



Entextualisation across institutional contexts: Infusing school discourses in juvenile justice trajectories of Roma youth

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Abstract

The school situation is highly influential in assessments of young people in the practice of youth justice. This paper traces the significance of school-based information with regard to Roma youth. Based on a study of court files and interviews with youth justice professionals, it examines what these discourses communicate and how they shape young people's correctional trajectories. Often negative school experiences and discriminatory practices in education towards Roma are reflected in the problematisations in juvenile justice, albeit within a different framing. The article focuses on the notion 'entextualisation' (extracting discourse from its original context and re-inserting it in another setting).

Keywords

Institutional discourse – school – Roma – juvenile court – entextualisation

Introduction

This article is the result of a research project that addressed institutional discourse production with regard to young people with a migrant background, in the context of youth justice (*self ref.*). Two case studies were undertaken, focusing upon young people born in the Northern Caucasus, and Roma Slovak and Czech youngsters who were referred to youth courts in two legal departments in Belgium. The study discussed the professionals' folk theorisations (Cicourel, 1976) of the causes and modalities of deviant behaviour, the assessments of a young person's responsibility and maturity, her or his milieu (mainly in

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8 terms of family and school situation) and the role of the residence status. This study revealed the ways
9 in which 'migrationised,' 'ethnicised' and 'culturalised' positioning of young people becomes prominent
10 and how it is enacted in judicial practice (*self ref.*).
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14 Particularly for Roma youth, school situations were frequently singled out as problematic and 'culturally
15 specific' in case file documents and in accounts of the youth justice professionals I have spoken to
16 (*infra*). These discourses often referred to educational issues commonly associated with Roma
17 minorities, such as truancy, early dropout, overrepresentation in schools for children with special needs
18 and concentration schools, difficulties in the transition to higher education and educational
19 'mismatches' (e.g. estimates of the added value of education, labour market opportunities, roles that
20 young people assume within the family, etc.) (Christianakis, 2010; Hemelsoet, 2012; Monteiro et al.,
21 2015; Rekosh and Sleeper, 2004; Terlouw, 2014). This generated an awareness of the role of school
22 discourses (i.e. input from schools and other accounts of the educational situation) throughout judicial
23 trajectories, as not being merely informative but also performative. Hence, this paper addresses how
24 school discourses translate into the practice of youth justice and how they affect the ways in which
25 young people are positioned in this institutional context.
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28 The article is structured as follows: it outlines the significance of young persons' background
29 assessments in the ('mixed') protection-based youth justice model, particularly discussing the
30 importance of educational reports. After this, some historical background about Roma from Slovakia
31 and Czech Republic is provided, alongside a brief account of the immigration context in Belgium (with
32 specific attention to education and youth justice). Subsequently, I elaborate on the methods and ethics,
33 as well as the discursive approach that was adopted. These sections can be viewed as a lengthy
34 introduction, which is followed by empirical findings. First, an outline of the educational issues that
35 become drawn into the sphere of youth justice is provided, arguing that such understandings are often
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9 individualised. Second, the paper addresses how school discourses are *enacted* by youth justice
10 professionals while assessing the young person's personality, deviant behaviour and background, as well
11 as how such discourses at times function as grounds for decision making. Third, reflections about the
12 stability of Roma othering (Young, 2007) are provided and the discussion is raised whether, when
13 entextualised in the context of juvenile justice, potential school problems are directly linked to deviancy.
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20 21 A mixed protection-based youth justice model

22 Protection-based youth justice models traditionally imply that deviant behaviour is seen as a symptom
23 of the underlying situation, which means that, beyond the transgression of law as such, centrality is also
24 accorded to the overall personality and background of the young person (Christiaens, 2015). This means
25 that what is defined to be 'the problem' and the related understandings of 'appropriate behaviour',
26 'good family and upbringing', educational situation, etc. are crucial for this practice.
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32 In the case of Belgium, since 2006 (and more so in the light of the forthcoming reform¹) the protection
33 model has been 'attenuated' with other goals, such as responsabilisation, sanctioning and restoration -
34 institutionalising somewhat conflicting interests (Franssens et al., 2010; Cartuyvels et al., 2011;
35 Christiaens, 2015; Put, 2007). The protection model was established in 1965, and ever since it has been
36 repeatedly criticised for its lack of legal guarantees, especially after the ECHR ruling in 1988. The
37 contradictions of sanctioning vs. protecting and responsabilisation vs. non-responsibility principles were
38 repeatedly discussed by policy makers, politicians and academics. In the 1990s, the growing prominence
39 of restorative justice went along with an increased attention for the victim. Simultaneously, penal
40 movements (emphasising responsibility, public safety and punishment) were noticeable *and* arguments
41 in favour of 'pure' protection ideals were regularly revisited (for in-depth discussions see e.g. Dumortier,
42 2007; Franssens et al., 2010; Put and Rom, 2007). The 2006 reform reflects these debates and
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9 incorporates several conflicting parameters: protection of the youth, recognition of the victim,
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responsibilisation of the offender, restoration, societal norm setting and safety (Deklerck, 2007). Youth judges and other professionals are formally expected to take into account all of these interests throughout case processing. In doing so, they retain a large discretionary space (e.g. there are no sentencing guidelines, only a preferred sequence of types of interventions to be considered by the magistrates; there is no obligation to convict the minor even when the prosecution finds sufficient indications of guilt; and proceedings are rather informal). Such a mixed model creates a 'waterbed effect', where it is in principle possible to single out some goals, while bracketing others on an ad hoc basis (*self ref.*). This is not to say that this occurs in a mechanical or necessarily negative way. Quite the contrary, this may mean extra space for understanding, communication, patience, primacy of the youth's family, education, etc. However, the question remains whether this is the case for all youngsters, regardless of the type of situation and the positions of the protagonists involved. In other contexts, it has been argued that mixed models can be used to justify intrusive measures if the youth and their families do not meet the expectations of the 'right' norms, values and conduct (Muncie, 2006; Terrio, 2009). The main concern of this study is where and how ethno-cultural dynamics enter such considerations.

Significance of school-based assessments

Because of the centrality of the young person rather than the offence as such in the (mixed) protection model, in many instances, actors outside of youth justice institutions are contacted, in attempts to gain insights into the background situations. Although this is not legally required, the majority of court case files contain extensive information about the school situation. Social workers in courts and residential facilities usually call the student counselling centres, principals, school administrators and (in a limited

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number of cases) teachers to inquire about the educational trajectory, the youngsters' personality and home environment. The families are also questioned about the school situation and regular school attendance is the condition most frequently imposed by the court (Gilbert and Mahieu, 2012). Furthermore, this aspect was found to be highly influential for the magistrates' policy and it has been described as the second most significant factor in judges' assessments and decisions, after family situation. This means that it is more influential than the characteristics of the offence (Franssens, Put and Deklerck, 2010; Gilbert and Mahieu, 2012).

