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Book Review



Stephen Case

Youth Justice. A Critical Introduction, London: Routledge, 2018. Paperback, ISBN 9881138233256, £32.99. Hardback, ISBN 9881138233249, £90.00. eBook from £16.50.

In the past decades, a wide variety of handbooks and edited volumes concerning youth justice systems and models has been published. Many of these books provide overviews of specific countries and their approach towards youth offending.¹ In the book, *Youth Justice. A Critical Introduction* by Stephen Case, criminological theories explaining youth offending is combined with a reflection on the responses to it, largely from a UK perspective. The book is written as a textbook mainly aimed at (undergraduate) students to provide an introduction to defining and explaining youth offending and the responses to youth offending. The chapters are very well structured and the reader is guided through them by providing summaries and additional information and recommended readings in textboxes. For example, one can find interviews with renowned scholars in the field of youth justice, such as Colin Webster (Leeds Beckett University), Bill Whyte (Edinburgh University) and Raymond Arthur (Northumbria University).

In the introduction, Case explains the “triad of youth justice”, a framework for understanding the interrelatedness and mutually-reinforcement of definitions, explanations and responses to youth offending. This also explains the underlying argument of the book; youth offending and youth justice are socially constructed notions, that need to be understood in its socio-historical context.

In Chapter 1 the issue of defining youth offending is explored. Case embarks from the proposition that youth offending is a social construction

1 See, for example: F.E. Zimring, M. Langer and D.S. Tanenhaus, *Juvenile justice in global perspective*, New York: NYU Press, 2015; J.A. Winterdyk (ed.), *Juvenile justice systems: International perspectives, models and trends*, CRC Press, 2014. F. Dünkler, J. Grzywa, P. Horsfield and I. Pruin (eds.), *Juvenile justice systems in Europe*. Mönchengladbach: Forum Verlag Godesberg, 2010.

(a “constructed reality”) and should be seen as dynamic, contingent and contested. Therefore, what a “youth” constitutes depends on the broader socio-historic context. Because of the focus on the UK, only the age limits (i.e. the minimum age of criminal responsibility and the age of majority) that apply in the UK system, which is currently ten years of age, are explained. To understand the social construction of youth offending and its dynamic nature, it is analysed across five periods in recent history (pre-1850, 1850–1900, 1900–1950, 1950–1990 and 1990-onwards). In this chapter, the definition and perception of childhood, adolescence and youth offending is explored throughout history and it is concluded that middle-class stakeholder groups are largely influential in constructing the reality of youth offending. The author explains the notions of ethnocentrism, androcentrism (i.e. the dominance of male perspectives) and class-centrism, in influencing the perception of youth offending. How children were seen changed from mini-adults, who had to work from an early age to rebellious working-class adolescents (mainly boys), who were acting antisocially and dangerously. Visible misbehaviour was increasingly criminalised, such as drunkenness, gambling and mischief, and in the case of children, status offences were introduced such as truancy and sexual precociousness. This leads to the conclusion that explanations of and responses to youth offending tell us mainly how we see children in a given time and place, rather than being a result of the behaviour these children display.

Chapters 2 and 3 focus on explaining youth offending. In Chapter 2, we travel through the same historical eras, focussing on the dominant criminological theories of those times. Youth offending is explained from an individual perspective (i.e. classical and biological positivist theories), a socio-structural perspective (i.e. psychological and sociological positivism), a critical perspective (i.e. labelling and critical theories) and an integrated perspective (i.e. integrated positivist and realist theories). The connecting of general criminological theories to youth offending is valuable, because it provides more in-depth explanations of specific youth crime, whilst leaving aside other forms of crime (e.g. white-collar crime). For example, youth offending is explained by the individual development and the recent insights neuroscience gives into the influence of brain development on the behaviour of young people. On the sociological level, youth offending is explained by subcultures, social disorganisation and strain (i.e. the disparity between socio-cultural goals and the means available to achieve these goals). Putting these theories in their historical and social contexts provides a more comprehensive understanding of the concept of youth offending. In Chapter 3, Case departs from the argument that positivist theories are still dominant in explaining youth offending; however, in recent times that has been given the shape of “risk factor theories”.

These theories are qualified as being ‘quasi-positivist, artefactual risk factor theories’ (101), which focus on the individual, rather than the society or system. This chapter provides a comprehensive overview of theories and longitudinal empirical studies explaining youth offending from a risk factor perspective, including renowned studies such as the Pittsburgh Youth Study and the Edinburgh Study. These studies consist of large-scale longitudinal designs by which the causes and correlates of youth offending are investigated from childhood into adulthood, using official statistics and self-report data. Criminogenic risk factors on different levels, such as the individual, family, school, neighbourhood and peer group have been identified to explain youth offending.² In this chapter, a tension is almost tangible between the empirical outcomes of these studies as described by the author and the author’s own opinion and views. Case concludes that these explanations of youth offending are integrated, but also deterministic and psychosocial/individualistic in nature and do not follow the notion of the social construction of youth offending.

