

# Youth justice policy is undergoing an important transition from 'costly criminalisation' to 'precautionary risk management'

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**Peter Squires** reviews the recent history of policy making in the field of youth justice, arguing that the Government's austerity measures have brought with them a long needed end to pervasive over-criminalisation. However while this turn away from 'costly criminalisation' is to be welcomed, important questions need to be asked about the strategy of 'precautionary risk management' which has replaced it.



For the past two decades the field of youth justice has been a particularly turbulent area of policy-making. For most of this period, the 'turbulence' derived from successive waves of punitive innovation characterising the field. But now, in the wake of the Government's austerity measures, the practice of costly 'over-criminalisation' which, for so long, had thwarted the Youth Justice Board's aspiration to reduce rates of youth custody, may be giving way to a more generic approach emphasising precautionary risk management.

The core complaint against so much of the punitive drive against youth gathering pace in the early 1990s, which led to increasing numbers of young people experiencing youth custody before the focus shifted to gangs and, in 2011, rioting, concerned the *injustices* perpetrated in the name of 'youth justice'. As we shall see, that complaint still stands, even as the explicit emphasis on criminalisation is supplanted by a focus on risk management as evidenced, for example in the Government's '[Troubled Families](#)' initiative.

It is often argued that 1993 was a critical turning point in juvenile justice. In February that year a two year-old toddler named James Bulger was abducted from a shopping centre near Liverpool and, over the course of the next few hours, he was subjected to a relentless and brutal assault by two boys; themselves aged only ten and eleven. Finally they killed him, leaving his body upon a railway track in the hope that passing trains would obscure evidence of the injuries that they had inflicted. The incident launched what some commentators have referred to as a British '[punitive turn](#)', prompting politicians to compete to be the toughest in the 'war on crime'. In its wake followed a marked [demonization of youth](#) and [accelerating processes of criminalisation](#), resonating closely with Cohen's original work on '[moral panics](#)' and [Pearson's](#) notion of the mobilisation 'of respectable fears'.

## Rising and falling

Between 1992 and 2008 the annual average number of young people detained in secure facilities more than doubled. There was a similar 85% increase in the total number of children and young people (aged 10-17) sentenced to [secure accommodation or youth custody](#), including an incredible 800% increase in the numbers of under-15s held in secure facilities during the five years after 1998. Youth custody consumed fully [75% of the youth justice budget](#); reducing the cost of custody was intended to play a vital role in redirecting resources to crime prevention although, for a decade and a half, youth custody rates continued their relentless climb, prompting [criticism](#) of the [Youth Justice Board](#). And then, in 2008, coinciding remarkably with the Credit Crunch and the emerging politics of austerity, custody rates [started to fall](#); more than that, as Howard League research has suggested, juvenile arrests are falling too.

The MoJ and YJB report, 'Since 2007-08 there are 55% fewer young people coming into the system, 30% fewer young people in custody and 29% fewer re-offences by young people... the rate of reoffending has been fairly stable over the last decade [but] the frequency of re-offending has reduced by 17% since 2000'. The total number of 'immediate custody' sentences handed out by the courts for young offenders fell by 10% between 2009-10 and

2010-11. This is in line with an 11% reduction (to 176,511) in 'proven offences' by juveniles between 2009-10 and 2010-11. Completing this picture of falling youth crime and declining rates of youth criminalisation, *The Howard League for Penal Reform* reported, in 2012, on research revealing that the number of arrests of young people aged 17 and under had fallen by a third, from 315,000 in 2008, to 206,000 in 2012. The League noted, however, that this still amounted to a child or young person being arrested 'every two and a half minutes' and, specifically, six primary school aged children being arrested by the police every day.

### **From 'costly criminalisation' to precautionary risk management**

Frances Crook, Chief Executive of the Howard League, put a positive spin on these changes pointing to a cultural and institutional change, reversing the growth in youth criminalisation and custody witnessed during the decade and a half to 2008: 'Under the last government, police success was measured by the number of arrests and children proved a seductive way to make up the numbers,' she argued. 'The fact that the number of child arrests has fallen by a third since 2008 is a testament to a change of culture, more focused on public safety than targets'. But it is worth interrogating these 'cultural changes,' for while they reflect a changing emphasis in youth justice practice, predicated upon what has been termed '[precautionary risk management](#)', the focus of these measures still fall heaviest upon the most disadvantaged of working class youth.

The new measures still have their roots in an anti-social behaviour management and 'early intervention' philosophy promising that criminal careers could be 'nipped in the bud'. The expensive exercise in net-widening that followed is now being reined in and, in the wake of the Government's rather selectively evidenced '[gang strategy](#)' and the 2011 riots, the 'Troubled Families' programme, an exercise in '[repressive welfarism](#)' if ever there was one, is rolled out to address the hardest core of 'at risk' youth. The problem with this strategy is that, based upon risk assessment, it redefines poverty, disadvantage, abuse, neglect and a lack of opportunities as criminogenic risks whilst targeting the behavioural symptoms rather than underlying needs. Selective interventions of this nature have a poor track record, compounding rather than solving the troubles of their clients, further labelling and criminalising the poorest.

*Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics. Please read our [comments policy](#) before posting.*

### **About the Author**

**Peter Squires** is a professor of Criminology & Public Policy at the University of Brighton. Since the early 1990s, his research has focused upon criminalisation, youth crime, anti-social behaviour, policing and, more recently, 'gang-related' crime. This latter was a spin-off from his other work on gun crime, violence, and gun control. His new book, *Gun Crime in Global Context*, is due to be published later this year.