Despite the implicit yet intense 'partnership' between educational and youth justice institutions, the commitments of youth justice arguably differ from those of schools. In particular, school information filtered by juvenile justice professionals concerns [1] discipline (meaningful activity, attendance, punctuality, good behaviour); and [2] whether the youth agree to 'play along' – accept to learn how to behave, how society works, etc. What is not topicalised are the matters of school results, specialisation and chances of successfully finishing the school career (*self ref.*). School discourses mediated and mobilised by court social workers also reveal a specific view of education as a directive framework: for instance, all professionals involved in present study strongly believed in its power and equality (*infra*). Accordingly, they believe in the capacity of education to shape and mould youth, departing from particular conceptions of good behaviour and goals of learning. They themselves, all being highly educated middle-class Belgians, are immersed in school culture from a young age. These well-intended practices, however, might produce a normative bias towards youngsters from the 'lowest' classes and minority youth (quite notably, Roma) (Reay, 2001). For these young people, school is often a battlefield of social problems, a harsh realisation of their 'otherness' or that education might merely equate to preparation for precarious jobs (Christianakis, 2010). Additionally, these youngsters are at times

involved in administrative, translating or nurturing tasks within the family (Orellana, 2009; *self ref.*), which might come 'at the expense' of fulfilling schools' expectations.

Although educational reports form but one voice in the court cases, in the course of this research at least, they appeared to be persistent and authoritative. Persistent in the sense that a systematic examination of circularity of school discourses in the cases studied (*infra*) shows that they are easily 'recycled' (i.e. such reports are mobilised at various points of the trajectories, quite importantly, in the court rulings). At times these discourses are enhanced with other views (e.g. of educators or psychologists in residential institutions, who closely interact with young people), but in none of the cases studied were they fundamentally questioned or refuted. School reports are also authoritative, as when there were conflicting views between parents and schools, it was rather the school's input that was designated as credible (e.g. "*parents claim... but the school says...*", eventually favouring the version of the school).²

For Roma youth in juvenile justice particularly, the scarce studies available find that youth justice professionals' insights into the background situation are far from comprehensive (reporting distrust, social and cultural distance, language barriers, etc.), which results in a stronger reliance on input from actors other than the youngsters and their families, or on ethnicised expectations and shorthands (De Bus & Nuytiens, 2016; De Bus, Petintseva & Nuytiens, 2017; Terrio, 2008; 2009).

Roma from the former Czechoslovakia: A background

Social and, specifically, educational positions of Roma are extensively discussed in the literature, but there is not always the necessary differentiation within these highly diverse groups. The focus on Slovak and Czech youngsters in this study came to the fore given the increased attention to intra-European Roma migration after the EU-enlargement (*infra*), the establishment of targeted education, integration

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9 and safety-oriented projects in the cities where this research was conducted (often specifically
10 mentioning Slovak and Czech Roma) and my personal experiences of having lived in the Czech Republic.
11 Selection based on geographic criteria was also a pragmatic choice, as ethnicity is not registered in
12 Belgian judicial databases, which means that the cases could only be selected based on birthplace and,
13 subsequently, a closer examination of the court file documents looking for at least one reference to
14 'Roma'.
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20 Roma have faced centuries of exclusion and looking at recent Czech and Slovak history, numerous
21 exclusionary practices come to mind: compulsory registrations and fingerprinting of Roma in the mid-
22 1920s, a law prohibiting a nomadic lifestyle, police registrations in light of 'Roma incivilities' since 1942,
23 the Porrajmos (the 'forgotten holocaust') (Weinerova, 2014), etc. The Post-War period was
24 characterised by brief stability. At the time, stimulated by organised recruitment campaigns, many
25 Roma moved to Bohemia and Moravia to work in the industry in depopulated areas. In the 1950s-1960s,
26 there was an up-welling and spread of assimilation-oriented and discriminatory politics (including
27 prohibitions of exercising 'typical' Roma professions, of speaking the Romani, incentives for people who
28 were willing to get sterilized and coercive sterilization of Romani women). This period simultaneously
29 provided a catalyst for the political organisation of the Roma: in 1969 Roma Union SCR was established
30 and efforts were made to expand and to fully recognise Roma literature and the Romani language. After
31 the fall of communism, assimilative politics were abandoned and impulses towards Roma political
32 participation were notable (Matthys, 2014). Eventually, Roma were recognised as an ethnic minority in
33 1991. After Czechoslovakia split up in 1993, Slovakia made plans to approach the issues of education,
34 employment, housing, and health but was reluctant to deal with ethnic discrimination. Moreover,
35 'Roma' became a synonym for people in need of special care and attention instead of people in
36 situations of socio-economic inequality. The issues at hand were quite straightforwardly framed as
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9 problems of lifestyle and culture, and Roma identity as a static and negative characteristic (Vermeersch,
10 2002; 2012). These developments were accompanied by economic decline, especially under the
11 pressure of the privatisation of steel and mining industries. Growing poverty and unemployment in
12 construction, farms, and factories (employing many Roma) slowly but surely resulted in precarious
13 situations. Problems that arose also concern spatial exclusion: overt segregation, destruction of public
14 housing, etc. (Kusa, 2011). All of this is paralleled by a rise of far-right movements in both countries and
15 the persistent lack of protection of Roma by state institutions (Vermeersch, 2002).

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22 The 'Roma situation' was one of the major topics of discussion upon the admission of Slovakia and
23 Czech Republic to the European Union (Vermeersch, 2002). Nevertheless, Roma marginalisation
24 continued after the EU accession: anti-immigration bills, massive relocations, anti-Gypsyism, etc.
25 (Orgovanova, 2014; van Baar, 2012; Weinerova, 2014). According to the FRA survey, 34% of Roma in
26 Slovakia and 62% in the Czech Republic have personally felt discriminated against because of their
27 ethnicity within a period of 12 months (FRA, 2011). From a socio-economic viewpoint, the current
28 situation is worrisome: high poverty rates, unemployment, flexible jobs, conditionality of welfare, low
29 education levels and illiteracy of Roma (58% of Slovak Roma report having left school before reaching
30 the age of 16 and 1% were never in education; for Czech Republic this is respectively 52% and 1% (FRA,
31 2011)). Moreover, the Czech Republic was condemned by the ECHR for unwarranted segregation of
32 Roma children in schools and human rights organisations continuously report such practices (Amnesty
33 International, 2013; 2015; Terlouw, 2014). Segregation, as a longstanding issue, arguably results from
34 deep-rooted exclusion and assimilationist policies. Since the 1970s, there has been a significant
35 overrepresentation of Roma children in special needs schools, which persists up till the present day
36 (EUMC, Report on the Situation of Minority Education in the Czech Republic, 2004; O'Higgins and
37 Brüggenmann, 2014).

