. Of course the impact of that is that people become entrenched in their ideas, both

the kids and the adults and the relationship becomes antagonistic. (YOT Worker)

The young people are viewed as a nuisance and of course they are not unaware of that viewpoint and so they are detached from and they detach themselves from the community and I don't think there is a relationship there and certainly not one which is positive. (YOT Worker)

I think kids are doing more and more damage within their communities and that makes the desire for retribution that much greater. I think we've engendered a 'grassing' culture, which can actually be used quite maliciously, and these are the only ways that communities know how to cope. (YOT Team Manager)

To some extent practitioners attributed the enmity and threat which characterised young people's relationship with their communities to the detrimental and damaging impacts of their engagement in criminal and anti-social behaviour. Indeed, commenting specifically with respect to the relationship between their client group and the community, practitioners asserted that this intolerance was likely to be exacerbated by the fact that the community was victimised by at least some of the offending perpetrated by the young people they supervised. For example:

The kids we work with are often quite active, stealing cars and stuff and the trouble is visited on the communities directly by it's own members. People do then try and deal with things in their own way and there is lots of swift justice, which is in essence retributive. Of course there are no positives for either party in that. (YOT Team Manager)

In many cases they will have committed a number of offences related to the community or against their own community and as such some of the members will have turned against them and I think in some ways the young people then feel isolated and ostracised. (YOT Worker)

However, practitioners also acknowledged that the threat associated with young offenders was also attributable to the political and media preoccupation with the 'scourge of anti-social behaviour' and the reportage this engendered at both local and national levels. Indeed, the current political and media preoccupation with youth crime generally and anti-social behaviour in particular was perceived to heighten communities' fears and promote intolerance. As a YOT Team Manager observed:

I do think the kids' behaviour threatens and undermines community and it also reinforces the negative stereotypes of young people [...] But in reality what's happening is that that is being amplified by government policy and the media which guarantees that fear of crime is heightened and that anything young people might get up to is then likely to be construed as damaging and threatening to the community.

Indeed, practitioners asserted that the intolerance inherent in national youth justice strategies, such as anti-social behaviour orders, provided a context in which intolerant and punitive community responses to the problematic behaviour of young people were perceived as acceptable and legitimate. In spite of the overwhelming view that juvenile crime and anti-social behaviour presented a threat to communities, practitioners also asserted that in some instances this threat served to elicit communal solidarity to address a common problem. Furthermore, in keeping with the spirit of the 'community as a moral claimant' discourse, for some this solidarity had prompted demands for ever more punitive responses to young offenders. For example:

In this local area we have an MP who has been saying that he's in a situation where elderly and vulnerable constituents are continually coming up to him and saying how terrorised they have been by young people. He then talks to the police, social services and other organisations and he says they seem unwilling or unable in anyway to challenge that sort of behaviour. So now he's actively promoting a much more punitive approach with regard to young people within this local authority without any considerations of the long-term solutions to these problems. (Deputy YOT Manager)

Illustrating the inherent dangers of the 'community as a moral claimant' discourse practitioners also acknowledged a few instances in which communities' intolerance and desire to assert some control over the problems presented by young people at the local level had resulted in 'vigilante' type responses. For example:

The police and MPs receive numerous complaints about certain areas. The major concern is that kids will congregate and intimidate older residents with their sheer numbers, abusive language and just hanging out to late at night causing the types of problems young people have always caused. At the other extreme communities may take matters into their own hands. Last year there were a couple of groups of teenagers who were particularly problematic and although they weren't instrumental there were suspicions about them in respect to one man's death. It all kicked off quite badly. People were employing the services of security firms, well not security firms exactly, but protection rackets from local gangsters to keep things in order. (YOT Team Manager)

Ultimately such adversarial approaches are likely to have negative and damaging repercussions and will not serve the best interests of either the communities or the young

people concerned. Indeed, the suggestion that community disapproval and censure has the potential to undermine the prospect of rehabilitation and reintegration was further explored with respect to the young offender's interactions with and relationships to the communities within which they lived.

'Offender status' and community membership

The fact that communities were largely censorious with respect to juvenile crime and anti-social behaviour was reflected in the interviews undertaken with young people. In discussing community reactions and responses to their 'offending' it was apparent that the young people interviewed were sensitive to how their involvement in criminal activities produced strains in and problems for their relationships to their communities: In order to minimise disapproval and condemnation by the community, all the young people subject to Action Plan Orders and a few of those subject to Supervision Orders reported that knowledge of their involvement in offending and the youth justice system was restricted to family members, and in a few instances close friends. Many of these young people also observed their desire and efforts to prevent their criminal involvement becoming known about more generally within their community. For example:

Some of my friends know and some don't. I don't want any more to know coz I don't want their opinions on me. I mean those who know about it have said I've changed, and I don't want that really. So I've said to them not to go around telling everybody. I don't want everybody to know. (Female, 15 years, APO)

A couple of ones know but I'm trying to keep it quiet. I don't want to be known as the hooligan of the street. (Male, 15 years, APO)

In some ways I'm not too bothered if it gets out. I've not done anything too bad but at the same time I prefer it like this where no one really knows, apart from some friends and my family. (Male, 16 years, APO)

It's just not known about. I'm not proud of what I've done. I'm ashamed of it so obviously I'm going to keep it quiet. Well I'm not that bothered if they know about it, but for my mum, she'd be really ashamed if everybody knew about it, so I keep my mouth shut and my friends won't tell. (Male, 15 years, SO)

There were only two instances where wider knowledge of respondents' offending had not elicited a censorious response from the community. In both cases, while not condoning the actions of the two young women concerned, subject to SO and a DTO respectively, it appeared that familiarity with the young person involved and the circumstances which had culminated in the offence - in both cases that of common assault - had prompted an empathetic response within the community.

However, this was not a common community reaction and in the majority of cases where the young person's offending was known about responses were less tolerant. Furthermore, many of the young people, particularly those subject to ISSP, suggested that disapproving, or indeed, hostile community reactions contributed to a perception of themselves as 'different' or 'criminal'. For example:

You can tell what they're all thinking. People who knew me when I was younger they all still speak to me, but everything's just about my offending now. I used to be able to talk to mum's mates, you know, about football and things, but its just 'what have you been getting up to?' 'Have you been in any

trouble recently?' [...] I'd rather people were thinking 'oh he's sorted himself out now'. (Male, 17 years, ISSP)

I've got a reputation. Its too late, I'm a troublemaker and that's it really [...] but I keep on offending so I guess I'll just end up in gaol. (Male, 13 years, ISSP)

You get respect off your mates for it but off adults you get no respect and sometimes that makes me feel sick coz I'd like to have more respect than people have for me. [...] Like someone walks past me in the street and says 'hiya' and I'll say 'hiya' back but then I know for a fact that they don't respect me because of what I do and they say 'hiya' because they're scared of me. (Male, 17 years, ISSP)

All the older ones stopped speaking to me and you can see then thinking 'poor X' [nan] what did she do to deserve another crim in the family. I don't care what they think of me but at the same time I do care for my nan's sake. (Male, 17 years, ISSP)

Interviews with practitioners supported the view that community 'intolerance' towards the young people served to further embed the criminal activities and identity of some of their clients. This was particularly apparent in discussions with practitioners in relation to individual clients who were subject to an ISSP order. For example:

There is an expectation within the community of what he will do and how he will behave and people just box him off [...] And he has changed and he doesn't give a shit anymore [...] His behaviour is extreme and there's lots of aggression going on there and that is so damaging to how the community

view him, but he just thinks 'I'll give them what they expect'. (ISSP Worker regarding Male client, 17 years)

The community in which he lives hate him and I think on the whole would be more than happy to see him put away. So X in turn doesn't give a damn about them. [...] To be truthful when we do victim sessions with him it means nothing - he just doesn't care and to be truthful he just doesn't see past himself. X is not an unpleasant or unlikeable child but he just doesn't care. I'd say he just hasn't got a relationship with his community and even though it would be to his own advantage to recognise that his behaviour might be damaging to his victims and the community more generally but he refuses to take that on board. [...] He just doesn't rate them [the community] and so is dismissive of their views, especially now that they've applied for an ASBO against him and his brothers. So the community are probably going to get their desire that he'll be locked up (YOT worker regarding Male client, 13 years).

However, practitioners also observed that the communities' intolerance of their clients was to some extent mediated by age and gender. It was asserted that younger offenders were likely to be perceived as less responsible for their actions than their older counterparts, and their problematic and offending behaviour attributed to deficits in parental supervision and discipline. However, a few practitioners also acknowledged that age considerations were becoming less significant. This was explained in relation to political and media concerns regarding anti-social behaviour which were perceived to amplify public concerns and fears relating to crime and, in turn, undermine communities' tolerance in relation to a whole range of nuisance behaviours.

In relation to gender, practitioners viewed young men's relationship to their communities as particularly problematic, largely due to their being perceived as presenting a greater threat than their female counterparts. It was thought that to some extent this threat related to the fact that young men were more likely to be congregating in certain areas within the community and thus more visible. While practitioners acknowledged tendencies to both 'chivalrous' attitudes and 'double damnation' were discernable in community reactions to their involvement in criminal and anti-social behaviour, it was asserted that the relationship to their community was generally more positive. This gender differential with respect to communities' tolerance was not only attributed to the fact that girls, and their criminal and anti-social behaviour, were likely to be less visible to the community, but also to the fact that young women tend to prioritise relationships which facilitate their integration and inclusion within the community and community life.

With respect to providing effective responses to young people's offending behaviour, these findings suggest that punitive and exclusionary community responses are unlikely to engender positive outcomes. The fact that more holistic and inclusive responses may be more promising in encouraging young people's desistance was emphasised with respect to respondents' views regarding communities' reactions to their engagement in offending behaviour. In keeping with the findings of a study undertaken in Scotland (Jamieson *et al.*, 1999) for the majority of the young people interviewed, not only had community disapproval and censure proved unwelcome, it was not credited with having any significant deterrent effects on their likelihood of reoffending.

For some respondents, especially those subject to lower tariff orders, a disregard of community views or reactions was informed by the young person's recognition that they were personally responsible for their offending and desistance from offending. For other respondents, particularly those subject to higher tariff orders, this outcome was attributed to the fact that they did not respect the community's opinion. Indeed, as one male

interviewee's response suggested, the source and perceived credibility of community responses proved important factors in terms of whether such censure would prove effective:

It depends on who it is and how it sounds. So sometimes it makes me think and sometimes it doesn't. Like if it's my step-dad, he's telling me the same story all the time: 'don't get into trouble, you'll only get caught, you'll never get the best, you'll never get a good job'. Sometimes that sinks in and sometimes it doesn't. But my neighbour, this older guy, he's an ex-offender and he tells me the same stuff but I can take it from him. It sounds right cos he has been there himself. (Male, 14 years, ISSP)

Overall, these findings suggest that that punitive and censorious community attitudes and actions have quite powerful exclusionary potential, which in turn may serve to further embed young people's criminal and anti-social behaviour. As such it appears that the prioritisation within the 'community as a moral claimant' discourse of the community's right to demand censure and redress with respect to troublesome and criminal behaviour is unlikely to engender positive outcomes for either the community or the young offender, particularly if the latter do not view the community's demands as legitimate.

Conclusion

Addressing youth justice is a complex undertaking. The 'community as a moral claimant' discourse emphasises the importance of punitive imperatives in the administration of youth justice policy and prioritises interventions premised on signalling society's disapproval and intolerance of criminal behaviour. In examining young offenders' and practitioners' views and experiences of the operation of the youth justice system this

chapter has developed and consolidated the analysis with respect to the research question of what constructions of community underlie youth justice interventions.

The findings suggest that the prioritisation of punitive and authoritarian imperatives within New Labour's construction of the 'community as a moral claimant' undermine the potential for practitioners to exploit the resources the community may bring to addressing youth crime. Notwithstanding the relative merits of 'evidence-based' practice, both the young people and the practitioners emphasised those elements of supervision which are more keeping with the view of the community as a resource as important and essential features of effective practice. Indeed, while 'threat' and censure are likely to have some deterrent effects it appears that engaging with offenders in relation to their personal and social circumstances over and above those issues identified with respect to 'criminogenic' need will enhance the likelihood of young people's desistance from offending. Not least because as Shover and Henderson (1995: 243) observe:

[current repressive crime control policies] ignore entirely the theoretically obvious: Offenders' behaviour can be changed not only by increasing threat but also by increasing legitimate opportunities. It is important to make this point if for no other reason than the fact that increased opportunities extend choices to offenders.

Overall, the punitive emphasis which underlies the government's construction of the 'community as a moral claimant' is likely to restrict the contours of youth justice practice. Furthermore, Cross *et al.* (2002) argue it is also likely to limit the ability of youth workers to respond to their clients as children, with diverse and complex needs, as opposed to offenders.

The analysis presented in this chapter also provides a less positive perspective, than presented in chapter five, on the research question with regard to the nature of the relation between the young people interviewed and the communities to which they belong. In turn, the young people's reticence and resignation regarding their 'offender status' being known about within the community is indicative of the extent to which New Labour's commitment to the 'community as moral claimant' discourse is likely to undermine the rehabilitation and social inclusion of these young people. Notwithstanding the damaging repercussions young people's engagement in offending behaviour can have for their victims and the community more generally, the empirical findings presented with respect to the community's views and responses to young offenders illustrate the potential for destructive consequences arising from the government's commitment to the 'community as a moral claimant' discourse.