Chapters 4, 5 and 6 focus on the responses to youth offending. Again, in Chapter 4, the chronological order of five periods of time in history is followed, in describing the responses to youth offending. These three chapters focus heavily on developments in England and Wales, although in Chapter 4 it is attempted to present some broader, international developments. Typologies of youth justice systems are presented, the conceptualisation of the “punitive turn” in other countries is explained, and child-friendly justice and the international children’s rights framework are discussed. Regarding the latter, the often-heard critique is repeated that guidelines on the implementation and monitoring of effective implementation of standards lack in the case of youth justice. It is unfortunate that the important standard-setting and improvements with regard to the legal position of children in conflict with the law (e.g. their procedural rights and safeguards) emanating from the UN Convention on the Rights of the Child (CRC) and related children’s rights standards (e.g. the Beijing Rules, 1985; General Comment No. 10, 2007; Council of Europe Guidelines on child-friendly justice, 2010), are not acknowledged by the author.³

2 For further reading, see: T.P. Thornberry and M.D. Krohn, *Tacking stock of delinquency. An overview of findings from contemporary longitudinal studies*, New York: Kluwer, 2003; D.J. Smith and S. McVie, “Theory and method in the Edinburgh study of youth transitions and crime”, *British Journal of Criminology*, 43(1), 169–195, 2003.

3 See, for example, T. Liefwaard and U. Kil Kelly, “Child-friendly justice: past, present and future” in B. Goldson (ed.), *Juvenile justice in Europe: Past, present and future*, New York/London: Routledge, 2018.

Chapter 5 starts with the birth of New Labour in 1992 in England and Wales. The social and political influence on youth justice policies and law is described throughout this chapter until the fall of New Labour in 2010. Chapter 6 continues with the contemporary youth justice developments under the Coalition Government (2010–2015) and the present day Conservative Government. The Coalition Government focused mainly on risk-focused prevention and early intervention and the drop in youth crime rates was presented as a success story. The current government issued a full review of the youth justice system, known as the Taylor Review.⁴ The main recommendations made in the report were to see children first and second the child as an offender and that education needs to be central in the response to youth offending. The government only partially supported the recommendations and it is unclear yet which effect the report will have on future developments.

The final part of Chapter 6 provides some much-needed reflection and development towards changes and solutions, in response to the ambiguous, ineffective, punitive, risk-focused and managerial “new youth justice” model. The author proposes a model of ‘positive youth justice’ (279), claiming it to be modern, progressive, evidence-based and child-friendly. It contains elements such as child-friendliness and child-appropriateness, diversion and minimum intervention, children’s participation, legitimacy and procedural justice, evidence-based policy and practice, responsabilising adults and promoting the fundamental rights of children. The model claims to move beyond the CRC in promoting maximum outcomes (i.e. the responsibility of adults) for children instead of setting minimum standards. The value of this model lies in the fact that it moves beyond the mere finding that youth offending is a social construction. It provides guidance as to how youth justice systems should be modelled, by acknowledging young people as part of the solution instead of being part of the problem. The author could have made a strong connection here with the international children’s rights framework. Although the CRC can be seen as a set of political compromises (see, for example, the issue of establishing a minimum age of criminal responsibility⁵), it also contains progressive views towards children in conflict with the law that are in line with the proposed model of positive youth justice. The CRC Committee acknowledges

4 C. Taylor, *Review of the youth justice system in England and Wales*, London: Ministry of Justice, 2016.

5 See D. Cipriani, *Children’s rights and the minimum age of criminal responsibility: A global perspective*, Farnham: Ashgate, 2009.

that involvement with the youth justice system is potentially harmful and stigmatising and it firmly advocates for diversion and restorative justice approaches.⁶ Instead of claiming that the proposed model moves beyond the CRC, it would have been constructive and beneficial to connect both fields and to show the synergy between them. That would have contributed to the global reach the author aspires for the book.

In different parts of the book the author, as a critical criminologist, reflects on his own position vis-à-vis the subject of research. As the book is written as a textbook for students, the author aims to provide a comprehensive, but not to say “objective”, overview and understanding of the concept of youth offending. However, at various instances, the author cannot contain himself and explains in textboxes and appendices his own views and opinion. For example, he explains that he is a ‘long-term vociferous critic of risk-management’ (170–1) and gives his main points of critique. He has also included a book review of his own hand which he qualifies as ‘extremely critical’ and ‘overly-subjective’ (241). The aim of including the texts and comments is to encourage students to form their own opinion and decide on the validity of the claims made. The reflexivity of the author is to be welcomed; however, in the context of this book, without explaining the merits of self-reflexivity to scrutinise the politics of knowledge production, it seems rather artificial and the question remains whether it will fulfil its goal of encouraging critical thinking in students.

To conclude, I would like to take the Always Be Critical (ABC-) approach towards critical learning, advocated by the author, at heart. Although this book provides an important addition to the existing literature on youth justice, especially in the critical criminological perspective it provides, it does not move beyond the traditional themes in youth justice. The book’s impact would have been stronger when it would have engaged with contemporary topics such as the debate concerning youth radicalisation and acts of terrorism and the responses to those phenomena (particularly in the UK).⁷ Also, the debate concerning young adult offenders above the age of 18 and the relation to neuroscientific evidence concerning their level of development is largely ignored. Moreover, the impact of social media use on children and on public debates, and emerging forms of cybercrime committed by young people are

6 See UN Committee on the Rights of the Child, General Comment No. 10, *Children’s rights in juvenile justice*, CRC/C/GC/10, 25 April 2007, paras. 24–27.

7 See for example S. Sharma & J. Nijjar, *The Racialized Surveillant Assemblage: Islam and the fear of Terrorism*, *Popular Communication*, 16(1), 72–85, 2018.

not touched upon in the book. I hope that some of these issues will be taken up by critical (criminologist) scholars in the future. Notwithstanding, this book provides an accessible and readable introduction to youth offending and youth justice.

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