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Numerous efforts have been undertaken to tackle inequality (e.g. the Education Act, The National Action Plan on Inclusive Education), but the ethnic dimension of de facto segregation is insufficiently addressed and a frequently expressed criticism is that these initiatives do not articulate specific measures to structurally prevent discrimination or to desegregate schools (Calvo Sierra et al., 2013). The Czech Ombudsman speaks of “*fundamental misconduct on the part of the authorities*” (cited in Calvo Sierra et al., 2013).

Problematising Roma schooling and deviancy in the immigration context

After the EU enlargement, migration from Central to Western Europe has increased and (originally Eastern and Central European) Roma already living in Western European countries went from being mostly illegalised migrants to European citizens.³ This development was paralleled by growing concerns about cultural integration, socio-economic difficulties, distrust and discrimination (Grill, 2012; Hepworth, 2011; Vermeersch, 2012). Both in the countries of origin as well as in immigration contexts, the most problematised issues with regard to Roma concern housing, education, employment and health.

Regarding education specifically, various kinds of segregation in education have been identified (cf. Roma Rights Centre report on different European countries; European Commission’s report *Situation of Roma in an Enlarged European Union* (2004)):

(I) Overrepresentation in schools for young people with special needs, which is moreover prompted by the use of culturally-biased diagnostic tests, the misuse of special educational provisions or what is identified as parental choice (Calvo Sierra et al., 2013). Reportedly, 19% of all youth from Slovakia and 22% from Czech Republic in Belgium go to schools for mentally handicapped children (Hemelseoet, 2012).⁴

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9 (II) Classroom segregation, separating Roma children in classes/groups in regular schools;

10 (III) Residential school segregation, sustained by what is referred to 'white flight' – when non-Roma
11 parents remove their children from schools with high numbers of Roma pupils (Arabadjieva, 2015).

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13 As a consequence, numerous initiatives have been set up to counter this de facto segregation: e.g. the
14 Framework for National Roma Integration Strategies adopted by the European Commission; the EU Race
15 Equality Directive; The Decade of Inclusion; the EU Framework for National Roma Integration Strategies,
16 etc. Moreover, there are a significant number of national policy documents and initiatives pursuing
17 inclusion in education (in Belgium specifically, cf. the 'M-decree', which promotes inclusion in regular
18 schools instead of special education; the introduction of go-between professionals; and the contested
19 subsidies for schools admitting Roma (Laget, 2015)). Additionally, broader integration-focused projects
20 such as 'Middle and Eastern European Migration' or 'Intra-European Migration' emphasise the
21 importance of inclusionary education and integrated education from the preschool onwards (ERRC,
22 2010). NGOs, outreach and grassroots initiatives have equally made crucial efforts in this respect.
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26 Nonetheless, segregation practices in education are still regularly documented (Terlouw, 2014;
27 Hemelsoet, 2012; Rekosh and Sleeper, 2004) and there is a persistent lack of structural means and
28 cultural sensitivity, on top of the structural poverty many Roma families find themselves in. On the other
29 hand, there are problematisations in terms of behaviour and attitudes of the Roma minorities
30 themselves. Popular discourses emphasise inherent unwillingness, while numerous scholars and
31 practitioners are concerned that historically deep-rooted exclusion in education and in the labour
32 market has had its effects on how some Roma perceive education (short term vision, maintaining a
33 distance from the 'receiving' society, low estimates of the added value of education, self-protection
34 strategies against bullying and stigmatisation, distrust, etc.) (Monteiro et al., 2015; Christianakis, 2010).
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Particularly relevant within the scope of this paper, educational problems such as truancy, high dropout rates, difficulties in the transition to higher education, and overall lower education levels of Roma minorities are popularly associated with crime and incivilities.

In the case of Belgium, given the non-registration of ethnicity, there is no data about crime rates of Roma youth and the potential link with truancy or other educational issues. Several policy-oriented studies do make associations between youth crime, incivilities and (Roma) ethnicity (Siegel, 2013; Van Daele et al., 2008). Additionally, across Europe, social *crime* prevention projects have also been predominantly focused on education and truancy prevention, at times with indirect links to ethnicity and class (Hebberecht and Baillergeau, 2012).

A discursive approach foregrounding entextualisation

Those aspects outlined earlier, such as discretionary space and the primacy of understanding the background in the practice of youth justice, warrant a focus on the constitution and the effects of institutional discourses. These discourses are never just informative neutral records of a pre-existing situation; instead, they are practices shaping knowledge (Bacchi and Bonham, 2014). These are cultural, negotiated, contestable and ideological actions, constituted in unequal power relations (Fairclough, 2010; Montessano Montessori, Schuman and De Lange, 2012; Gill, 2000). As a consequence, the contextualised production of statements, their circulation and meaning requires closer attention (Noy, 2015).

Existing qualitative studies that address topics closely related to my research are for the largest part either ethnographic accounts of decision-making processes (Terrio, 2004; 2009) or, when attentive to language, focused on macro discourses or on conversation analysis (Coyle, 2013). Less attention is given

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to the inanities, power struggles and contradictions of everyday discursive practices, selectively reconstructing the events and gradually shaping the narrative (Bacchi and Bonham, 2014).

Although school discourses are for the largest part 'on paper' records or brief communications, which are selective and distanced from lived realities, they are highly influential in settings where relatively little in-person interaction between the professionals and the minor takes place. Among other things, due to large caseloads (judges are reported to have up to 650 minors under their supervision), magistrates rely on documents delivered by other actors or are required to follow up cases of their colleagues. In this sense, regardless of whether these official discourses are factually correct or indeed 'true', they are certainly constitutive (Bacchi, 2009; Presser, 2009; Bacchi and Bonham, 2014; Eades, 2010).