It appears that crime control strategies, which capitalise on public fears, not only exacerbate already established concerns with respect to young people, but also promote intolerance with respect to young offenders. Indeed, the empirical findings presented in this chapter emphasise that the community's intolerance of youth crime and anti-social behaviour can promote punitive community responses, which in turn may promote and exacerbate young offenders' exclusion from the community and their involvement in anti-social and criminal activities. Hudson (2003: 213) argues that as well as being victims of crime with claims to protection and redress, the community and the state may also be implicated in the causes of crime, and, as such, may have responsibilities towards the offender. However, Hughes, (1998) observes that the extent to which such responsibilities are likely to be realised in the face of both authoritarian penal populism and the fragmentation of community is open to question. As such the objectives of offender reintegration and social inclusion appear problematic within the current youth justice context.

In the conclusion I will reflect on the analysis and finding presented to reflect on the central research questions posed at the beginning of this study regarding the appeal, nature and desirability of community within youth justice policy and practice.

Chapter Seven

Conclusion: In Search of Community

Introduction

At the heart of my politics has always been the value of community, the belief that we are not merely individuals struggling in isolation from each other, but members of a community who depend on each other, who benefit from each other's help, who owe obligations to each other. From that everything stems: solidarity, social justice, equality, freedom. (Tony Blair, 2005, <http://ww.number-10.gov.uk/output/Page7375.asp>).

This final chapter opens, as did the introduction, with an excerpt from a speech made by the Prime Minister asserting the value of community and communal life to society. No doubt, the enduring appeal and significance of community reflects the elusive and malleable nature of this concept (Crawford, 1997, 1998a; Hughes, 1998, 2002), which, as Crawford (1997: 300) observes, is assured by its ability to represent 'a term of social organisation' meaningful not only to public and policy discourses, but also to 'ordinary people's lives, and to their social existence'. Reflecting on the analysis and findings presented, this concluding chapter will address the central research questions posed at the outset of this study regarding the appeal, nature and desirability of community within youth justice policy and practice.

What constructions of, and assumptions about, community underlie criminological theories of crime, and its prevention and control?

As chapter two outlines, the movement from 'penal welfare' to a 'culture of control' has witnessed dramatic reconfigurations in views regarding crime and how it can be addressed. In the former social deprivation comprised the central explanation for deviant and criminal behaviour and the state accepted responsibility for the reform, assimilation and reintegration of those citizens who engaged in such activities. By contrast, in Garland's narrative of the 'culture of control' crime is increasingly attributed to individual responsibility and the state has sought to repudiate its earlier commitments to interventions on the basis of offenders' 'welfare' needs through the prioritisation of evidence-based punishments, and incarceration.

In accord with these transformations, the community's role with respect to preventing and addressing crime has shifted from that of a peripheral actor, within an overarching social democratic project, to that of a central and essential actor, within the 'adaptive', 'denial' and 'acting out' criminal justice strategies evident in the conditions of late modernity. However, the centrality of the community's role within contemporary visions of criminal justice belies the faith placed in its abilities to prevent or combat crime. While efforts to mobilise communities' abilities to inculcate appropriate moral values and standards of behaviour continue within the contemporary sphere, the reality of the community's role in crime prevention and control lies in its abilities to provide for its own protection and/or to demand that the state intervenes to punish or exclude 'offenders'. In turn, the constructions of community promoted within the 'culture of control' are defensive, divisive and exclusionary (Worrall, 1997; Crawford, 1997, 1998; Young, 1999; Garland, 2001).

Given the centrality of Garland's thesis to the analysis presented in this study it is important to note that while his narrative of the 'culture of control' is recognised as a key

contribution to debates regarding the punitive turn in late modernity, the over-generalised nature of his conclusions has been subject to critique (Young, 2002a; Zedner, 2002; Braithwaite, 2003; Tonry, 2003; Walklate, 2005). Specifically in terms of method, his focus on punishment, as opposed to regulation (Braithwaite, 2003), and on similarities, as opposed to the exceptional differences, between the US and the UK (Young, 2002) has promoted concerns regarding the accuracy of his thesis and its neglect of structural inequalities. Furthermore, Garland's emphasis on control theory and 'administrative' criminology is also perceived as problematic as it overlooks more critical contributions to the criminological endeavour, most notably those of feminism and critical criminology (*ibid.*). Ultimately, Young (2002) is dissatisfied that Garland fails to recognise the necessity of making fundamental structural changes in order to address the pressing problems of crime and punishment characteristic within late modernity.

Why has community proved so appealing to New Labour's youth justice strategy?

Chapters two and three argue that community has proved irresistible to New Labour's political ideology of the 'Third Way' which has sought to emphasise 'that rights come with responsibilities' (Hudson, 2003: 78). In part, the appeal of community reflects the government's commitment to a wider 'responsibilisation' strategy which seeks to shift responsibility for crime control from formal institutions to individuals, parents and communities. It also reflects New Labour's pursuit of a 'remoralisation' agenda within youth justice which draws heavily on Etzioni's (1985) communitarianism in emphasising and reinforcing the young offender's responsibilities and obligations to his/her community. Of course, a range of coercive penalties and sanctions underpin the community's role within crime prevention and control and the offender's responsibilities to his/her community. Thus New Labour's continuing commitment to 'community' may also be understood in reference to its potential to reinforce and advance an overall

governance strategy which seeks to construct the responsible, constructive and law-abiding citizen.

What constructions of, and assumptions, about community underlie current youth justice policies and practices?

Just as the shift from 'penal welfare' to a 'culture of control' has elicited increasingly defensive constructions of community it has also promoted a reliance on ever more punitive youth justice strategies, and it is within this context that the resonance of community to New Labour's youth justice policies and practices has been considered. The review of literature presented in chapter three suggests that within youth justice policy and practice the government has constructed community as both a 'moral resource' and a 'moral claimant'. In the former role, it is assumed that communities have inherent capacities in preventing and controlling youth crime, while the latter role prioritises the community's right to demand the punishment and exclusion of those young people who fail to live up to their communal responsibilities.

Within youth justice, a reliance on the community's 'moral resources' is apparent in efforts to elicit community involvement in restorative justice and to facilitate the young offender's attempts to make reparation for, and to accept responsibility for, his/her offending. It is also apparent in the 'help and support' provided to parents in order to address their child's 'anti-social' or criminal behaviours. However, serious reservations have been raised regarding the relative priority accorded to this construction of 'community as a moral resource' within youth justice strategies, particularly in relation to more persistent and serious young offenders. These reservations are supported by the findings presented in chapter six. While recognising the importance of the community context of young people's lives within the supervisory process and with regard to encouraging young people's desistance from offending, practitioners asserted that such

issues gained little recognition within the guidance relating to or funding of youth justice interventions. Furthermore, they asserted that the various punitive and managerial demands which structure the YOTs' provision of youth justice services often conspire to undermine the extent to which such considerations can be taken into account.

By contrast, there appears little doubt regarding New Labour's commitment to the construction of community as a 'moral claimant'. The prioritisation of this particular construction of community is obvious in the array of pre-emptive and zero-tolerance crime prevention strategies; ever more stringent community punishments, and the continued reliance on the secure estate. Quintessentially characteristic of a 'culture of control', the punitive emphasis within such responses to youth crime and 'anti-social' behaviour provides an appealing means by which to demonstrate societies' intolerance of such behaviours and to reassure the public that authoritative measures are in place to deal with offenders. Such measures may well provide communities with some respite from the troublesome and criminal activities of young people, and in some cases may even deter young peoples' involvement in such activities. However, the legitimacy, justification and desirability of this particular policy drift is questionable.

Ultimately New Labour forward a narrow and conservative vision of community, which testifies to its willingness to define, legislate and sanction in relation to those responsibilities it considers essential to the membership rights of the 'law-abiding' community. As such, youth justice policy serves to emphasise young peoples' responsibilities to the community rather than the community's or the state's responsibilities to the young person.

Is community an appropriate focus for youth justice strategies?

The empirical work for this study has sought to explore the resonance of community to the lives of young offenders in order to critically reflect on the appropriateness of New Labour's particular constructions of community within youth justice policy and practice. The findings presented in chapter five reveal that community is resonant within the lives and experiences of young offenders, with both the young people and the youth justice practitioners interviewed describing their understanding of community in the customary terms of 'locality', 'relationships' and 'belonging'. However, this analysis also highlights that young offenders' experiences of community are likely to prove complex, variable, ambiguous and transitory.

In support of New Labour's discourse of 'community as a moral resource' interviewees recognized that community experiences may well serve to encourage and induce desistance from offending - even in difficult material and domestic circumstances. However, this was more likely to prove the case for female respondents and, to a lesser extent, respondents subject to lower tariff orders. These respondents were more likely to be cognisant of and influenced by the disapproval and censure elicited by their offending from family and non offending peers and to be most concerned by the damaging impacts offending might have on their standing, relationships and involvement in community institutions and activities.

However, practitioners also emphasised the potential for poverty, disadvantage, alienation, fractured family-life, criminality, disrupted education, unemployment, low aspirations, drug and alcohol use and apathy to undermine communities' capacities to prevent or control crime. Notwithstanding the disapproval, censure and damaging impacts of their offending behaviour, male respondents, and particularly those undertaking an ISSP, were most likely to view offending as a necessary and inevitable aspect of their lives. To

varying degrees this outcome was facilitated by associating with offending peers and a community context in which crime was an everyday occurrence.

Overall, such findings suggest that the 'community as a moral resource' fails to adequately account for the complexities of young offenders' likely experiences of communal life. At one and the same time this discourse over- and under- estimates the capacities of communities to encourage and induce young people's desistance from offending. More fundamentally it fails to take any account of, or responsibility, for the long term, intergenerational and embedded problems associated with poverty and inequality which are often characteristic of the lives of young offenders and the communities within which they reside.

The findings presented in chapter six, with regard to the 'community as a moral claimant', raise further concerns regarding the appropriateness of a focus on community in youth justice policies and practices. While youth justice practitioners recognised the punitive focus of contemporary youth justice policies, the prioritisation of punishment and offender responsibility was not viewed as the only, nor indeed necessarily the best, means by which to address youth crime. Rather, the positive and inclusive features associated with community-based interventions and the relational aspects of supervision were recognised, by both the practitioners and young people interviewed, as constituting valuable and essential elements of effective practice. For example, the community base of interventions allowed young people to access and maintain those relationships, commitments and activities which are viewed as essential in encouraging and consolidating personal motivations to stop offending, and which facilitate offender's reintegration into the 'law abiding' community. Likewise, the supervisory relationship was considered important not only in terms of providing young offenders with a pro-social adult role model but also in supporting and assisting young people to pursue constructive opportunities and lifestyles. However, the punitive imperatives which characterise youth justice rhetoric and policy is

likely to undermine practitioners' opportunities for and commitment to engaging with the diversity of young offenders' needs.

In view of the ambivalent attitudes of adult society to young people in general punitive youth justice rhetoric, policy and practice are also likely to exacerbate and amplify communities' intolerance and condemnation of youth crime and 'anti-social' behaviour. Recognition of the disapproval that involvement in offending behaviour was likely to elicit meant that many of the female respondents, and the young men subject to lower tariff disposals, were at pains to prevent their offending, or their involvement with the youth justice system, becoming known about within their communities. Such concerns seem well founded given the disapproval and hostility exhibited towards those male respondents, particularly those undertaking an ISSP, whose offending was known about more generally within the community. The enmity apparent in these community responses to these young people had quite powerful exclusionary potential, which appeared to contribute to their acceptance of an offender identity.

Overall, youth crime is a complex phenomenon which defies simplistic explanations. New Labour's commitment to 'myriad of agendas of governance' (Muncie and Hughes, 2002:7) is the latest of an array of strategies which contribute to the constant search for a solution to youth crime. However, the complexity and variance of respondent's experiences of community, youth justice and 'offender' status illustrate the limitations of both New Labour's youth justice project and Garland's (2001) governance thesis, which assume the individual's acceptance of their community/societal responsibilities and their recognition and adherence to disciplinary discourses. Overall, the analysis and findings presented in this study suggest that the particular constructions of communities and of young offenders evident in New Labour's adoption and commitment to communitarianism are unlikely to engender tolerant and inclusive responses to crime and offenders. Rather the authoritarianism which characterises current youth justice policy may serve to compound

and intensify damaging outcomes for both the young offender and the communities to which they belong. As such, I would argue New Labour's particular conceptualisation of community is an inappropriate focus for youth justice strategies.

Proposals for future research

As I make the final revisions to this manuscript New Labour's continuing faith in communitarian ideas is abundantly apparent. In revealing plans to improve parenting – by extending the number of agencies who can apply for parenting orders (Home Office, 2005) - the Prime Minister, Tony Blair, asserts:

It is not criminal acts that are bad in themselves, although of course they are, it is what they cumulatively mean, which is a disrespect for other people, for their rights, for the community. Communities can only work by rules of civil conduct that everyone is prepared to accept, by give as well as take, and crucially by respect for other people ... New laws can't do it all, in the end they only deal with consequences, but they can signal a new approach and a new determination on the part of the majority that it is time to reassert ourselves. (Blair, 2005a, www.number-10.gov.uk/output/Page8123.asp).

