

# ‘Shock and Awe’: What Prospects Youth Justice in the Age of Austerity

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- Two periods in recent Youth Justice history are particularly relevant here
- Youth Justice under successive Conservative administrations, between 1979 and the early 1990s
- The system under New Labour (initially brought about with the Crime and Disorder Act in 1998) between 1997 and 2010.
- A critical appraisal of his recent history of youth justice policy in England and Wales is, it will be argued, important in understanding the current 'conjunctural moment'.

# Thatcherism and Youth Justice

- Paradigm shift in British politics
- Represented a rejection of 'Butskelite' 'Neo Keynesian economics in favour of Neo Monetarism.
- Focus on Law and order – the 'enemy within'
- Anti statist – 'rolling back the state'
- Reduction in public spending represented a wide scale assault on social justice.

- ‘It is a curious paradox of the 1980s and early 1990s – a time when ‘Thatcherite’ Conservatism was at its most commanding period that witnessed the most determined assault upon social justice – that criminal statute provides the space within which a progressive, effective and humane youth justice developed (Goldson 1997a, 1997b)’ (2008:105).

- 'This 'anti-statist' commitment to cutting costs and 'small government' opened up space in which activists, scholars and radical practitioners, disillusioned with the excessive interventionism and 'demonstrable ineffectiveness' of stigmatising and criminalising 'welfarist' responses to child offenders, promoted and developed a juvenile justice system premised on the due process of law which was to be guided by the principles of decarceration, diversion, decriminalisation' (Jamieson and Yates, 2010)

- Diversion
- Decriminalisation
- Decarceration

- Increase in the number of Children diverted from formal criminal justice responses.
- Reduction in the number of children in custody
- Reduction in the number of children criminalised

# A contradiction

- Why did this happen in the midst of a 'blind spasm' of control?
- Economics
- Academics
- practice



- ‘one of the most remarkably progressive periods of juvenile justice policy’ (Rutherford, 1995:57).
- However, was it all good news?

- Bifurcation – primary and secondary
- Impact of spending cuts
- Black children still fared badly
- As did young women
- How far could a ‘myopic’ minimalism provide a theoretical framework for progressive social change?

# A brief note on New Labour

- Thatcher destructive 'panzer attack'
- New Labour rebuilt the project on neo liberal lines
- A reimaging of welfare – positivistic RFP
- Early intervention
- Responsibilisation
- remoralisation

# The Con Dems

- Some promising messages emerging
- Prison works, ASB, age of criminal responsibility.
- However, a sustained assault on the welfare state – both materially and philosophically.

# Cuts for Youth Justice

- YJB disbanded.
- Prevention budget cut.
- Core budgets for agencies, who contribute, cut.
- A gaping hole beginning to appear in the youth justice 'industry'

# The promise of change

- We can see some developments emerging
- Diversionary
- Decarcerative
- But these must be considered in the context of the damage being caused by neo liberal austerity measures

# The 'big Society'

- 'The Big Society is about helping people to come together to improve their own lives. It's about putting more power in people's hands – a massive transfer of power from Whitehall to local communities.' (Cabinet Office 2011 <http://www.cabinetoffice.gov.uk/big-society> )
- There are three key parts to the Big Society agenda:
- **Community empowerment:** giving local councils and neighbourhoods more power to take decisions and shape their area.
- **Opening up public services:** our public service reforms will enable charities, social enterprises, private companies and employee-owned co-operatives to compete to offer people high quality services.
- **Social action:** encouraging and enabling people to play a more active part in society.
- <http://www.cabinetoffice.gov.uk/content/big-society-overview>

# A framework for change

- Social impact bonds
- Incentivising providers
- Justice reinvestment?
- Opening up terrain for private providers
- Localism
- Room for innovation



# Enter the market

‘Increasing the amount of risk transferred may increase the inclination of providers to game. Gaming can occur where financial incentives are weak, but it is generally acknowledged that where providers are under intense financial pressure, they are even more likely to engage in creaming or parking, and other forms of gaming behaviour, to be sure of delivering outcomes and remaining financially Viable’

‘Moreover, the level of innovation may be affected. Where providers carry a high level of financial risk, they may be unwilling to experiment with new service models, electing to use tried-and-tested methods that are more familiar and thus more easily priced’

- Will they invest in poor communities?
- How will they operationalise success?
- How will local services develop?
- How in this context will decarcerative and diversionary strategies be developed?

- Smith 'we should see the changes since 1980 not as a series of pendulum swings but as the playing out of a 'neo liberal' process of reaction and retrenchment' (2011:121)

# A Question

- To what extent could these developments simply expand and transform the states capacity to punish?’