The analytic gaze of this paper is directed at how (school) discourses change context and circulate between different institutional settings. To this end, the notion 'entextualisation' guides my analysis. Entextualisation refers to inserting original discourse as text in a different discursive setting, rendering discourse decontextualizable and making it into a unit/product that is seemingly coherent, unambiguous, effective and memorable. In doing so, it becomes stripped of its original meaning, nuance and production (Bauman and Briggs, 1990; Lempert and Perrino, 2007). In essence, it comes down to taking a piece of discourse and quoting it anew, as if it is the 'same piece of information' carrying a meaning independent from the original context (Silverstein and Urban, 1996; Urciuoli, 2010; Bauman and Briggs, 1990; Lempert and Perrino, 2007).

Discourse can be entextualised within the same institutions (e.g. Urciuoli, 2010), across procedures (e.g. Maryns, 2014), but also transforming speech into writing can be considered as an entextualising practice. In the case of mobilising school discourses in the practice of youth justice, we encounter entextualisation across institutional contexts. School 'information' (characterised by certain conventions

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9 and commitments) is transferred and naturalised in a setting with an inherent different finality (see also
10 Park and Bucholtz, 2009; Bauman and Briggs, 1990). In this process, unequal power relations are
11 reflected and constituted, selectively providing a forum for the voices of different actors (Silverstein and
12 Urban, 1996).
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18 **Methods and ethics**

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20 The empirical part of my research started with an analysis of documents kept in youth court files in two
21 legal departments in Belgium. Prior to starting the data collection, I gained a positive advice from the
22 Commission for the Protection of Privacy and of the Faculty Ethical Commission. Those bodies evaluated
23 the research proposal and gave their permission for processing non-coded data (case files). I was not
24 allowed to approach the individual youth whose files I examined.⁵ After this, full access to youth court
25 files in two departments was gained upon the formal permission of the Attorneys General in two Courts
26 of Appeal and subsequently the respective Crown Prosecutors, the presiding youth judges and the
27 Heads of the Registry in both courts. The data collection took place with the kind cooperation of the
28 administrative staff.
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38 I gathered thousands of photographs of documents such as police reports, social services' reports,
39 reports from the measure-executing facilities, administrative records, court rulings, school reports,
40 letters of young people to the judge, etc. A file could contain from 120 to over 3,000 pages.
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44 The sample included first generation Roma Slovak and Czech youth (i.e. birth place-based selection, all
45 selected files but one turned out to have at least one reference to 'Roma'), including all available
46 'delinquency' cases directed to the youth court from 2006 up to mid-2014 in the first department and
47 2006 to mid-2015 in the second. This brought me to 35 cases: 28 boys and 7 girls. The cases concerned
48 quite a wide range of offences but predominantly property crimes, both violent and non-violent.
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Each file was submitted to three coding rounds. The first one involved the registration of 'factual' data (demographics of the youth, classification of the offence(s), judicial trajectory, etc.). In this first phase, I simultaneously coded 'discourse,' which at that point could be anything relevant, only excluding standardised documents/formulations used in each and every file. In the second stage of coding, 'discourse' was thematically sub-coded into discourses on the offence(s), on the personality, on youth's environment and on how to proceed (advices, evaluations and decisions). These were the only pre-structured categories. Subsequently, axial coding took place (shifting from more descriptive coding categories to analytic), out of which the topics emerged and were further refined (Saldaña, 2015).

The 'What's the problem represented to be' approach (Bacchi, 2009) served as an analytic guide. I adhered to answering its questions while analysing the coded data using NVivo. This meant that the coded pieces of data were analysed as discourses/problematisations, trying to find out how they came about, on which information/assumptions/vocabulary they rest, looking for silences, circularity and effects of problematisations (Bacchi, 2009).

To enhance the findings of the document analysis I have interviewed 41 youth justice professionals (12 judges, 3 prosecutors, 11 court social workers, 5 people working for mediation services, 7 employees of detention facilities and 3 intercultural mediators). After having contacted the people whose names I had encountered during the case file research, I approached them via email, via colleagues or during my observations of the court hearings. During the face-to-face interviews (using informed consent forms), which lasted from one to four hours, I presented the participants summaries of tendencies found in case files, which I formulated in four printed statements (each time contrasting the Roma Slovak/Czech case with the youth from the Caucasus). The statements served as starting points, in an attempt to avoid overly general or socially desirable answers. I presented the statements as my initial impressions after having studied the case files. They were meant to trigger discussion and to enrich paper based and

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8 formalised stories that were strongly constrained by written genres of legal discourse (Phillips, 1998).

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10 The participants were encouraged to reflect on these statements, to give (counter)examples, to think
11 about possible explanations, etc. I also kept asking them what all of this meant for their practice.
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14 All interviews but one were tape-recorded upon permission of the respondents and integrally
15 transcribed verbatim. The transcripts were coded in NVivo, applying the same logic as was the case for
16 the documents, equally analysing them as discourses.
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19 For the purposes of anonymity and discretion, all names are fictive. Quotes are translated from Dutch by
20 myself.
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24 25 26 **Accounts of school situations that pervade the practice of youth justice**

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28 School issues problematised with regard to Roma Slovak and Czech youngsters in the court case files
29 and during interviews were quite prominent. In these discourses, crudely three types of
30 problematisations are identifiable.
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33 First, there are responsibilising discourses, problematising will and attitude, which ascribe the situation
34 to individual rational actors. For example:
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38 Mother claims that the SCC [Student Counselling Centre] and the school do not help her and
39 refuse the minor. In fact, she refused to enrol if she had to pay for the bus transport. (Report
40 social services of the court)
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45 In this case, the boy is raised by a single mother of four, who reportedly lives of minimal benefits. In the
46 entire case file, tangibly socio-economic issues become understood as non-cooperativeness. Such
47 statements are premised on individual responsibility and choice, while claims of exclusion and socio-
48 economic difficulties are contradicted (stating that the opposite is *in fact* the case, but providing few
49 supporting arguments).
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Furthermore, accounts involving responsabilisation of the youth and their families were often culturalised. The professionals wrote and spoke of inappropriate parenting styles, low education levels of the parents, prior schooling deficit, language barriers, typical group culture and non-prioritisation of education. The most frequently mentioned *explanation* of these tendencies was the nature of family structures (early marriages, pregnancies and adult roles the youngsters assume). This in turn was most commonly related to ethno-cultural characteristics.