The Home Secretary, Charles Clarke, has also reiterated the government's commitment to communitarian principles in his announcement of the New Respect Task Force, in which he observes:

We all have a right to live our lives free from harassment. But with those rights come responsibilities and we all need to play a part in tackling disrespect and unacceptable behaviour. (Clarke, 2005, www.gov.uk/nstory.asp?item_id=1356).

This ongoing preoccupation with the popular punitivism inherent in the construction of the 'community as moral claimant' increasingly convinces me of the need to undertake research which critically focuses on the process and impacts of such policy initiatives, particularly from the perspective of the those targeted by such initiatives. The voice of the child and the parent is conspicuously absent within the current evaluative priorities in youth justice. However, cognisance and recognition of the complexities and diversity of their experiences will provide valuable insights for the formulation, implementation and delivery of 'effective' youth justice policy.

Furthermore, the diversity of young people's experiences with regard to crime, youth justice and communal experiences raises doubts with regard to the 'one size fits all' propensities of the government's commitment to evidence based practice. Further research on the issue of gender and with regard to the supervisory relationship appear particularly promising areas of study. The growing international literature on female offenders suggests that effective youth justice interventions with girls and young women should be grounded in a recognition of their particular circumstances and needs and that the uncritical application of methods of intervention that have been developed for use with men should be avoided. Research within the probation context testifies to the importance of the nature of the supervisory relationship in motivating and reinforcing client's desistance from offending. Research activity in this latter area has prompted a nascent revitalisation of interest in casework, as opposed to case management (Burnett and McNeill, 2005), demonstrating the potential value of such applied research.

I think the challenge facing researchers working within the youth justice arena is to undertake research which is not only critical of the New Labour's preference for penal populism, but is also able to engage with and contribute to debates regarding effective practice. The potential for damaging outcomes - for offenders, at 'risk groups', their families and the communities within which they live - arising from the continued

prioritisation of punitive youth justice demands that such endeavours are approached skilfully and with some urgency.

Bibliography

- Allison, E. (2004), 'England Leads EU in Jailing People', *The Guardian*, Monday February 2, 2004. <http://www.guardian.co.uk/uknews/story/0,3604,1136886,00.html>
- Allen, R. (2002), "'There Must be Some Way of Dealing with Kids": Young Offenders, Public Attitudes and Policy Change', *Youth Justice*, 2(1): 3-13.
- Andrews, D.A., Zinger, I., Hoge, R.D., Bonta, J., Gendreau, P. and Cullen, F.T. (1990). 'Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis', *Criminology*, 28: 369-404.
- Andrews, D.A. (2001), 'Principles of effective correctional programming', in L. Motiuk and R. Serin, (eds.), *Compendium 2000 on Effective Correctional Programming*, Ottawa: Correctional Service of Canada, pp9-17.
- Anderson, B.R.O. (1983), *Imagined communities: reflections on the origin and spread of nationalism*, London, Verso.
- Arthur, R. (2005), Punishing Parents for the Crimes of their Children, *The Howard Journal*, 44(3): 233-253.
- Attwood, C., Singh, G., Prime, D., Creasey, R. and others (2003), *2001 Home Office Citizenship Survey: People, families and communities*, Home Office Research Study 270, London, Home Office: Research, Development and Statistics Directorate.
- Audit Commission (1996), *Misspent Youth: Young People and Crime*, London: Audit Commission.
- Austin, J. and Krisberg, B. (2002) 'Wider, stronger and different nets: the dialectics of criminal justice reform', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice Critical Readings*, London: Sage, pp258-274.
- Bailey, R. (1995), 'Helping offenders as an element in justice', in D. Ward, and M. Lacey, (eds.), *Probation: Working for Justice* (First Edition), London: Whiting and Birch.
- Ball, C. (2000), 'R v B (Young Offender: Sentencing Powers): Paying Due Regard to the Welfare of the Child in Criminal Proceedings', *Child and Family Law Quarterly*, 10(4): 417-24.
- Bandalli, S. (1998), 'Abolition of the presumption of *doli-incapax* and the criminalisation of children', *Howard Journal*, 37(2): 114-23.
- Bandalli, S. (2000), 'Children, responsibility and the new youth justice' in B. Goldson, (ed.), *The New Youth Justice*, Lyme Regis: Russell House.
- Bauman, Z. (1991), *Modernity and Ambivalence*, Cambridge: Cambridge Polity Press.

- Bauman, Z. (2001), *Community: seeking safety in an insecure world*, Cambridge, Cambridge Polity Press.
- Beaumont, B. and Mistry, T. (1996), 'Doing a good job under duress', *Probation Journal*, 43 (4): 200-204.
- Becker, H. (1963), *Outsiders*, New York: Free Press.
- Beinart, S., Anderson, B., Lee, S. and Utting, D. (2002), *Youth at Risk? A National survey of risk factors, protective factors and problem behaviour among young people in England, Scotland and Wales*, London: Communities that Care.
- Bell, C. and Newby, H. (1971), *Community Studies: An introduction to the sociology of local community*, London: Allen and Unwin Ltd.
- Bell, C. and Newby, H. (eds.), (1974), *The Sociology of Community*, London: Frank Cass.
- Bennett, T. (1989), 'The Neighbourhood Watch Experience', in Morgan, R. and Smith, D.J. (eds.), *Coming to Terms with Policing*, London: Routledge, pp138-152.
- Bennett, T. (1990), *Evaluating Neighbourhood Watch*, Aldershot: Gower.
- Blair, T. (2000), *Prime Minister's Speech to the Women's Institute's Triennial General Meeting- 07 June 2000*, <http://www.pmo.gov.uk/output/Page1526.asp>
- Blair, T. (2002), 'My Vision for Britain' *The Observer*, Sunday November 10, 2002, www.observer.co.uk/crimedebate/story/0,12079,837223.00.html
- Blair, T. (2005), *Prime Minister's Speech to Faithworks – 22 March 2005*, <http://www.number-10.gov.uk/output/Page7375.asp>
- Blair, T. (2005a), Speech on Improving Parenting – 2 September 2005, <http://www.number-10.gov.uk/output/Page8123.asp>
- Blunkett, D. (2004), Home Secretary's Speech to the Ash Institute – date, http://www.homeoffice.gov.uk/docs3/hs_speech_ashinstitute04.html
- Bonta, J. (1996), 'Risk needs assessments and treatment', in A. Harland, (ed.), *Choosing Correctional Options that Work*, London: Sage, pp18-32.
- Bottoms, A.E. (2002), 'On the decriminalisation of English juvenile courts', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice Critical Readings*, London: Sage, pp216-227.
- Bottoms, A.E., Rex, S. A. and Robinson, G. (eds.), (2004), *Alternatives to Prison: Options in an insecure society*, Cullompton: Willan Publishing.
- Bottoms, A.E. and Wilson, A. (2004), 'Attitudes to punishment in two high-crime communities' in A.E. Bottoms, S.A. Rex and G. Robinson, (eds.), *Alternatives to Prison: Options in an insecure society*, Cullompton: Willan Publishing, pp366-405.

- Bowlby, J. (1944), 'Forty-four Juvenile Thieves: Their Characters and Home Life', *International Journal of Psychoanalysis*.
- Box, S. (1987), *Recession, Crime and Punishment*, Basingstoke: MacMillan.
- Braithwaite, J. (1989), *Crime Shame and Reintegration*, Cambridge: Cambridge University Press.
- Braithwaite, J. (2003), 'What's wrong with the sociology of punishment?', *Theoretical Criminology*, 7 (1): 5-28.
- Brewer, D.D., Hawkins, J.D., Catalano, R.F. and Neckerman, H.J. (1995), 'Preventing serious, violent, and chronic juvenile delinquency: A review of evaluations of selected strategies in childhood, adolescence, and the community', in J.C. Howell, B. Krisberg, J.D. Hawkins and J.J. Wilson, (eds.), *A Sourcebook: Serious, Violent and Chronic Juvenile Offenders*, Thousand Oaks, Sage: pp61-141.
- Bright, J. (1997), *Turning the Tide: Crime, Community and Prevention*, London: Demos.
- British Sociological Association (2002), *Statement of Ethical Practice for the British Sociological Association*, www.britisoc.co.uk/new_site/index.php?area=equalityandid=63
- British Society of Criminology (2003), *British Society of Criminology Code of Ethics for the Researcher in the Field of Criminology*, <http://www.britisoc.org/ethics.htm>
- Brown, A.P. (2004), 'Anti-social behaviour, Crime Control and Social Control', *The Howard Journal of Criminal Justice*, 43 (2): 203-211
- Brown, S. (1998), *Understanding Youth and Crime: Listening to Youth*, Buckingham: Open University.
- Brownlee, I. (1998), 'New Labour-New Penology? Punitive Rhetoric and the Limits of Managerialism in Criminal Justice Policy', *Journal of Law and Society*, 25(3): 313-35.
- Burgess, R.G. (1984), *In the Field: An Introduction to Field Research*, London: Free Press
- Burnett, R. and Appleton, C. (2004), 'Joined-Up Services to Tackle Youth Crime: A Case Study in England', *British Journal of Criminology*, 44: 34-54.
- Burney, E. (2005), 'Still the Wrong Approach', *Howard League Magazine* 23(5): 5.
- Burt, C. (1925), *The Young Delinquent*, London: University of London Press.
- Campbell, B. (1993), *Goliath: Britain's Dangerous Places*, London: Methuen.
- Carpenter, M. (1901), *The Pall Mall Gazette*, 12 February 1901.
- Castells, M. (1996), *The Information Age: Economy, Society and Culture. Volume 1 – The Rise of the Network Society*, Oxford: Basil Blackwell.

Chapman, T. and Hough, M. (1998), *Evidence Based Practice: A Guide to Effective Practice*, London: HM Inspectorate of Probation.

Children and Young Person's Unit (2002), *Children's Fund*, www.cypu.gov.uk/corporate/childrensfund/ontrack.cfm

Clarke, C. (2005), Government Announces New Respect Task Force, 2 September 2002, http://www.homeoffice.gov.uk/newsroom.asp?item_id=1356

Clarke, J. (2002), 'The Three Rs- repression, rescue and rehabilitation ideologies of control for working class youth', in J. Muncie, G. Hughes and E. McLaughlin (eds.), *Youth Justice Critical Readings*, London: Sage, pp123-137.

Clarke, R. (2001), 'Gazza smile, Yosser: things are looking up', *Property Telegraph*, 07/11/01, <http://portal.telegraph.co.uk/property/main.jhtml?xml=/property/2001/11/07/pliver.xml>

Cloward, R.A. and Ohlin, L.B. (1960), *Delinquency and Opportunity: A theory of delinquent gangs*, New York: Free Press.

Cohen, A. (1955), *Delinquent Boys: The Culture of the Gang*, Chicago: Chicago Free Press.

Cohen, A.P. (1985), *The Symbolic Construction of Community*, Chichester: Ellis Horwood.

Cohen, S. (1972), *Folk Devils and Moral Panics: The Creation of Mods and Rockers*, New York: St. Martins Press.

Cohen, S. (1985), *Visions of Social Control*, Cambridge: Polity Press.

Coie, J.D. and Miller-Johnson, S. (2001), 'Peer Factors and Interventions' in R. Loeber and D.P. Farrington, (eds.), *Serious and Violent Juvenile Offenders: Risk factors and successful interventions*, Thousand Oaks: Sage, pp191-210.

Coleman, A. (1985), *Utopia on Trail*, London: Hilary Shipman.

Coleman, R. (2004), *Reclaiming the Streets: surveillance, social control and the city*, Collumpton: Willan.

Coles, B. (1995), *Youth and Social Policy*, London, UCL Press.

Crawford, A. (1997), *The Local Governance of Crime: Appeals to community and partnerships*, Oxford: Clarendon Press.

Crawford, A. (1998), *Crime Prevention and Community Safety: Politics, Policies and Practices*, Harlow: Wesley Longman Limited.

Crawford, A. (1998a), 'Community Safety and the Quest for Security: Holding Back the Dynamics of Social Exclusion', *Policy Studies*, 19(3/4): 237-253.

- Crawford, A. and Newburn, T. (2002), 'Recent Developments in Restorative Justice for Young People in England and Wales: Community Participation and Representation', *British Journal of Criminology*, 42: 476-495.
- Cross, N., Evans, J. and Minkes, J. (2003), 'Still Children First? Developments in Youth Justice in Wales', *Youth Justice*, 2(3): 151-162.
- Crow, G. and Allan, G. (1994), *Community Life, An introduction to local social relationships*, London: Harvester-Wheatsheaf.
- Crow, I. (2001), *The Treatment and Rehabilitation of Offenders*, London: Sage.
- Crowley, A. (1998), *A Criminal Waste*, London: The Children's Society.
- Davies, J. (1990), *Youth and the Condition of Britain*, London: Athlone.
- Davies, M. (1990a), *City of Quartz: Excavating the Future in Los Angeles*, London: Verso.
- Day-Sclater, S. and Piper, C. (2000), 'Re-moralising the Family? Family Policy, Family Law and Youth Justice', *Child and Family Law Quarterly*, 12(2): 135-151.
- Denzin, N. K. and Lincoln, Y. S. (eds.), (1998), *The Landscape of Qualitative Research; Theories and Issues*, Thousand Oaks: Sage.
- Department for Education and Employment (2000), *Statistics of Education: Schools in England*, London: The Stationary Office.
- Drakeford, M. and McCarthy, K. (2000), 'Parents, Responsibility and the New Youth Justice', in B. Goldson, (ed.), *Youth Justice Contemporary Policy and Practice*, Aldershot: Ashgate, pp96-114.
- Drakeford, M. and Vanstone, M. (eds.), (1996), *Beyond Offending Behaviour*, Aldershot: Sage.
- Driver and Martell, (1997), 'New Labour's Communitarianism', *Critical Social Policy*, 17(3): 27-44.
- Dowden, C. and Andrews, D. (1999), 'What works for female offenders: a meta-analytic review', *Crime and Delinquency*, 45(4): 438-52.
- Downes, D. and Morgan. R. (1994), 'Hostages to Fortune?: the politics of law and order in post-war Britain' in M. Maguire, R. Morgan and R. Reiner, (eds.), *The Oxford Handbook of Criminology*, (First Edition), Oxford: Oxford University Press, pp183-232.
- Downes, D. and Rock, P. (1995), *Understanding Deviance: A guide to the sociology of crime and rule breaking* (Revised Second Edition), Oxford: Clarendon Press.

