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The 'new youth justice' in the UK – how not to promote the wellbeing of children and young people!

When coming into power Tony Blair, prime minister of a 'new Labour' socialist government argued for social policy that is 'tough on crime, tough on the causes of crime'. Since then very significant government funding has been invested into strategies to tackle the 'causes of crime'. As a consequence, real improvements have been achieved in the health, wellbeing and development of large sectors of the most deprived and excluded young children.

Sadly the same cannot be said for older children – those aged between about 10-18. The 'tough on crime' part of the formula has had a far less desirable impact for them. In the last 10 years the number of under-18s sent to prison in England and Wales has almost doubled. Of these at least nine have lost their lives: one murdered by a cell-mate, the rest by suicide.

But in some ways it is what is going on at the community level that is the most insidious. The new bodies set up to work with young people who break the law (Youth Offending Teams or YOTs) have, as their primary goal, a requirement to 'prevent offending or re-offending'. In other words, their work with children is directed *not* to promoting their welfare, but to identifying the level of 'risk' these children pose and making interventions designed to reduce that risk.

This approach is drawing large numbers of children and young people into formal measures – taken by the police and the courts – to control and punish them. Most worrying of all, increasing numbers of these children have not been convicted of any crime, merely 'anti-social behaviour'. In this paper we will consider how and why this shift to greater regulation, punishment and control has happened, and the threats it poses to some of the most vulnerable and disadvantaged children. We will also identified ways in which it can be resisted, both through the legal system and through challenging the demonising of the young.

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