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I don't think that it comes from a negative experience because there are so few of them who are in schools. I think that it is mostly very culturally bound as in 'us against the rest'. There are positive sides to that as well of course, because there is a connectedness to a group, but they have no connectedness to a person and this poses problems in this society in which we are now and where they... function. (Interview with a judge)

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Secondly, there are 'structuralised' accounts, referring to socio-economic constraints. In the descriptions of home situations and school non-attendance, there are references to appalling housing conditions, the necessity for the children to help out other family members (by selling flowers, translating, looking after younger siblings or their own children, or engaging in deviant behaviour). When it comes to school discourse, non-prioritisation of education is strongly present but contrary to the individualised accounts ("*the family refuses to adapt to the school's culture*") it is then framed within the situations of socio-economic marginalisation. Such narratives emphasise the external determinants instead of individuals' choices and they can count on more understanding and care when assessing youth's behaviour and background. However, such narratives were found in a small number of cases. Only one social worker and one intercultural mediator referred to school problems in the light of unequal opportunities and discrimination. They related this to historically seeing school in a negative way, instead of a lever to social mobility (see also Christianakis, 2010). At an aggregate level, most professionals did acknowledge

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9 that Roma face poverty, exclusion and difficulties related to education. Nonetheless, they mostly did not
10 spontaneously link this to individual cases they had encountered.

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12 The third type of problematisations encountered are 'pathologisations.' They emphasise (in-)capacity,
13 mental or otherwise medicalised roots of the problem, which is then ascribed to naturalised
14 characteristics. Such problematisations also imply the presence of constraints, they deny individual
15 agency and focus much less on the socio-economic and relational aspects.
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20 I think that they cannot follow, I just think that... well, I often have Roma boys or girls here in my
21 office, they speak Dutch, you know, but there is a difference between understanding and
22 comprehending [laughs]. I then frequently think, like, they are giggling like little children while
23 they are already fourteen – fifteen. They don't actually understand what is being said, what is
24 happening. It is like... it just slides off. There is a psychiatrist who said about these kids...: 'that one
25 has barely an IQ of a houseplant' [laughs]. This is of course not very flattering to put it like this.
26
27 But in many cases this is the case, that I detect that they are very limited and this has of course
28 consequences for the school... Their capacities are very limited, which means that they don't
29 understand that it makes sense to go to school because they don't understand what is being told
30 and they repeat the year, so they think: "What am I supposed to do here?" So they just don't get
31 the sense of it. (Interview with a judge)
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42 Apart from the fact that such claims echo the stereotype of the overall low intelligence of Roma (for
43 instance, the 1959 edition of the Encyclopaedia Britannica mentioned '*The mental age of an average*
44 *adult Gypsy is thought to be about that of a child of 10,*' cited in Christianakis, (2015)), the way in which
45 such a statement is made is remarkable in itself. The judge mobilises psychiatric expertise of another
46 professional to underpin his own impressions. The legitimisation is double: another expert says so and he
47 himself has been confronted with this issue. Somewhat insecure laughs and the disclaimer that the
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statement is not too flattering seem to indicate that the respondent realises that his perspective might be controversial. There is also an interesting shifting between particular cases and generalisation (“they” – “often” – “these kids” – “that one” – “many cases”). At no point (also not in the rest of the interview) did he question his assessment or the functioning of the organisation he is part of, while the statement itself invites a critical interrogation of the course of communication. If the youth ‘don’t get it,’ does this necessarily imply that the problem is exclusively situated in their understanding (retardation even) or could we perhaps question the way things are communicated and framed?

In both written and spoken accounts, it was difficult to uncover where precisely such imagery comes from or which expertise is it based upon:

In Belgium Tomas started in regular education in School A. From this school he was redirected to adjusted education, MPI [orthopedagogical centre]. This school directed him to a language class. After 1 year, he returned to the MPI. Eventually he was directed to School B [special education for mentally handicapped children]. In this school Tomas has already followed 3 years of adjusted education (including an internship in sheltered workplaces). Tomas has difficulties reading and writing and does not entirely understand our language, but he is trying his best. He knows how to behave politely though. (Report social services of the court)

After this entry, throughout the entire youth justice trajectory, this boy is described as mentally weak, consistently implying that the problem is a deficiency of an individual, while no psychiatric or other expert assessments are mentioned.

‘Theorisations’ of the ‘problem’, and particularly the level at which it is situated, implies a desired solution (Bacchi, 2009; Cicourel, 1976). For instance, if ethno-cultural *traits* rather than particular experiences are designated as the underlying issue, this presumes that the ‘problem’ is stable, it implies where it is situated (spatially and temporally) and what needs to be done (e.g. change attitude, family

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9 relations, a structural change of the socio-economic situation is required, etc.). Hence, beyond
10 describing the types of school discourses, it is of relevance to understand how they become mobilised.
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12 The following sections are dedicated to that.

13 14 15 16 17 **School discourses in assessments of personalities and behaviour**

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19 Understandings of the situation by youth justice professionals strongly rely on school discourses when it
20 comes to descriptions of personalities and deviant behaviour of young people. The aforementioned
21 individualised discourses specifically emphasise the problem of attitude.
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24 The school situation of Axel is dramatic. [...] The school describes Axel M. as someone who
25 could do it but just doesn't want to. When there is an assignment or an activity, he always
26 refuses to do it. Because it is special education, the pupils don't get scored. The school lets us
27 know that if his situation doesn't change, they have few hopes for his future. Moreover, they
28 describe Axel as someone who is a disturbing element and is often verbally aggressive towards
29 the teachers. (Police report)
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37 The situation is described as a particular problem of the youngster and it is implied that the 14-year-old
38 with no prior schooling experience is calculating in this matter. This rhetoric is quite naturally associated
39 with responsabilisation and the assigning of agency: he is spoken of as aggressive and indifferent to
40 attempts to help him without making explicit what kind of behaviour or communication the author is
41 referring to (Terrio, 2009). It might be the case that the assessment is accurate but the way it is phrased
42 rules out other possibilities without further specification, suggesting a particular preferred reading.
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49 In general, these problems of cooperation are carried further along throughout the trajectory and even
50 when separated from school situations as such (for instance in court rulings) young people are still
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9 described as inherently 'unwilling,' 'manipulative,' and 'aggressive', which translates school problems
10 into predictions of future risks of delinquency.

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12 In most instances this primarily has discursive effects, which obstructs versatility in thinking about the
13 situation (Bacchi, 2009). Moreover, this indirectly impacts on how the situation is dealt with (e.g. advice
14 of the social services to courts that suggest further follow up in highly supervised contexts or learning
15 projects, aiming to adjust *behaviour*).⁶

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19 Another point relates to pathologisation discourses that are mobilised in assessments of personality in
20 general and intelligence in particular.