- Eadie, T. and Canton, R. (2002), 'Practising in a Context of Ambivalence: The Challenge for Youth Justice Workers', *Youth Justice* 2(1): 14-26.
- Easton, S. and Piper, C. (2005), *Sentencing and Punishment: The Quest for Justice*, Oxford: Oxford University Press.
- Elias, N. and Scotson, J. (1965), *The Established and the Outsiders*, London: Cass.
- Emsley, C. (2002), 'The history of crime and crime control institutions', in M. Maguire, R. Morgan and R. Reiner, (eds.), *The Oxford Handbook of Criminology* (Third Edition), Oxford: Oxford University Press, pp203-232.
- Etzioni, A. (1995), *The Spirit of Community: Rights, Responsibilities and the Communitarian Agenda*, London: Fontana Press.
- Farrall, S. (2003), 'J'accuse: Probation evaluation-research epistemologies, Part one: The Critique', *Criminal Justice*, 3(2): 161-179.
- Farrall, S. (2004), 'Social capital and offender reintegration: making probation desistance focussed', in S. Maruna and R. Immarigeon (eds.), *After Crime and Punishment: Pathways to offender reintegration*, Cullompton: Willan, pp57-84.
- Farrington, D. P. (1998), 'Predictors, Causes and Correlates of Male Youth Violence' in M. Tonry and M.H. Moore, (eds.), *Youth Violence: Crime and Justice, Volume 24*, Chicago: University of Chicago Press, pp421-475.
- Farrington, D. P. and Welsh, B. (1999), 'Delinquency Prevention Using Family-based Interventions', *Children and Society*, 13: 297-303
- Ford, P., Pritchard, C. and Cox, M. (1997), 'Consumer opinions of the Probation Service: Advice, assistance, befriending and the reduction of crime', *The Howard Journal*, 36(1): 42-61.
- Forrester, D., Chatterton, M. and Pease, K. (1988), *The Kirkholt Burglary Project: Phase II*, CPU Paper 23, London: Home Office.
- Foster, J. (1990), *Villains: Crime and Community in the Inner City*, London: Routledge.
- Foster, J. (2002), "'People Pieces": the neglected but essential elements of community crime prevention', in G. Hughes and A. Edwards, *Crime Control and Community: The new politics of public safety*, Cullompton: Willan, pp167-196.
- Foucault, M. (1977), *Discipline and Punish: the Birth of the Prison*, London: Allen Lane.
- Frazer, E. (1999), *The problems of communitarian politics: unity and conflict*, Oxford: Oxford University Press.

- Garland, D. (1985), *Punishment and Welfare: A History of Penal Strategies*, Aldershot: Gower.
- Garland, D. (2001), *The Culture of Control: Crime and Social Order in Contemporary Society*, Oxford: Oxford University Press.
- Garland, D. (2001a), *Mass Imprisonment*, London: Sage.
- Garland, D. (2002), 'Penal strategies in a welfare state', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice: Critical Readings*, London: Sage, pp197-215.
- Gelder, K. and Thornton, S. (eds.), (1997), *The Subcultures Reader*, London: Routledge.
- Gelsthorpe, L. (1999), 'Parents and Criminal Children', in A. Bainham, S. Day-Sclater and M. Richards, (eds.), *What is a Parent? A Socio-legal Analysis*, Oxford: Hart.
- Gelsthorpe, L. (2004), 'Female Offending: A Theoretical Overview', in G. McIvor, (ed.) *Women Who Offend*, London: Jessica Kingsley.
- Gelsthorpe, L. (2005), 'Sexism and the female offender', Paper presented at 'What Works' with women offenders: A cross-national dialogue about effective responses to female offenders, Prato, 20-22 June 2005.
- Gelsthorpe, L. and Morris, A. (1994), 'Juvenile Justice 1945-1992', in M. Maguire, R. Morgan and R. Reiner, (eds.) *The Oxford Handbook of Criminology*, Oxford: Clarendon, pp949-996.
- Gelsthorpe, L. and Morris, A. (2002), 'Restorative youth justice: the vestiges of welfare?', in J. Muncie, G. Hughes, and E. McLaughlin, (eds), (2002), *Youth Justice Critical Readings*, London: Sage, pp238-254.
- Gendreau, P. and Ross, R. (1980), *Effective Correctional Treatment*, Toronto: Butterworths.
- Ghate, D. and Ramella, M. (2002), *Positive parenting: The national evaluation of the Youth Justice Board's Parenting Programme*. London: Youth Justice Board for England and Wales http://62.8.97.71/NR/rdonlyres/C899B0F5-2D6F-45B0-83C8-EB7D1665BC30/0/positive_parenting.pdf
- Giddens, A. (1998), *The Third Way: The Renewal of Social Democracy*, Cambridge: Polity Press.
- Girling, E., Loader, I. and Sparks, R. (2000), *Crime and Social Change: Questions of Order in an English Town*, London: Routledge.
- Glaser, B. G. and Strauss, A.L. (1967), *The Discovery of Grounded Theory: Strategies for Qualitative Research*, New York: Aldine.
- Glesne, C. (1999), *Becoming Qualitative Researchers: An Introduction*, (Second Edition), New York: Addison Wesley Longman.

- Gleuck, S. and Gleuck, E. (1940), *Juvenile Delinquents Grown Up*, New York, Commonwealth Fund.
- Goldson, B. (1997), "‘Childhood’: An Introduction to Historical and Theoretical Analyses’ in P. Scraton, (ed.), *‘Childhood’ in ‘Crisis’*, London: University College of London Press.
- Goldson, B. (1998), *Children in Trouble: Backgrounds and Outcomes*, Liverpool: The University of Liverpool Department of Sociology, Social Policy and Social Work Studies.
- Goldson, B. (1999), ‘Youth (In)Justice: Contemporary Developments in Policy and Practice’ in B. Goldson, (ed.), *Youth Justice Contemporary Policy and Practice*, Aldershot: Ashgate, pp1-28.
- Goldson, B. (2000), ‘Whither Diversion? Interventionism and the New Youth Justice’, in B. Goldson, (ed.), *The New Youth Justice*, Lyme Regis: Russell House Publishing, pp35-57.
- Goldson, B. (ed.), (2000a), *The New Youth Justice*, Lyme Regis: Russell House Publishing.
- Goldson, B. (2000b) ‘Youth Justice and Criminal evidence Bill Part I: Referrals to Youth Offender Panels’, in L. Payne, (ed.), *Child Impact Statements 1998/99*, London: National Children’s Bureau and UNICEF.
- Goldson, B. (2001), ‘The Demonization of Children: from the Symbolic to the Institutional’, in P. Foley, J. Roche and S. Tucker, (eds.), *Children in Society: Contemporary Theory, Policy and Practice*, Basingstoke: Palgrave.
- Goldson, B. (2002), ‘New punitiveness: the politics of child incarceration’, in J. Muncie, G. Hughes, and E. McLaughlin, (eds.), *Youth Justice: Critical Readings*, London: Sage, pp386-400.
- Goldson, B. (2002a) *Vulnerable Inside: children in secure and penal settings*, London: The Children’s Society.
- Goldson, B. and Jamieson, J. (2002), ‘Youth Crime, the ‘Parenting Deficit’ and State Intervention: A Contextual Critique’, *Youth Justice*: 2(2): 82-99.
- Goldson, B. and Peters, E. (2000), *Tough Justice: Responding to Children in Trouble*, London: The Children’s Society.
- Graham, J. and Bowling, B. (1995), *Young People and Crime*, Home Office Research Study 145, London: Home Office Research and Statistics Department.
- Green, S. (2002), ‘Ideology and Community: The Communitarian Hi-Jacking of Community Justice’, *British Journal of Community Justice*, 1(2): 49-62.
- Hagell, A. and Newburn, T. (1994), *Persistent Young Offenders*, London: Policy Studies Institute.
- Haines, K. and Drakeford, M. (1998), *Young People and Youth Justice*, London: MacMillan.

- Hall, S., Critcher, C., Jefferson, T., Clarke, J. and Roberts, B. (1978), *Policing the Crisis: Mugging, the State and Law and Order*, London: Macmillan.
- Hall, S. and Jefferson, T. (eds.), (1976), *Resistance through Rituals: Youth Subcultures in Post-war Britain*, London: Hutchinson.
- Hammersley, M. (1992), *What's Wrong with Ethnography?* London: Routledge.
- Hardy, J. (1998), 'Pride in the Community', in *The Guardian*, 27 June, London, p 7.
- Harris, R. and Webb, P. (1987), *Welfare, Power and Juvenile Justice*, London: Tavistock.
- Hawkins, J.D., Herrenkohl, T.I., Farrington, D.P., Brewer, D., Catalano, R.F. and Harachi, T.W. (1998), 'A Review of Predictors of Youth Violence' in R. Loeber, and D.P. Farrington, (eds.) *Serious and Violent Juvenile Offenders: Risk factors and successful interventions*, Thousand Oaks: Sage, pp106-146.
- Hedderman, C. (2004), 'The 'Criminogenic' Needs of Women Offenders' in G. McIvor, (ed.), *Women Who Offend*, London: Jessica Kingsley Publishers, pp227-244.
- Hendrick, H. (1990), *Child Welfare in England 1872-1989*, London: Routledge.
- Hendrick, H. (2002), 'Constructions and Reconstructions of Childhood: an interpretive survey, 1800 to the present', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), (2002), *Youth Justice Critical Readings*, London: Sage, pp22-44.
- Hendry, L. (1993), *Young People's Leisure and Lifestyles*, London: Routledge
- Henwood, K. L. and Pidgeon N.F. (1997), 'Qualitative Research and Psychological Therorizing' in M. Hammersley, (ed.) *Social Research: Philosophy, Politics and Practice*, London: Open University Press, pp14-32.
- Herrenkohl, T.I., Hawkins, J.D., Chung, I.J., Hill, K.G. and Pearson, S.B. (2001), 'School and Community Risk Factors and Interventions' in R. Loeber, and D.P. Farrington, (eds.) *Child Delinquents: Development, Intervention and Service Needs*, Thousand Oaks: Sage, pp211-246.
- Hill, J. and Wright, G. (2003), 'Youth, Community Safety and the Paradox of Inclusion', *The Howard Journal*, 42(3): 282-297.
- Hillery, G.A. (1955), 'Definitions of Community: Areas of Agreement', *Rural Sociology*, 20: 111-123.
- Hirschi, T. (1969), *Causes of Delinquency*, Berkeley: University of California Press.
- Hobbs, D. (1988), *Doing the Business*, Oxford: Oxford University Press.
- Hobbs, D. (1995), *Dirty Business*, Oxford: Oxford University Press.
- Hobsbawm, E. (1995), *Age of Extremes: The Short Twentieth Century, 1914-1991*, London: Abacus.

- Holdaway, S., Davidson, N., Dignan, J., Hammersley, R., Hine, J. and Marsh, P. (2001), *New Strategies to Address Youth Offending: The National Evaluation of the Pilot Youth Offending Teams*, Home Office: London
- Hollin, C. (1989), *Psychology and Crime*, London: Routledge.
- Hollway, W. and Jefferson, T. (2000), *Doing Qualitative Research Differently: Free association, narrative and the interview method*, London: Sage.
- Holman, B. (1995), *Children and Crime: How can society turn back the tide of delinquency?* Oxford: Lion Publishing.
- Home Office (1990), *Crime, Justice and Protecting the Public*, Cm 965, London: HMSO.
- Home Office (1991), *Safer Communities: The Local Delivery of Crime Prevention through the Partnership Approach*, London: HMSO.
- Home Office (1996), *Protecting the Public*, CMnd.3190, London: Home Office.
- Home Office (1997), *No More Excuses*, Cm 3809, London: Home Office.
<http://www.homeoffice.gov.uk/docs/nme.html>
- Home Office (1998) *Crime and Disorder Act 1998: Introductory Guide*, London: Home Office.
- Home Office (1999), *Inter-Departmental Circular on Establishing Youth Offending Teams*, London: Home Office.
- Home Office, (2005), *Parents tasked to take more responsibility for the problem behaviour of their children*, London: Home Office Press Release, 2 September 2005,
www.homeoffice.gov.uk/n_story.asp?item_id=1355
- Hope, T. (1995), 'Community Crime Prevention', in M. Tonry, and D.P. Farrington, (eds.), *Building a Safer Society: Strategic Approaches to Crime Prevention: Crime and Justice: Volume 19*, Chicago, University of Chicago Press, pp21-89.
- Hudson, A. (2002), 'Troublesome girls': towards alternative definitions and policies', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice Critical Readings*, London: Sage, pp296-310.
- Hudson, B. (2002), 'Punishment and Control', in M. Maguire, R. Morgan and R. Reiner, (eds.), *The Oxford Handbook of Criminology* (Third Edition), Oxford: Oxford University Press, pp233-63.
- Hudson, B. (2003), *Justice in the Risk Society: Challenging and Re-affirming Justice in Late Modernity*, London: Sage.
- Hughes G. (1998), *Understanding Crime Prevention: social control, risk and late modernity*, Buckingham/Philadelphia; Open University Press

Hughes, G. (2002), 'Plotting the rise of community safety: critical reflections on research, theory and politics' in G. Hughes, and A. Edwards, (eds.) *Crime Control and Community: The New Politics of Public Safety*, Cullompton: Willan Publishing, pp20-45

Hughes, G. and Edwards, A. (eds.), (2002), *Crime Control and Community: The new politics of public safety*, Collumpton: Willan.

James. A.L. and James, A., (2001), 'Tightening the net: children, community and control', *British Journal of Sociology*, 52(2): 211-228.

Jamieson, J. (2004), 'The Offender and the Community: From Reintegration to Exclusion', *Electronic Journal of Social Issues*, 2(1), www.whb.co.uk/socialissues.

Jamieson, J., McIvor, G. and Murray, C. (1999), *Understanding Offending Among Young People*, Edinburgh: The Stationary Office.

Jeffs, T. and Smith, M.K. (2002), 'Individualisation and Youth Work', *Youth and Policy*, 76: 39-65.

Johnstone, G. and Bottomley, K. (1998), 'Labour's Crime Policy in Context', *Policy Studies*, 19(3/4): 173-184.

Jones, D. (2001), 'Misjudged youth: a critique of the Audit Commission's reports on youth justice', *British Journal of Social Work*, 31(1): 57-79.

Jones, C. (2002), 'Voices From the Front-Line: State Social Workers and New labour', *British Journal of Social Work*, 31:547-62.

Jones, D. (2002a), 'Questioning New Labour's Youth Justice Strategy: A Review Article', *Youth Justice*, 1(3): 14-26.

Jones, J. (2002b), 'The Cultural Symbolism of Disordered and Deviant Behaviour: Young People's Experiences in a Welsh Rural Market Town', *Journal of Rural Studies*, 18: 2.

Jordan, B. (1996), *A Theory of Poverty and Social Exclusion*, Cambridge: Polity.

Kemp, V., Sorsby, A., Little, M. and Merrington, S. (2002), *Assessing Responses to Youth Offending in Northamptonshire*, Research Briefing 2, London: NACRO.

Kemshall, H. (2003), 'Risk, Dangerousness and Female Offenders', in G. McIvor, (ed.) *Women Who Offend*, London: Jessica Kingsley Publishers Ltd, pp209-228.

Kemshall, H., Canton, R. and Bailey, R. (2004), 'Dimensions of Difference' in A.E. Bottoms, S.A. Rex and G. Robinson, G. (eds.) *Alternatives to Prison: Options in an insecure society*, Cullompton: Willan Publishing, pp341-365.

- Kilbrandon, L. (1964), *Children and Young Persons, Scotland*. Cm2306 Edinburgh: Scottish Home and Health Department.
- Kinsey, R., Lea, J., and Young, J. (1986), *Losing the Fight against Crime*, Oxford: Blackwell.
- Lacey, N. and Zedner, L. (1995), 'Discourses of Community in Criminal Justice', *Journal of Law and Society*, 22(3): 301-325.
- Lash, S. and Urry, J. (1994), *Economics of Signs and Space*, London: Sage.
- LeBlanc, M., McDuff, P., Charlesbois, P., Gagnon, C., Larrivee, S., and Tremblay, R.E. (1991), 'Social and Psychological Consequences, at 10 Years Old, of an Earlier Onset of Self Reported Delinquency', *Psychiatry*, 54, 133-147.
- Lea, J. and Young, J. (1984), *What is to be Done about Law and Order?* Harmondsworth: Penguin.
- Lee, D. and Newby, H. (1983), *The Problem of Sociology*, London: Hutchinson.
- Lemert, E., (1951), *Social Pathology*, New York: McGraw-Hill.
- Lemert, E. (1967), *Human Deviance, Social Problems and Social Control*, Englewood Cliffs, New Jersey: Prentice Hall.
- Levitas, R., (2000), 'Community, Utopia and New Labour', *Local Economy*, 15(3): 188-197.
- Lipsey, M.W. and Derzon, J.H. (1998), 'Predictors of violent or serious delinquency in adolescence and early adulthood: A synthesis of longitudinal research', in R. Loeber and D.P. Farrington, (eds.) *Serious and Violent Juvenile Offenders: Risk factors and successful interventions*, Thousand Oaks: Sage, pp106-146.
- Loader, I. and Sparks, R. (2002), 'Contemporary landscapes of crime, order, and control: Governance, risk, and globalisation', in M. Maguire, R. Morgan and R. Reiner, (eds.), *The Oxford Handbook of Criminology* (Third Edition), Oxford: Oxford University Press, pp83-111.
- Loeber, R., Farrington, D.P., Stouthamer-Loeber, M., Moffitt, T. and Caspi, A. (1998), 'The Development of Male Offending: Key findings from the first decade of the Pittsburgh Youth Study', *Studies on Crime and Crime Prevention*, 7: 141-171.
- Loeber, R., Farrington, D.P., Stouthamer-Loeber, M., and Van Kemmen, W.B. (1998a), *Anti-Social Behaviour and Mental Health Problems: Explanatory Factors in Childhood and Adolescence*, Mahwah: Lawrence Erlbaum.
- Loeber, R., Stouthamer-Loeber, M., Van Kammen, W.B. and Farrington, D.P. (1991), 'Initiation, Escalation and Desistance in Juvenile Offending and their Correlates', *Journal of Criminal Law and Criminology*, 82: 36-82.

- Maguin, E. and Loeber, R. (1996), 'Academic Performance and Delinquency' in M. Tonry, (ed.) *Crime and Justice: A review of research, Volume 20*, Boston: Kluwer Nijhoff, pp277-301.
- Mair, G. (2004), 'The origins of What Works in England and Wales: a house built in sand?' in G. Mair, (ed.), *What Matters in Probation*, Cullompton: Willan, pp12-33.
- Mair, G. and May, C. (1997), *Offenders on Probation*, Home Office Research Study 167, London: Home Office.
- Major, J. (1993), *The Sunday Times*, 21 February 1993.
- Martin, F.M., Fox, S.J. and Murray, K. (1981), *Children Out of Court*, Edinburgh: Scottish Academic Press.
- Martinson, R.L. (1974), 'What Works? - Questions and Answers About Prison Reform', *The Public Interest*, Vol. 35, pp22-54.
- Maruna, S and King, A. (2004), 'Public opinion and community penalties' in A.E. Bottoms, S.A. Rex and G. Robinson, (eds.), *Alternatives to Prison: Options in an insecure society*, Cullompton: Willan Publishing, pp83-112.
- Mason, J. (1996), *Qualitative Researching*, London: Sage.
- Matza, D. (1964), *Delinquency and Drift*, New York: Wiley
- Matza, D. (1969), *Becoming Deviant*, Englewood Cliffs, New Jersey: Prentice Hall.
- May, M. (2002), 'Innocence and Experience: the evolution of the concept of juvenile delinquency in the mid-nineteenth century', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice Critical Readings*, London: Sage, pp98-114.
- May, T. (2001), *Social Research: Issues, methods and process*, (Third Edition), Maidenhead: Open University Press.
- McConville, M. and Shepherd, D. (1992), *Watching Police Watching Communities*, London: Routledge.
- McGhee, J., Waterhouse, L. and Whyte, B., (1996), 'Children's Hearings and Children in Trouble' in S. Asquith, (ed.), *Children and Young People in Conflict with the Law*, London/Bristol: Jessica Kingsley Publishers, pp56-72.
- McGuire, J. (ed.), (1995), *What Works: Reducing Reoffending*, Chichester: Wiley.
- McGuire, J. (ed.), (2002), *Offender Rehabilitation and Treatment*, Chichester: Wiley.
- McIntosh, I. (2003), 'It Holds Society Together'; Exploring young people's understandings of "welfare"', *Youth and Policy*, 79: 31-45.
- McIvor, G. (1990), *Sanctions for Serious or Persistent Offenders*, Stirling: Social Work Research Centre

- McIvor, G. (2004), 'Reparative and restorative approaches' in A. Bottoms, S. Rex and G. Robinson, (eds.), *Alternatives to Prison: Options in an Insecure Society*, Collumpton: Willan Publishing.
- McIvor, G. (ed.), (2004a), *Women who Offend*, London: Jessica Kingsley.
- McIvor, G. and Barry, M. (1998), *Social Work and Criminal Justice Volume 6: Probation*, Edinburgh: The Stationery Office.
- McIvor, G. and Westmarland, N. (2002), 'What Works with Women on Probation? Key findings from research with women in Scotland', Paper presented at the British Criminology Conference, Keele, 17-20 July.
- McLaughlin, E. (2002), 'Same bed, different dreams': postmodern reflections on crime prevention and community safety' in G. Hughes, and A. Edwards (eds.), *Crime Control and Community: The New Politics of Public Safety*, Cullompton: Willan Publishing, pp46-62.
- McLaughlin, E., Muncie, J. and Hughes, G. (2001), 'The permanent revolution: New Labour, new public management and the modernisation of criminal justice', *Criminal Justice* 1(3): 301-318.
- McNeill, F. (2004), 'Desistance, Rehabilitation and Correctionalism: Developments and Prospects in Scotland', in S. Farrall, and S. Maruna (eds.), *Special Issue of the Howard Journal of Criminal Justice: Desistance from Crime and Implications for Policy*, 43(4): 420-436.
- Mizen, P. (2004), *The Changing State of Youth*, Basingstoke: Palgrave Macmillan.
- Monaghan, G. (2000), 'The Courts and the New Youth Justice', in B. Goldson, (ed.), *The New Youth Justice*, Lyme Regis: Russell House Publishing.
- Morgan, R. (2005), 'Anti-social behaviour: getting to the root of the problem', *Howard League Magazine*, 25(1): 13-14
- Muncie, J. (1999), *Youth and Crime: a critical introduction*, London/Thousand Oaks/New Delhi: Sage Publications.
- Muncie, J. (1999a), 'Institutionalized Intolerance: Youth Justice and the 1998 Crime and Disorder Act', *Critical Social Policy* 19(2): 147-75.
- Muncie, J. (2000), 'Pragmatic Realism? Searching for Criminology in the New Youth Justice', in B. Goldson, (ed.) *The New Youth Justice*, Lyme Regis: Russell House, pp14-34.
- Muncie, J. (2001), 'A New Deal for Youth? Early Intervention and Correctionalism', in G. Hughes, E. McLaughlin, and J. Muncie, (eds.), *Crime Prevention and Community Safety: New Directions*, London, Sage.
- Muncie, J. (2002), 'Failure never matters: detention centres and the politics of deterrence' in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice: Critical Readings*, London: Sage, pp332-344.

Muncie J., (2004), *Youth and Crime: a critical introduction: Second Edition*, London/Thousand Oaks/New Delhi: Sage Publications.

Muncie J. and Hughes, G. (2002) 'Modes of Youth Governance: Political rationalities, criminalization and resistance', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice: Critical Readings*, London: Sage, pp1-18.

Muncie, J., Hughes, G. and McLaughlin, E. (eds.), (2002), *Youth Justice: Critical Readings*, London: Sage.

Murray, C. (1984), *Losing Ground: American Social Policy 1950-80*, New York: Basic Books.

Murray, C. (1990), *The Emerging British Underclass*, London: Institute of Economic Affairs.

Murray, C. (1994), *Underclass: The Crisis Deepens*, London: Institute of Economic Affairs.

Nellis, M. (2001), 'Community Penalties in Historical Perspective', in A. Bottoms, L. Gelsthorpe and S. Rex (eds.), *Community Penalties: Change and Challenges*, Collompton: Willan Publishing, pp16-40.

Newburn, T. (1998), 'Tackling Youth Crime and Reforming Youth Justice: the Origins and Nature of 'New Labour' Policy', *Policy Studies*, 19(3/4): 199-212.

Newburn, T. (2002), 'Young People, Crime and Youth Justice', in M. Maguire, R. Morgan and R. Reiner (eds.), *The Oxford Handbook of Criminology (Third Edition)*, Oxford: Oxford University Press, pp531-578.

Newburn, T. (2002a), 'The contemporary politics of youth crime prevention', in J. Muncie, G. Hughes and E. McLaughlin (eds.), *Youth Justice: Critical Readings*, London: Sage.

Newburn, T. (2002b), 'Community safety and policing; some implications of the Crime and Disorder Act 1998', in G. Hughes, E. McLaughlin and Muncie, (eds.), *Crime Prevention and Community Safety: New Directions*, London: The Open University.