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24 From the preliminary research [without an interpreter, in spite of explicit statements of the
25 necessity thereof], we can conclude that Vojtech has a serious lack of values and norms, it was
26 also not the first time that he came in contact with the police. This is clearly expressed in his
27 behaviour problems at school (verbal and physical aggression, threatening teachers, touching
28 female teachers, etc.). His physical aggressive outbursts at school strongly worry us.
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30 Furthermore, Vojtech is retarded and easily influenced, which can result in new contacts with
31 the police. (Court social services report)

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38 The school informs the social services of problems they encountered with Vojtech, with examples but no
39 other indications of how mental impairments were assessed (the case file contains no other references
40 to history of psychiatric contacts). Overall, a large part of the cases studied contains notes of inadequate
41 learning abilities or retardation (17 cases explicitly refer to this) without coherent documentation or
42 argumentation (see also Terrio, 2008). For instance, another case reads: "*SCC suspects psychiatric*
43 *disorder but no examination could take place because of the inadequate cooperation*" (Report social
44 services of the court).
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9 In pathologising discourses, the expertise that is mobilised is pedagogic and even medical in its nature,
10 but does not specify upon which evidence psychiatric disorders are diagnosed. A psychologist working in
11 a detention facility told me (referring to diagnostic tests) that:
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14 We have no tests for people speaking different languages or tests directed at other cultures.
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16 They exist but they are not integrated in our work. [...] With another youngster we take an
17 intelligence test, because this is not standard, you know..., but in practice it is often like 'yeah,
18 shit, no...' because it's a Roma boy, that is difficult because we don't have that test or we don't
19 know it. [...] I think we are lagging behind as far as this is concerned, especially given the fact
20 that there are so many of them in here. You'd think that there would be more [instruments]
21 available for this. (psychologist in a Community institution)
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28 Moreover, in several cases the intelligence assessment appears to be language-based. Language issues
29 (both concerning the knowledge of language as such and the knowledge of conventions rooted in
30 communication (Lareau, 2003)) often influence the assessments of young people's personalities. For
31 instance, the practice of language issues being reframed as intelligence issues is strikingly common and
32 repetitive. A self-contradictory example is illustrative of this:
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38 The interrogation of Jan was difficult, despite the presence of the Slovak interpreter. According
39 to the interpreter he spoke a kind of ROMA language and his knowledge of the Slovak was very
40 limited. From a conversation with Jan S. we can conclude that the person is retarded. (Report of
41 the police interrogation)
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46 As suggested earlier, within the 'for your own good' mode of thinking of the mixed protection-based
47 model, numerous background factors other than the deviant behaviour as such impact the judicial
48 decision (Gilbert and Mahieu, 2012, Franssens, et al., 2010; self ref.). The links between school situation
49 and deviance are in this sense mostly indirect and rather refer to the overall background. Yet, deviant
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behaviour is sometimes seen as being prompted by educational issues (mainly absenteeism). In these instances, there are spoken and written accounts such as: *“the lack of meaningful activities means that they get bored”* (interview with a court social worker); *“shoplifting doesn’t happen during night time, it’s mostly during the hours at which they are supposed to be at school”* (interview with a judge).

School-based assessments in youth court decision making and in evaluations of interventions

Although all problematisations indicate a course of action (Bacchi, 2009; Montesano Montessori et al., 2012), within the ‘walls’ of youth justice, school discourses are sometimes used to explicitly and formally justify a decision (cf. the point about the persistence of school-based assessments, *supra*).

We think that it is risky to let David go home at this stage of the school year [end May]. It will be difficult to find a school; he hasn’t planned any activities for the holidays... There is a big chance that he will hang out in the streets (both parents work). The supervision of his sister who lives at home and his brother in law is not so reliable. For these reasons, we believe that it is desirable that he continues to stay in the Community institution until mid-August, with the modality of going home for the weekend. David would prefer to go home as soon as possible. His family/parents visit him 3x/week in the institution and also wish that he comes home quickly. (Court social services report)

This is one of rather rare yet emblematic cases where the decision to prolong incarceration is not linked to the severity of the offence or a difficult family situation (interestingly, the fact that the parents work is even articulated as problematic), but to the unavailability of a school.

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In some cases, the school is directly asked for advice by the social services. Likewise, there are several examples where the school asks the social services of the court to maintain supervision, even after the measures imposed by the court are successfully executed. For example:

The school explicitly asked us to further follow up the situation because they fear that the transition [to special education] will not be smooth. We realise that it is rather unusual that school functioning is followed up within a delinquency case. However, because the parents have been living in Belgium for only 3 years, a redirection to CBJ [voluntary assistance mobilised in endangered youth cases] will not be possible. They also don't have a help request, therefore CBJ cannot follow up the file. (Court social services report)

In this instance, the line between endangered youth and a delinquency case is blurred and the principle of voluntariness is subtly bypassed. It is however unclear how the fact that the parents have only been living in Belgium for three years in itself would hinder the referral to voluntary assistance: does the author presume that the family will refuse this because of their background or lack of acculturation, or that there would be communication or language problems? Did they discuss this and the family explicitly refused assistance and the author has a different take on this? Did they just not actively articulate any explicit requests for assistance? In any event, the family had the legal right to voluntary assistance, but as the quote indicates, an explicit help request is required.

School discourses are also mobilised in the 'non-decisions' where no other information or interaction is present. For instance, after several fruitless house visits the social worker contacts the school and reports the following:

In any case, he is not enrolled in a city school. Probably Ronald doesn't speak Dutch – during the police investigation they relied on an interpreter [...] Proposal: given the socially miserable circumstances (as a 15-year-old looking for a house to squat for the uncle) and given the fact

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9 that the offences took place 6 months ago and we know of no other offences, it appears to us
10 that no measures are required. (Court social services report)

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12 All of these cases indicate that school input often becomes materialised in the processing of youth
13 justice cases. On the other hand, schools are sometimes urged to follow the *“difficult home situation,*
14 *because we are dealing with a delinquency case”* (report court social services). Here, the process is
15 reversed and the school serves as an extension of youth justice, after the intervention is completed.