Newburn, T., Crawford, A., Earle, R., Goldie, S., Hale, C., Masters, G., Netten, A., Saunders, R., Sharpe, K. and Uglow, S. (2001), *The Introduction of Referral Orders into the Youth Justice System*, RDS Occasion Paper No. 70. London: Home Office.

Newburn, T., Crawford, A., Earle, R., Goldie, S., Hale, C., Masters, G., Netten, A., Saunders, R., Sharpe, K. and Uglow, S. (2001a), *The Introduction of Referral Orders into the Youth Justice System: Second Interim Report*, RDS Occasion Paper No. 73. London: Home Office.

Newburn, T., Crawford, A., Earle, R., Goldie, S., Hale, C., Masters, G., Netten, A., Saunders, R., Sharpe, K. and Uglow, S. (2002), *The Introduction of Referral Orders into the Youth Justice System*, Home Office Research Study 242, London: Home Office.

Newman, O. (1973), *Defensible Space*, London: Architectural Press.

Nicholas, S. and Walker, A. (eds.), (2004), *Crime in England and Wales 2002-2003: Supplementary Volume 2: Crime, disorder and the criminal justice system – Public attitudes and perceptions*, London: Home Office, www.homeoffice.gov.uk/rds/pafs2/hosb0204.pdf

Office of National Statistics (2001), *Census 2001*, <http://www.statistics.gov.uk/cci/nscl.asp?ID=5004>

Parker, H. (1974), *View from the Boys*, Newton Abbot: David and Charles.

Pearson, G. (1983), *Hooligan: A History of Respectable Fears*, London: Macmillan.

Pearson, G. (1994), 'Youth, Crime and Society', in M. Maguire, R. Morgan and R. Reiner, (eds.), *The Oxford Handbook of Criminology*, (First Edition), Oxford: Oxford University Press, pp1161-1206.

Pitts, J. (2001), 'Korrectional Karaoke: New Labour and the Zombification of Youth Justice', *Youth Justice*, 1(2): 3-16.

Pitts, J. (2003), 'Youth Justice in England and Wales', in J. Young and R. Matthews, (eds.) *The New Politics of Crime and Punishment*, Cullompton: Willan Publishing, pp71-99.

Pitts, J. (2003a), 'Changing Youth Justice', *Youth Justice*, 3(1): 3-18.

Platt, J. (1996), *A History of Sociological Research Methods In America 1920-60*, Cambridge: Cambridge University Press.

Pole, C. and Lampard, R. (2002), *Practical Social Investigation: Qualitative and Quantitative Methods in Social Research*, Harlow: Pearson Education Limited.

Power, A. (1987), *Property Before People*, London: Allen and Unwin.

Power, A. (1997), *Estates on the Edge*, London: Macmillan.

Pratt, J. (2002), 'Corporatism: the Third Model of Juvenile Justice', in J. Muncie, G. Hughes and E. McLaughlin, (eds), *Youth Justice: Critical Readings*, London/Thousand Oaks/New Dehli, Sage Publications, pp404-412.

Prison Reform Trust (2003), *Inquiry Into The Rehabilitation Of Prisoners: Submission From The Prison Reform Trust To The Home Affairs Select Committee*, <http://www.prisonreformtrust.org.uk/responses5.html>

Putnam, R.D. (2000), *Bowling Alone: The Collapse and Revival of American Community*, New York: Touchstone.

- Quinn, J. (1998), 'The Labour Government's New Approach to Criminal Justice', *Policy Studies*, 19(3/4): 237-253.
- Ramsbotham, D. (2003), 'Diversity in community justice: Some personal reflections', *Probation Journal*, 50 (3):277-281.
- Raynor, P. (1996), 'Evaluating Probation: the rehabilitation of effectiveness', in T. May, and A. Vass, (eds.), *Working with Offenders*, London: Sage, pp242-258.
- Raynor, P. (2004), 'Rehabilitative and Reintegrative Approaches', in A.E. Bottoms, S.A. Rex and G. Robinson, (eds.), *Alternatives to Prison: Options in an insecure society*, Cullompton: Willan Publishing, pp195-223.
- Reiss, A. J. (1988), 'Co-offending and Criminal Careers', in M. Tonry and N. Morris, (eds.), *Crime and Justice: A Review of Research Volume 10*, Chicago, University of Chicago Press.
- Rex, S. (1999), 'Desistance from offending: Experiences of Probation', *Howard Journal of Criminal Justice*, 38(4): 366-83.
- Rex, S. (2004). 'One to one ways of promoting desistance', in R. Burnett and C. Roberts, (eds.) *What Works in Probation and Youth Justice: Developing evidence-based practice*, Collumpton: Willan
- Robins, B. (1992), *Tarnished Visions: Crime and Conflict in the Inner City*, Oxford: Oxford University Press.
- Roberts, H. (2000), 'Listening to Children: and Hearing Them' in Christenson, P. and James, A. (eds.), *Research with Children: Perspectives and Practices*, London: Routledge, pp225-240.
- Roberts, J. and Hough, M. (2005), 'Sentencing Young Offenders: Public Opinion in England and Wales', *Criminal Justice*, 5(3): 211-232.
- Ross, R.R. and Fabiano, E.A. (1985), *Time to Think: A Cognitive Model of Delinquency Prevention and Offender Rehabilitation*, Johnson City, TN: Institute of Social Sciences and Art.
- Rose, N. (2000), 'Government and Control', *British Journal of Criminology*, 40: 321-339.
- Rosenbaum, D. (1988), 'Community Crime Prevention: A review and synthesis of literature', *Justice Quarterly*, 5: 323-95.
- Rutherford, A. (1986), *Growing Out of Crime: Society and Young People in Trouble*, Harmondsworth: Penguin.
- Sampson, R.J. and Laub, J.H. (1993), *Crime in the Making: Pathways and Turning Points Through Life*, London: Harvard University Press.

- Schofield, J. W. (1997), 'Increasing the Generalizability of Qualitative Research', in M. Hammersley, (ed.) *Social Research: Philosophy, Politics and Practice*, London: Open University Press, pp200-25.
- Scruton P. (ed.), (1997), *'Childhood' in 'Crisis'*, London: University College of London Press.
- Scruton, P. and Haydon, D. (2002), 'Challenging the criminalisation of children and young people: securing a rights-based agenda', in J. Muncie, G. Hughes and E. McLaughlin, (eds.), *Youth Justice Critical Readings*, London: Sage, pp311-328.
- Seale, C. (1999), *The Quality of Qualitative Research*, London: Sage
- Shaw, C. T. and McKay H. D. (1931), *Report on the Causes of Crime (Vol. 2)*, Washington DC: Government Printing Office.
- Shaw C. T. and McKay H. D. (1942), *Juvenile Delinquency in Urban Areas*, Chicago, University of Chicago Press.
- Shaw C. T. and McKay H. D. (1969), *Juvenile Delinquency and Urban Areas*, Chicago, University of Chicago Press.
- Shaw, M. and Hannah-Moffat, K. (2004), 'How cognitive skills forgot about gender and diversity', in G. Mair, (ed.) *What Matters in Probation*, Cullompton: Willan, pp90-121.
- Sherman, L., Godfredson, D., MacKenzie, D., Eck, J., Reuter, P. and Bushway, S. (1998), *Preventing Crime: What works, what doesn't, what's promising*, Washington DC: National Institute of Justice.
- Shover, N. and Henderson, B. (1995), 'Repressive crime control and male persistent thieves', in H. Barlow, (ed.), *Crime and Public Policy*, Oxford: Westview Press.
- Silverman, D. (2001), *Interpreting qualitative data: methods for analysing talk, text, and interaction*, (Second Edition), London: Sage
- Skogan, W. (1990), *Disorder and Decline: Crime and the Spiral of Decay in American Neighbourhoods, Berkeley and Los Angeles*, California: University of California Press.
- Social Exclusion Unit, (2001), *Preventing Social Exclusion*, London: The Stationary Office.
- Smith, D. (1995), *Criminology for Social Work*, Basingstoke: Macmillan.
- Smith, D. (2000), 'Corporatism and the New Youth Justice', in B. Goldson, (ed.), *The New Youth Justice*, Lyme Regis: Russell House Publishing.
- Smith, D. (2004), 'The uses and abuses of positivism', in G. Mair, (ed.) *What Matters in Probation*, Cullompton: Willan, pp34-52.
- Smith, R. (2001), 'Foucault's Law: The Crime and Disorder Act 1998', *Youth Justice*, 1(2): 17-29.
- Smith, R. (2003), *Youth Justice: Ideas, Policy, and Practice*, Cullompton: Willan Publishing.

- Smith, R. (2005), 'Welfare versus Justice- Again!', *Youth Justice*, 5(1): 3-16.
- Spencer, J. and Deakin, J. (2004), 'Community Reintegration: for whom?', in G. Mair, (ed.) *What Matters in Probation*, Cullompton: Willan, pp210-28.
- Sutherland, E.H. (1947), *Criminology (Fourth Edition)*, Philadelphia: Lippincott.
- Sutherland, E. H. and Cressey, D. (1970), *Criminology (Eighth Edition)*, Philadelphia: Lippincott.
- Straw, J. (1997), Preface by Home Secretary in *Home Office, No More Excuses – a new approach to tackling youth crime in England and Wales*, Cmnd. 3809, London, HMSO, <http://www.homeoffice.gov.uk/nme.htm>
- Szreter, S. (1999), *A New Political Economy for New Labour: the Importance of Social Capital*, Political economy Research Centre Papers, Paper 15, <http://www.shef.ac.uk/uni/academic/N-Q/perc/Polpaps/pp15.html>
- Taylor, I., Evans, K. and Frazer, P. (1996), *A Tale of Two Cities: Global Change, Local Feeling and Everyday Life in the North of England. A Study of Manchester and England*, London: Routledge.
- Taylor, I., Walton, P. and Young, J. (1973), *The New Criminology*, London: Routledge.
- Taylor, R.B. (1997), 'Crime, Grime and Responses to Crime', in *Lab* (1997): 63-75.
- Taylor, R.B. and Covington, J. (1998), 'Neighbourhood Changes in Ecology and Violence', *Criminology*, 26: 553-589.
- Thornberry, T. (1987), 'Toward an Interactional Theory of Delinquency', *Criminology*, 25: 863-891.
- Thornberry, T.P., Lizotte, A.J., Krohn, M.D., Farnworth, M. and Jang, J.S. (1994), 'Delinquency, Peers, Beliefs and Delinquency Behaviour: A Longitudinal Test of Interactional Theory', *Criminology*, 32: 47-83.
- Thorpe, D. H., Smith, D., Green, C.J. and Paley, J.H. (1980), *Out of Care: The Community Support of Juvenile Offenders*, London: Allen and Unwin.
- Thrasher, F.M. (1927), *The Gang*, Chicago: Phoenix Press.
- Tilley, N. (1993), *After Kirkholt – Theory, Method and Results of Replication Evaluation*, CPU Paper 47, London, Home Office.
- Tilley, N. (2003), 'The rediscovery of learning: crime prevention and scientific realism', in G. Hughes and A. Edwards, (eds.), *Crime Control and Community*, Collumpton: Willan.
- Tönnies, F. (1957), *Community and Society*, New York: Harper Torchbook,

- Tonry, M (2003), 'Evidence, elections and ideology in the making of criminal justice policy', in M. Tonry, (ed.), *Confronting Crime: Crime Control Policy Under New Labour*, Collompton: Willan, pp1-25.
- Travis, A. (2003), 'UK Now Europe's Jail Capital', *The Guardian Newspaper*, 27 February 2003.
- Underdown, A. (1998), *Strategies for Effective Offender Supervision: Report to the HMIP What Works Project*, London: Home Office.
- Urry, J. (2000), *Sociology Beyond Societies*, London: Routledge.
- Valier, C. (2002), *Theories of Crime and Punishment*, Harlow: Longman.
- Van den Bersselaar, D. (2005), 'Imagining Home: Migration and the Igbo Village in Colonial Nigeria', *Journal of African History*, 46: 51-73.
- Waiton, S. (2001), *Scared of the Kids! Curfews, Crime and the Regulation of Young People*, Sheffield: Sheffield Hallam University Press.
- Walklate, S. (2005), 'Imagining the Crime Victim: The Rhetoric of Victimhood as a Source of Oppression', *Social Justice*, 32: *Special Issue: Emerging Imaginaries of Regulation, Control and Oppression*, edited by T. Kearon and R. Lippens.
- Walklate, S. and Evans, K. (1999), *Zero Tolerance or Community Tolerance? Managing Crime in High Crime Areas*, Aldershot: Ashgate Publishing Ltd.
- Walsh, C. (2002), 'Curfews: No More hanging Around', in *Youth Justice*, 2(2):70-81.
- Wasserman, G. A. and Seracini, A. M. (2001), 'Family Risk Factors and Interventions', in R. Loeber and D.P. Farrington, (eds.) *Child Delinquents: Development, Intervention and Service Needs*, London, Sage, pp165-190.
- West, D. J. and Farrington, D.P. (1973), *Who Becomes Delinquent?* London: Heineman.
- West, D. J. and Farrington, D.P. (1977), *The Delinquent Way of Life*, London: Heineman.
- Whyte, B. (2000), 'Youth Justice in Scotland', in J. Pickford, (ed.) *Youth Justice: Theory and Practice*, London: Cavendish, pp169-188.
- Whyte, B. (2003), 'Young and persistent: Recent Developments in Youth Justice Policy and Practice in Scotland', *Youth Justice*, 3 (2): 74-85.
- Williams, Z. (2002), 'Words that should be banned: Community', *The Guardian Weekend*, June 29, 2002.

- Willmott, P. (1986), *Social Networks, Informal Care and Public Policy*, London, Policy Studies Institute.
- Wilson, J.Q. (1975), *Thinking About Crime*, New York: Vintage.
- Wilson, J. Q. and Kelling, G., (1982), 'Broken Windows', *Atlantic Monthly*, March: 29-38.
- Wonnacott, C. (1999), 'The Counterfeit Contract: Reform, Pretence and Muddled Principles in the New Referral Order', *Child and Family Law Quarterly*, 11(3): 271-87.
- Worrall, A. (1996), 'Gender, Criminal Justice and Probation', in G. McIvor (ed.), *Working with Offenders*, London: Jessica Kingsley.
- Worrall, A. (1997), *Punishment in the Community: The Future of Criminal Justice*, London: Longman.
- Young, J. (1999), *The Exclusive Society*, London: Sage.
- Young, J. (2002), 'Crime and Social Exclusion', in M. Maguire, R. Morgan and R. Reiner, (eds.), *The Oxford Handbook of Criminology*, Oxford: Oxford University Press, pp457-490.
- Young, J. (2002a), 'Searching for a New Criminology of Everyday Life: A Review of "The Culture of Control" by David Garland', *British Journal of Criminology*, 42: 228-261.
- Young, J. (2003), 'Merton with Energy, Katz with Structure, The Sociology of Vindictiveness and the Criminology of Transgression', *Theoretical Criminology*, 7: 388-414.
- Young, J. and Matthews, R. (2003), 'New Labour, Crime Control and Social Exclusion', in J. Young and R. Matthews, (eds.), *The New Politics of Crime and Punishment*, Cullompton/Portland, Willan Publishing, pp1-32.
- Youth Justice Board (2003), *Annual Review 2002/03: Gaining Ground in the Community*, London: Youth Justice Board.
- Youth Justice Board (2003a) *ASSET – Young Offender Assessment Profile: Appendix B Offences listed by Youth Justice Board seriousness score*, London: YJB. http://www.youth-justice-board.gov.uk/NR/rdonlyres/45480_66B-1849-4E21-BC10-4B5303AEEDA9/0/14/Appendices.pdf
- Youth Justice Board (2004), *National Standards for Youth Justice*, London: Youth Justice Board.
- Youth Justice Board (2004a), *Youth Justice – Annual Statistics 2003/04*, London: Youth Justice Board.
- Youth Justice Board (2004b), *Key Elements of Effective Practice: Assessment, Planning Interventions and Supervision*, Edition One, London: Youth Justice Board. <http://www.youth-justice-board.gov.uk/Publications/Downloads/AssessPlanning.pdf>

Youth Justice Board (2004c), *Key Elements of Effective Practice: Restorative Justice*, Edition One, London: Youth Justice Board, <http://www.youth-justice-board.gov.uk/Publications/Downloads/RestJustice.pdf>

Zedner, L. (2002) 'Dangers of dystopia in penal policy', *Oxford Journal of Legal Studies*, 22: 339-65.

Appendix One

PhD Research Study

'An Exploration of Community and Crime for Young Offenders'

Interview Schedule for Young People

CASE INFORMATION

1. Young Person's Unique Identifier

2. Young person's court order

3. YOT worker supervising this order?

A: ABOUT YOU

1. What is your current situation with respect to education/training/employment?
(Prompts: still attending school, stopped attending/truanting regularly, excluded, special provision, type training/employment, how long has this been the case?)
2. Is/was getting an education important to you? Please explain.
3. How much spare time do you have each day? What do you do in your spare time?
4. Have you any particular hobbies/interests? Please explain
5. Can you briefly tell me about a typical day for you?

B: ABOUT YOUR NEIGHBOURHOOD

6. Where do you live? Has this always been the case?
7. What do you like about living in this neighbourhood?
8. What do you dislike about living in this neighbourhood?
9. What resources are available for young people in your neighbourhood?
10. What do you use? How often? Has this always been the case?
11. Do you go outside the neighbourhood to access resources/services?
12. What do you use? How often? Has this always been the case?
13. Generally how much time do you spend in your neighbourhood?
14. How do you 'get on' with the people who live in your neighbourhood?(Prompts:
what helps/hinders this)
15. If you were in charge would you do to improve your neighbourhood?
16. If you were in charge what would you do to improve things for young people in
your neighbourhood?

C: YOUR CURRENT LIVING ARRANGEMENTS

17. What are your current living arrangements? (Prompts: parent/s, step parents/ siblings/ foster care/looked after by local authority, living independently ...)

18. Has this always been the case?

19. If you live with adults do any of them have a job? Please explain. (Prompts: If yes: who, what , how long etc, If no: how long out of work, seeking work)

20. Are there things in your current family/accommodation circumstances that you like/find helpful? Please explain.

21. Are there things in your current family/accommodation circumstances that you dislike/find unhelpful? Please explain.

22. If you could change anything about your family/accommodation circumstances what (if anything) would you change?

D: YOUR RELATIONSHIPS WITH FAMILY AND FRIENDS

23. Can you tell me a little about your upbringing? (Prompts: what was good/bad about it, were there difficulties for you growing up?)

24. Do you 'get on' with your parents? Please explain. (Prompts: regularity of contact, has this always been the case, anything they do/don't do that you particularly like/dislike)

25. If applicable, do you 'get on' with your brothers/sisters? Please explain. (Prompts: regularity of contact, particular e.g.s of this, has this always been the case, anything they do/don't do that you particularly like/dislike)
26. Are there other relatives who are part of your life? Please explain. (Prompts: who, how has this changed over time?)
27. If applicable, do you get on with these other relatives? Please explain. (Prompts: regularity of contact, has this always been the case, anything they do/don't do that you particularly like/dislike)
28. Is your relationship with your family important to you? Please explain? (Prompts: in what ways is the relationship important/unimportant, how do relationships with different family members compare)
29. Is your relationship with your friends important to you? Please explain. (Prompts: in what ways is the relationship important/unimportant, how do relationships with different friends/groups of friends compare)
30. How does your relationship with your family compare to your relationship with your friends? (Prompts: how is it similar/different, what expectations do you have of your friends that you do/don't have of your family)

E: YOU AND OFFENDING

31. Can you tell me about your involvement in offending? (Prompts: type and frequency of offending, what are the usual circumstances in which you offend, have there been any changes in your offending over time)

32. What are the reasons for your offending? (Prompts: has this changed over time)

33. How likely is that you will continue to offend? Please explain. (Prompts: what helps /hinders your stopping offending)

F: OTHERS AND YOUR OFFENDING

34. Of the adults who are involved in your life which relationships do you consider of most importance to you? Please explain. (Prompts: parents/carers, grandparents, aunts, uncles, family friends, teachers, social workers, YOT workers, other)

Can we start with ...

35. What do they think about your offending?

36. How do they react to your offending?

37. Has this made any difference to your offending? Please explain.

38. Is there anything they could do which would help to stop you offending? Please explain.

39. Of the relationships you have with friends or young people of a similar age which do you consider of most importance to you? Please explain. (Prompts: siblings, friends, girlfriend/boyfriends, other ...)

Can we start with ...

40. What do they think about your offending?

41. How do they react to your offending?

42. Has this made any difference to your offending? Please explain.

43. Is there anything they could do which would help to stop you offending? Please explain.

44. What do you consider the important responsibilities or activities in your life? Please explain. (Prompts: family commitments, caring responsibilities, school, college, training, employment, leisure/social activities, hobbies etc ...)

Can we start with ...

45. Do you think your involvement or participation in these responsibilities/activities helps to keep you out of trouble. Please explain.

46. Does your offending affect your involvement or participation in these responsibilities/activities? Please explain.

47. Does this make any difference to your offending? Please explain.

G: COMMUNITY

There is an idea that if people have close links to their community they are less likely to get involved in offending.

48. What do you see as your community? Please explain. (Prompts: locality, social relationships/networks, social attachments)

49. Do you think there is a general view in your community about offending? Please explain.

50. Is your offending known about in the community?

51. If yes, what has been the community reaction to your offending?

52. Has this made any difference to your offending? Please explain.

53. Is there anything that could be done within or by your community that would help you to stop offending? Please explain.

H: YOU AND SUPERVISION

You are currently subject to

54. How would you describe the ideas behind this order?

55. What, if anything have you found helpful about this order?

56. What if anything have you found unhelpful about his order?

57. Has being subject to this order made any difference to your offending?

58. In your opinion has being able to stay in the community been a helpful or unhelpful element of this order? Please explain.

59. Have you ever spent time in custody? Please explain. (Prompts: remand or sentence, how many times, length of stay)

If Yes go to questions 61 -62

If No go to question 63

60. How would you describe the ideas behind custody?

61. Did your experience of custody make any difference to your offending? Please explain.

62. Do you think being removed from your community is a helpful or unhelpful way of dealing with your offending. Please explain.

I: YOU, YOUR ASPIRATIONS AND YOUR FUTURE

63. So far, what do you think has been the 'high point' or one of the best times of your life? Please explain.

64. So far, what do you think has been the 'low point' or one of the worst times of your life? Please explain.

65. Do you think much about the future and what you will be doing in time to come? Please explain.

66. If/when you think about the future do you have any particular worries? Please explain.

67. Do you have any ambitions for your future? Please explain.

68. Are you doing anything about achieving your ambitions? Please explain.

69. Are there things that prevent you from achieving your ambitions? Please explain.

70. That was the last question. Is there anything else you would like to add?

Appendix Two

PhD Research Study:

An Exploration of Community, Youth Justice and Young Offenders

Interview Schedule for Practitioners

A. Interviewee Background Information

Current position

Previous positions

Time in post

Gender

B. Community, offenders and supervision

1. How do you understand the term 'community'? (Personally/professionally)
2. How would you describe the 'community' within which you work?
3. Do you think there is a general view within this/these community/s regarding youth offending and anti-social behaviour?
4. How, if at all, is this viewpoint demonstrated?

5. How would you describe the relationship between the children/young people with whom you work and the community/s?
6. Does this relationship differ according to age and/or gender?
7. Do you think 'community' is an important consideration when working with children/young people in relation to offending? Please explain.
8. How, if at all, does a consideration of 'community' inform your work/the work of the YOT? (What facilitates or undermines this?)
9. In what ways, if any, does the neighbourhood context help or hinder the prevention of offending for children/young people?
10. In what ways, if any, do family background/relationships help or hinder the prevention of offending for children/young people?
11. In what ways, if any, do peer relationships help or hinder the prevention of offending for children/young people?
12. In what ways, if any, does participation in leisure activities help or hinder the prevention of offending for children/young people?
13. What could be done within or by the community to help children/young people to stop offending?
14. To what extent do you think juvenile offending or anti-social behaviour threatens 'community'? Please explain.

15. Do you think the work of the YOT contributes to the maintenance of 'community'? Please explain.
16. Do you think court orders which allow young people to stay in the community are more or less effective than sending them to custody? Please explain.
17. In what ways, if any, is removal from the community to penal or secure settings helpful or unhelpful in addressing offending for children/young people?

C: Perspectives on Individual Clients

Young person's unique identifier:

In respect of X

18. In your opinion what were the main reasons for your client's involvement in offending?
19. What did/do you view as the main areas of work in this case?
20. In this case did you think 'community' was an important consideration in working with your client?
21. How would you describe this young person's relationship to 'community'?
22. In this case how, if at all, did a consideration of 'community' inform the work you undertook with your client?

23. How did the young person respond to the intervention? (what did they find most/least helpful?)
24. In what ways, if any, has the neighbourhood context helped or hindered the prevention of offending for this young person?
25. In what ways, if any, have family backgrounds/relationships helped or hindered the prevention of offending for this young person?
26. In what ways, if any, have peer relationships helped or hindered the prevention of offending for this young person?
27. In what ways, if any, has education/training/employment helped or hindered the prevention of offending for this young person?
28. In what ways, if any, has participation in leisure activities helped or hindered the prevention of offending for this young person?
29. How likely do you think it is your client will continue to offend? Please explain.
30. In your opinion to what extent was your intervention successful in terms of preventing offending? Please explain.
31. To what extent, if any, is this outcome linked to the young person's relationship to/interactions with their 'community/s'?
32. What could be done within or by the community to help your client to stop offending?

Appendix Three

1 June 2001

Dear [YOT Manager],

I am writing to request research access for a PhD study, which seeks to investigate 'community' and its relationship to the control and prevention of offending among young people. I have attached a full research proposal for your information but in particular I seek your agreement to undertake research that involves:

Access to undertake interviews with young people currently supervised by Youth Offending Teams.

In total I would like to talk to 60 young people – 30 male and 30 female - and at this stage I am approaching three Youth Offending Teams in Merseyside in order to achieve this sample.

The interviews with young people will be relatively unstructured and will explore young people's experiences of offending and supervision, the meanings and interpretations they attach to 'community' and the relative importance of 'community' to supervision and the control or prevention of their offending.