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17 A considerable share of the files has no clear ‘closure’ of the narrative. Some files are eventually
18 dismissed by the prosecution, the court rules for a reprimand, or requirements of alternative handlings
19 are fulfilled. Mostly there is no active re-input from the school so the initial report sticks, without the
20 school discourses being revisited. Still, in several cases school discourses were used to evaluate the
21 success of youth justice interventions, for example:

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23 This is a Roma family of Slovak origin. Jan is a part of a large family that lives in a squatted
24 house. The family is trying to settle the administrative and material issues to establish their stay
25 in Belgium. [...] Furthermore he looked for a school, as was imposed on him. Coincidence or
26 not, he took the condition ‘to find a school’ very literally. Going to school was another matter.
27 [...] Given the difficult situation in which the family finds itself, we do not tend to set too high
28 standards. It is obvious that the boy is not supposed to commit any more offences. As far as
29 going to school is concerned, we don’t expect Jan to become an exemplary pupil all of a
30 sudden. We did motivate him to attend regularly though. (Report court social services)

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32 Several positive stories aside, evaluations of interventions such as the example above seem to convey a
33 sense of powerlessness and downsized expectations (as long as the young person does not commit new
34 offences) (see also De Bus & Nuytiens, 2016; De Bus, Petintseva and Nuytiens, 2017). Also here,
35 discourses individualise, structuralise (cf. example above) or pathologise the situation, while the major
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silence concerns the role of the educational and youth justice institutions in such 'unsuccessful' interventions. Moreover, in cases where interactions and trajectories do not go in the desired direction, negative ethnicisations become quite prominent. This brings me to the next point, namely whether the discursive positioning necessarily relates to an ethnic or migrant background.

Discussion of the stability of ethnicisation

Critical race theorists alongside the rapidly growing scholarship on crimmigration (Aas and Bosworth, 2013; João Guia et al., 2013; Stumpf, 2006) have significantly contributed to the understanding of sanitised discriminatory practices and the functioning of internal (legal, symbolic, socio-economic, administrative) borders with regard to migrants and minorities. Migrants' positioning in youth justice relates to that, but it also sheds light on practices of exchange between institutions that are not explicitly concerned with migration (in this case, schools and youth courts). The particularities of the positioning of Roma youth are by no means to be understood in terms of rigid borders, absolute segregation or straightforward discriminatory practices, nor are they rooted in positions *de jure* (but see *self ref.*). We may rather speak of subtle institutionalised racism and intransparency, entrenched in the conventions, modes of communication, beliefs and procedures of institutions dedicated to education and protection. While they sometimes become mediated by individual actors or get corrected throughout the trajectory, the discourses encountered are arguably systemic products of the institutional practice. It is a practice that is characterised by limited interactions, high caseloads, conflicting goals, class-cultural expectations and a priori legitimacy of officials' discourse. All of this results in varying yet one-dimensional images (cf. responsabilising, structuralising and pathologising accounts), which are however not one-sidedly demonising or discriminatory. Rather, in accounts of what the 'problem' is, a type of liberal othering is often tangible: a patronising discourse referring to the *lack*

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9 of values and norms and a failure to socialise (Young, 2007). Such 'lacking' is rather seen as a deficit - the
10 young person needs to be studied, pitied and taught to have the right values and attitude.

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12 While singling out ethnic culture, Roma youth are frequently described as suspicious, untrustworthy and
13 non-willing, in a way coinciding with popular images (Terrio, 2008; 2009). Strikingly, in school-youth
14 justice problematisations, ethnicisation is hardly ever used in a positive sense – in all cases it signals
15 problematic situations or at least a lowering of expectations (e.g. "*they comply, for Roma norms*").

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17 However, as tempting as it is to speak in absolute terms, no generalisable claims can be made based on
18 the data analysed in this study. Moreover, it is necessary to reflect on the stability of ethnicisation, as
19 the role of 'ethnic culture' withers away in some cases, and thus the 'Roma case' ceases to exist in the
20 discursive practices. This was the case for youth where little background discourse is present (which is
21 the case for minor infractions or in files that do not contain reports of the social services and/or schools,
22 n = 5). More fundamentally, there were 2 cases in which the school situation was not recognised as
23 problematic and where no explicit references to Roma culture were made. This seems to apply to youth
24 whose parents do not de-legitimise the school and manage to live up to 'Western middle class family
25 ideals' (*self ref.*). In these files, the school writes a positive report about the youngster and no (negative)
26 ethnicisation occurs.
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40 Mother and father are ashamed of what Jozef has done – as honourable parents they taught
41 him good values and they act as good citizens, regardless from the difficulties they face as
42 asylum seekers during a too long waiting period, hoping for a positive answer. They are
43 disappointed by and in their son – they disapprove of his behaviour and cannot understand why
44 he displayed such behaviour. They feel hurt by their son – who they trusted and who they were
45 so proud of, namely an obedient, sensitive and wise boy. (Report social services of the court)
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9 This discourse emphasising moral values reveals how, despite the difficult socio-economic situation and
10 legal instability, this family meets the expectations of 'a good family' (or maybe, in response to
11 hegemony, learns to display particular structures or behaviour, deemed as appropriate reactions and
12 emotional expression (Young, 2007)). Furthermore, they are well assimilated – they speak Dutch and are
13 said to not really associate with other Roma. At the end of the day, Jozef's behaviour is described as
14 typical youthful misconduct. Again, this family ideal boils down to class-based expectations (Ilan, 2010;
15 Lareau, 2003; Terrio, 2008) and also to whether institutionally-fostered standards such as avowal,
16 cooperation, a level of trust towards the authorities, etc. are met in these cases.
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26 **School issues recast as delinquency? Conclusions and implications**

27
28 This contribution presents an analysis of educational reports about Roma youth involved in the youth
29 justice system in Belgium. In particular, it sheds light on discursive practices concerning school situations
30 that enter youth justice assessments in cases of Roma Slovak and Czech youngsters. I have argued that
31 school discourses become entextualised in a different institutional context and that they may have
32 discursive, subjectification and material effects (Bacchi, 2009; *self ref.*). Even though the current
33 research does necessarily reveal endemic abuses by numerous officials of youth justice, the effects of a
34 particular perspective (e.g. one single judge who handles hundreds of cases) can resonate significantly.
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36 Youth justice decision makers balance between contradictory goals, which moreover occurs in a
37 professional setting characterised by high caseloads and rather limited in-person interactions. The way
38 discretionary power is exercised within the framework of 'restorative juvenile sanction law' allows the
39 placement of different emphases, in some instances indirectly harming already vulnerable groups by
40 either reinforcing the existing inequalities or by obscuring them (Maryns, 2014). In the processes
41 discussed, subtle othering dynamics occur, echoing popular images (e.g. a culture of cash, instrumental
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9 manipulation of institutions, and inadequate learning capacities (Terrio, 2008; Gay y Blasco, 2008;
10 Vermeersch, 2012)).