Access to extract descriptive data from young people's case files. The case file data for each young person interviewed will provide descriptive and contextual data that will complement and inform the qualitative analysis of the young person's understanding of community and the extent to which they do or do not feel part of a 'community'.

Access to undertake interviews with youth justice professionals. I would like to undertake up to a maximum of 20 interviews with youth justice professionals and within this I would

like to include 12 YOT workers responsible for the supervision of young people interviewed for the study. Again access is being sought in three Merseyside Youth Offending Teams.

These interviews will be semi-structured and should take no longer than an hour to an hour and a half to complete. The interviews will explore respondent's perceptions and experiences of 'community' with respect to the supervision of young offenders, the meanings and interpretations they attach to 'community' and the relative importance of 'community' to supervision and the control or prevention of offending among young people.

Professor Gill McIvor and Dr. Ian McIntosh at the Department of Applied Social Science, University of Stirling will supervise the proposed research, which I am undertaking on a part-time basis while employed as a Research Fellow within the Youth Justice Research Unit at the University of Liverpool.

If you require any further information please do not hesitate to get in touch. I look forward to hearing from you.

Yours sincerely

Janet Jamieson

**An Exploration of Community and Crime
For Young Offenders**

**A PhD Research Study Proposal
To Merseyside Youth Offending Team**

Janet Jamieson

**Department of Applied Social Science,
University of Stirling,
Stirling, Scotland**

June 2001

Introduction

'Community is a beguiling and seductive term because it readily evokes images of neighbourliness, mutual aid and a positive sense of belonging'
(Smith, 1995, 93).

'Community' is thought to offer an attractive means of (re)creating cohesion across a fragmented society and thus is often linked to a positive relationship with crime such that more community is believed to result in less crime (Crawford, 1997). However, in reality the 'communities' which are particularly vulnerable to crime and victimisation are often far from cohesive, but fragmented along lines of age, race, gender, economic activity and criminal involvement (Smith, 1995).

Discourses of community have been prominent in the conception, design and legitimisation of social policy in (at least) the last 30 years and in criminal justice policy has been invoked for both 'diagnostic' (explanations for) & 'therapeutic' (means of curing) purposes (Lacey and Zedner, 1995). The current youth justice system provides an interesting case study of the current policy orientation in respect of 'community' wherein right realist priorities of retributive justice and exclusion have been conjoined with left realist priorities of social justice and inclusion (Muncie, 2000). Thus, the 1998 Crime and Disorder Act has expanded the secure estate while simultaneously introducing a range of pre-emptive and preventative forms of rehabilitation (Pitts, 2001). The necessity of punishment and the protection of the public will therefore result in the exclusion of some children and young people from the communities in which they live while for others rehabilitation into these communities will be attempted through interventions which emphasise the importance of multi-agency partnerships, the primacy of the family, the principals of restorative justice and community-based disposals.

The literature and empirical work in relation to community and crime has largely focussed on community safety issues (Hope, 1995, Loader et al, 1998) or the experiences of adult male offenders (Foster, 1990). Yet the importance of 'community' and in particular a community base for effective interventions and the rehabilitation of offenders has been emphasised in the 'what works' literature (e.g. McGuire and Priestley, 1995). The proposed research study aims to develop and contribute to this body of work through an investigation of 'community' and its relationship to the control and prevention of crime among young male and female offenders.

The objectives of this study will be to:

- to explore how young offenders' understanding and experience 'community';
- to explore the nature of the relationship, if any, between young offenders and their communities;
- to explore the resonance of 'community' to youth justice interventions with young offenders;
- to explore if and how 'community' contributes to the control and prevention of offending from the perspective of young offenders and youth justice practitioners; and
- to explore if and how 'community' contributes to the rehabilitation and social inclusion of offenders from the perspective of young offenders and youth justice practitioners.

The Sample

A sample of 60 young people – 30 male and 30 female – who are currently subject to Youth Offending Team supervision will provide the basis for data collection. Within the sample priority will be given to young people subject to YOT supervision on the basis of

persistent and/or serious offending. However, it is recognised that the final sampling framework will have to be flexible in order to maximise the numbers of girls and young women included in the study. Thus, the definition of the sample will be made in accordance with the numbers of young people subject to different orders within a specified time period.

Methods

A range of research methods will be adopted in the pursuit of these objectives and will involve the collection of both qualitative and quantitative data.

Collection of Information from Case Files

In respect of each young person interviewed for the study it is proposed that a range of descriptive and contextual information be extracted from YOT case files. This data will complement and inform the qualitative analysis of the young person's understanding of community and the extent to which they do or do not feel 'part' of a 'community'. This data will include:

- The young person's previous involvement in the youth justice system (previous convictions and sentences);
- The offence which resulted in their current supervision;
- The length of order and details of any additional conditions imposed;
- Reasons for offending identified in ASSET;
- Objectives of supervision;

Interviews with Young People

Semi-structured interviews will be undertaken with young people to allow them to talk in their own 'frames of reference' allowing the meanings and interpretations they attribute to events, relationships and issues to be understood (May, 1993: 94).

These interviews will explore a range of issues including:

- the young person's current living, educational or employment status;
- their views on the localities in which they live;
- the nature and extent of their use of resources and facilities within this locality;
- their views on the nature of their relationships with family and friends;
- the nature and extent of their offending behaviour;
- the extent to which the adult and peer relationships and the responsibilities and activities they identify as important aspects of their lives impact on their offending.

Interviews with Youth Justice Professionals

Up to a maximum of 20 semi-structured interviews will be conducted on an individual basis with youth justice professionals. This will include 12 interviews with YOT workers responsible for supervising young people included in the study – six each in respect of young men and young women. The remainder of interviews will be conducted with managers and where relevant other key stakeholders.

These interviews will address:

- the meanings and interpretations practitioners attach to 'community';

- their views in respect of the likely nature of the relationship between their clients and community and whether this differs with respect to the gender or age of the young offender;
- the relevance of 'community' in the supervision of young men and young women;
- the value of and relevance of 'community' in the success or failure of community based disposals;
- the rehabilitation and social inclusion of young offenders and the factors which contribute positively or negatively to this outcome;

Data Analysis

All interviews will, subject to the agreement of respondents, be tape recorded and fully transcribed for analysis. All transcript records and quantitative data will be anonymised and no one will be identified in any publications arising from the research.

Ethics

Participation in the study will be voluntary and premised on informed consent in accordance with the British Society of Criminology and the British Sociological Association ethical guidelines. The researcher is experienced in conducting research on young people and offending and has been checked by the Merseyside Police and satisfactorily cleared.

Dissemination

The primary output from this study will be a PhD thesis to be submitted to the University of Stirling.

Janet Jamieson

Youth Justice Research Unit,

Department of Sociology, Social Policy

and Social Work Studies,

University of Liverpool,

Liverpool

Tel: 0151 794 2984

Study Exploring Community and Crime for Young People

I am a researcher based at the University of Liverpool and I am currently involved in a study on young people, community and crime. One part of this study involves talking to young people about themselves, their lives and their views and experiences in relation to offending.

I have asked the Workers at 'X' YOT to help me find young people who might be willing to talk to me for this study. The interview for this research will only take about 30-45 minutes of your time and can take place at your home, the YOT offices or somewhere else you would feel comfortable.

If you agree to be interviewed you can be guaranteed that your views are very important to the research. Also anything you say is treated with the strictest confidence, for example, you will not be named in any report of this research.

After the interview I would also like to access information from your YOT case records about what types of offences you have committed and what sentences you have undertaken. If you agree this information will also be treated with the strictest confidence.

It will be anonymised and securely stored at the university and when the study is completed the information will be carefully destroyed.

The study is being undertaken as part of a university degree (PhD) and a report of findings will be written and assessed.

If you have any questions or want more information about the study you can contact me on 0151 794 2984.

Yours sincerely,

Janet Jamieson

Janet Jamieson,
Youth Justice Research Unit,
Department of Sociology, Social Policy
and Social Work Studies,
University of Liverpool,
Liverpool
Tel: 0151 794 2984

Study Exploring Community and Crime for Young People

I am a researcher based at the University of Liverpool and I am currently involved in a study on young people, community and crime. One part of this study involves talking to young people about themselves, their lives and their views and experiences in relation to offending.

I have asked the Workers at 'X' YOT to help me find young people who might be willing to talk to me. He/She has suggested that your son/daughter would be willing to be interviewed but as they are under 16 years of age I'm writing to you in the first instance to see if you agree that they can participate. If you object to your child being interviewed can you sign the attached form and return it to me in the prepaid envelop. Alternatively you can contact 'X' at 'Y' YOT on 'telephone number'.

Your child's views are very important to the research and anything he/she says will be treated with the strictest confidence, for example, they will not be named in any report of this research.

After the interview I would also like to access information from child's YOT case records about what types of offences he/she has committed and what sentences he/she has

undertaken. If you agree this information will also be treated with the strictest confidence. It will be anonymised and securely stored at the university and when the study is completed the information will be carefully destroyed.

The study is being undertaken as part of a university degree (PhD) and a report of findings will be written and assessed.

If you have any questions or want more information about the study you can contact me on 0151 794 2984.

Yours sincerely,

Janet Jamieson

Table 1: Respondents' living situation at time of interview

Living situation	Male Respondents	Female Respondents
With parents	16	9
'Looked after' by Local Authority	3	-
Supported accommodation	1	1
Total	20	10

Table 2: Educational status of respondents of school age

Educational Status	Male Respondents	Female Respondents
Full-time Mainstream Education	3	5
Pupil Referral Unit	3	-
Excluded	3	-
Home or YOT tutor	3	-
Total	12	5

Table 3: Occupational status of respondents over school age

Occupational Status	Male Respondents	Female Respondents
Unemployed	6	3
Training scheme	2	1
Full time employment	-	1
Total	8	5

Table 4: Number of previous court orders by the respondents' gender

No of previous court orders	Male Respondents	Female Respondents
Zero	5	9
1	3	-
2	1	1
3	2	-
4	1	-
5	1	-
7	1	-
8	2	-
9	1	-
10	1	-
22	1	-
Total	19*	10

*There was no information available for one male respondent who had recently moved from a different area.

Table 5: Number of previous court orders by the respondents' current court order

No of previous court orders	ISSP	SO	APO	CPRO	DTO
Zero	-	4	8	-	1
1	1	-	2	-	-
2	-	2	-	1	-
3	-	2	-	-	-
4	1	-	-	-	-
5	1	-	-	-	-
7	1	-	-	-	-
8	2	-	-	-	-
9	-	1	-	-	-
10	-	1	-	-	-
22	1	-	-	-	-
Total	7*	10	10	1	1

*There was no information available for one male respondent who had recently moved from a different area.

Table 6: Number of previous court orders by the respondents' age

No of previous court orders	12 years	13 years	14 years	15 years	16 years	17 years
Zero	-	-	5	4	3	2
1	-	-	1	1	-	-
2	-	-	-	1	1	1
3	-	-	-	-	1	1
4	-	-	1	-	-	-
5	-	1	-	-	-	-
7	-	1	-	-	-	-
8	-	-	-	-	-	2
9	1	-	-	-	-	-
10	-	-	-	-	-	1
22	-	-	-	-	-	1
Total	1	2	7	6	5	8*

*There was no information available for one male respondent who had recently moved from a different area

Table 7: Offence resulting in YOT supervision by gender

Offence	Male Respondents	Female Respondents
Common Assault	5	6
Assault occasioning actual bodily harm	4	-
Possession of a class B drug	1	-
Being carried	-	1
Theft of a Motor Vehicle	1	-
Aggravated vehicle taking	1	1
Unauthorised vehicle taking	2	-
Burglary of a dwelling	1	-
Burglary of a non dwelling	1	-
Theft	1	2
Robbery	2	-
Public Order: causing harassment, alarm, distress by threatening words or behaviour (racially aggravated)	1	-
Total	20	10

Table 8: Youth Justice Board offence seriousness score by respondents' gender

Seriousness Score	Male Respondents	Female Respondents
8	-	-
7	-	-
6	3	-
5	1	1
4	8	-
3	6	9
2	2	-
1	-	-
Total	20	10
<i>Average score</i>	<i>4</i>	<i>3</i>

Table 9: YJB's offence seriousness score by respondents' court order

Seriousness Score	ISSP	SO	APO	CPRO	DTO
8	-	-	-	-	-
7	-	-	-	-	-
6	3	1	-	-	-
5	1	-	1	-	-
4	2	4	1	1	-
3	1	4	8	-	1
2	1	1	-	-	-
1	-	-	-	-	-
Total	8	10	10	1	1
<i>Average score</i>	<i>4.5</i>	<i>3.4</i>	<i>3.2</i>	<i>4</i>	<i>3</i>

Table 10: Youth Justice Board offence seriousness score by respondents' age

Seriousness Score	12 years	13 years	14 years	15 years	16 years	17 years
8	-	-	-	-	-	-
7	-	-	-	-	-	-
6	-	1	2	-	-	1
5	-	-	-	-	1	1
4	-	-	1	2	2	3
3	-	-	4	4	2	4
2	1	1	-	-	-	-
1	-	-	-	-	-	-
Total	1	2	7	6	5	9
<i>Average score</i>	<i>2</i>	<i>4</i>	<i>4</i>	<i>3.3</i>	<i>3.8</i>	<i>3.9</i>