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12 The purpose of this paper is not to criticise the use of school evidence as a whole, but – while
13 acknowledging its significance and the primacy of education - to critically interrogate *how* such
14 discourses are constituted and what they come to mean once infused in the practice of youth justice. As
15 argued earlier, although both institutional spheres operate ‘in the best interests’ of young people and
16 both have a disciplinary function, their goals and conventions differ significantly.

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18 Well-meant insights into young people’s backgrounds often resulted in rigid imagery. School-based
19 youth justice accounts tend to reproduce the idea of educational problems as being ‘normal’ because of
20 the ‘natural disaffection’ of Roma with education (Braham and Braham, 2000, *cited in* Vermeersch,
21 2002; Chinole, 2007). *Not* highlighted in professionals’ problematisations encountered in court
22 documents and in interviews were the systemic problems in education and institutional violence. The
23 same goes for bullying (reported in several cases by the youth) and socio-economic limitations to being
24 able to live up to the expectations posed in educational contexts. Inversely, absence, difficult
25 interactions with Roma youth in schools, educators’ frustrations and partial insights that are arguably
26 sustained by segregationist educational practices do become transferred into judicial trajectories.
27 Furthermore, the findings of the current study indicate that school discourses tend to be strongly
28 individualised and this focus on individualised school performance further masks systemic problems in
29 education. This drive towards homogeneity and coherence (equally found in structuralising and
30 pathologising accounts) surpasses the need for multifaceted discourses and practices.

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32 All of this does not necessarily mean that youth justice officials inherently believe that, for example,
33 ethnic culture explains truancy or low intelligence levels, as has been suggested in several remarkable
34 quotes. The processes discussed have been analysed from different angles (e.g. framing little pieces of
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9 information in street level bureaucracy (Lipsky, 1980), the human need for order (Cicourel, 1976), etc.).

10 But the imperative question here - given our focus on the effects of problematisations and not so much
11 their causes - is what can be done about the discourses outlined and their cross-institutional
12 entextualisation.
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15 While constituting such problematisations, nuances and contradictions do not need to be filtered away.
16 Rather, it would be relevant to get rid of 'inevitability' and the persistence of caricatured images. This
17 includes creating a bottom-up narrative, giving voice to the youth and their families. The latter implies
18 not only *hearing* them, as dictated by the law, but listening to them and being attentive to nuances and
19 diversity. Major challenges in that respect are presented by the existing inequality and distrust, which in
20 most cases were downplayed and reduced to the problems of behaviour or deficient culture and values.
21 In individual cases, awareness of the background is of relevance, but without routinely making
22 inferences that echo the vocabulary of the culture of poverty (Lewis, 1998), as we have seen in
23 structuralising explanations. Certainly, inequalities of Roma are historically acquired, internalised and
24 daily translated into many contexts, but school and youth justice discourses cannot become passive
25 reflections thereof. Predicting difficulties merely based on socio-economic situations might be just as
26 harmful as enforcing ethno-cultural expectations.
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29 Realistically, nuanced insights into migration and socio-economic history are however not likely to be
30 included to any significant extent in the youth justice accounts since the implementation of the policy
31 that is inspired by the 'Signs of safety' approach (Turnell and Edwards, 1999). From the beginning of the
32 2000s onwards, court social reports mainly focus on the 'here and now' (strengths, weaknesses, risk
33 factors, etc.), largely silencing youth's history. This means that in practice, these experiences are
34 reconstructed only in a limited number of cases, on an ad hoc basis by individual practitioners.
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On a practical level, and particularly regarding school–youth justice exchanges, the modes of communication could be thought about differently. For instance, the fact that rather distant counsellors and keepers of discipline are approached rather than teachers means that only knowledge about disciplinary issues and much less about the person gets infused in youth justice files. Moreover, the authoritative nature of school input could be scrutinized, without dismissing or ignoring the voice of the educational actors all together.

I contend that both researchers and youth justice practitioners need to be explicitly aware of the fact that particular representations serve different masters in different spheres. This implies a critical stance towards the ways in which situations are assessed, openness to ambiguity and not taking such ‘official knowledge’ for granted.

As for school discourses specifically, they do translate into assessments of personality and (deviant) behaviour of young people. At times, they unambiguously materialise, as they directly influence decision-making. Nevertheless, I would not go so far as to speak of practices where educational problems are straightforwardly recast as crime problems, but there is a prism-like transmission of the educational issues of Roma into youth justice assessments. Whereas thorough insights into the background are absolutely necessary in youth protection, we need to be careful to not ‘transfer’ and materialise the same dynamics of stereotypes and segregation when non-reflexively translating discourses into institutional contexts whose business is secondary criminalisation (albeit in the name of protection). A final quote summarises the points of attention (in this example it is directed towards the youth, but it is worth reflecting upon more broadly):

In our language, words sometimes have more than one meaning. This is sometimes a pitfall for the minor. He reacts to what he thinks he hears and doesn’t take into account that words

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acquire the correct meaning when they are placed in their context. Alexander has a judgement ready before someone else is done talking. We notice that he attaches great importance to his own frame of reference. This entails that he sometimes has wrong associations with the same word. (Report from a Community institution)

Notes

¹ Shifting to a more responsabilising sanctioning model.

² To my knowledge, other research on this topic is scarce, I therefore mainly rely on own findings.

³ Though still eligible to be 'illegalised' when unable to provide in own financial support. The precise numbers of Roma in Belgium are unknown since ethnicity is not registered, but according to rough estimations, in the geographic areas where this research was conducted, in 2012 about 1.4% of the inhabitants were first generation intra-European Roma immigrants (Vlaams Actieplan Moe(Roma)-Migranten, 2012).

⁴ In the population of youth who end up in youth courts, this is most probably amplified: in my sample, the largest group was in special schools (16), in vocational education (6 persons part time and 1 full time), language immersion classes (1), or in no school at all (4). Only 2 young persons were enrolled in general secondary education and 5 files contained no information about the type of the class. Moreover, 18 files explicitly mentioned truancy, whereas only 3 files mentioned regular attendance (1 with the addition "*for Roma norms*").

⁴ In the course of research, I did come across several of these youngsters during court hearings observations, which allowed me to get an idea of their judicial encounters, albeit from a distance.

⁵ Anticipating unavailability of places is the most frequently mentioned reason for not being able to advise or execute the desired measure (Gilbert and Mahieu, 2012).

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