

The Comparative Youth Penalty Project



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Project Newsletter April 2016

The Comparative Youth Penalty Project (CYPP) is an ARC Discovery Project led by Professor Chris Cunneen, Professor Eileen Baldry, Emeritus Professor David Brown, Melanie Schwartz and Professor Barry Goldson (University of Liverpool).

The CYPP is an international comparative study of youth punishment in Australia (focusing on NSW, Victoria, Queensland and WA) and in England and Wales. The project aims to analyse developments in the punishment of children and young people over the last 30 years. This is the first in-depth analysis of Australian youth penalty and the first comparative study of youth punishment across these jurisdictions.

The Project seeks to answer the following questions:

- What are the defining features of contemporary juvenile justice penalty?
- How has youth penalty changed since the early 1980s across the jurisdictions that are the subject of this project?
- How have changing approaches to youth penalty impacted upon particular social groups, including racial minorities, Indigenous youth, young women, and young people with mental and cognitive disabilities?
- What, if any, jurisdictional differences are to be found in discourses on community safety, the nature of childhood and youth (including child welfare and protection), the appropriateness of rehabilitation and the character of punishment practices for youth?
- How has the development of a human rights framework impacted on penal law, policy and practice as applied to youth? What impact, if any, has a children's rights framework had on differentiating youth justice from adult penal systems?

This newsletter provides stakeholders with an update on the progress of the CYPP. It also lists some of the latest news and research in the field of youth penalty. For more information please visit our [website](#) or contact CYPP Research Associate, [Sophie Russell](#).

CYPP News

Human Rights Commission Roundtable

Principle Investigator Chris Cunneen recently attended an Australian Human Rights Commission (AHRC) expert roundtable exploring the issues around the Optional Protocol to the Convention against Torture (OPCAT) in the context of youth justice detention centres. The CYPP will also be providing a written submission to the ARHC on this issue.

ABC Radio National Program on Disability and the Criminal Justice System

Chief Investigator Eileen Baldry recently spoke on ABC Radio National's *Ockham's Razor* about people with disability and the criminal justice system. Eileen argued that the incarceration of people with disabilities is both predictable and preventable and outlined measures to fix the problem. The full program is [available here](#).

New Research Staff

The CYPP is pleased to welcome Research Assistant Dr Anna Nettheim to the project team.

Data Analysis

Preliminary quantitative data analysis has been carried out on New South Wales Police diversion and court proceeding data. This analysis will form part of a discussion around the use of diversionary proceedings against young people.

News (Australia & UK)

Australia

[Teen hooded and strapped to chair for two hours while in juvenile custody in Northern Territory](#), Kate Wild, *ABC News*, 13 November 2015

[Bill Shorten: The injustice dealt to Indigenous people is a stain on our whole nation](#), Bill Shorten, *The Guardian*, 19 November 2015

[Mandatory sentencing leads to unjust, unfair outcomes – it doesn't make us safe](#), Hilde Tubex, *The Conversation*, 5 January 2016

[WA police introduce pre-recorded cautions in Aboriginal languages](#), Calla Wahlquist, *The Guardian*, 7 January 2016

[NT juvenile justice: “a blight on the entire Australia legal system”](#), Bob Gosford, *Crikey*, 7 January 2016

[Young offenders gain ‘maturity, responsibility’ training assistance dogs](#), Karl Hoerr, *ABC News*, 10 January 2016

[MP proposes repurposing work camp to house youths as solution for Goldfields juvenile crime](#), Sam Tomlin, *ABC News*, 20 January 2016

[Aboriginal boy, 11, ‘bashed’ by guards in youth detention centre, say family](#), Calla Wahlquist, *The Guardian*, 22 January 2016.

[Victoria youth detention centre serious incidents to be investigated by child safety watchdog](#), Alex White, *Herald Sun*, 25 January 2016.

[Queensland youth justice reforms don’t go far enough: legal and family groups](#), Amy Remeikis, *Brisbane Times*, 4 February 2016.

[FactCheck Q&A: are Indigenous children ten times more likely to be living in out-of-home care?](#) Judy Cashmore and Teresa Libesman, *The Conversation*, 15 February 2016.

[503 criminal incidents in a year for juvenile care residents](#), David Barwell, *The Coffs Coast Advocate*, 27 February 2016.

[Six teenagers armed with poles on roof of Melbourne Youth Justice Centre](#), *ABC News Online*, 7 March 2016.

[Calls to change Queensland’s youth justice laws sending 17-year-olds to adult prisons](#), Courtney Wilson, *ABC Online*, 23 March 2016.

[Locking bad people up ‘works’: Minister for Justice rejects calls for prison overhaul](#), Sam Tomlin, *ABC Online*, 31 March 2016.

[Deaths in Custody: Indigenous children 24 times more likely to be locked up](#), Julie Power, *Sydney Morning Herald*, 14 April 2016.

[How ‘tough on crime’ politics flouts death-in-custody recommendations](#), Chris Cunneen, *The Conversation*, 14 April 2016.

[NSW prisons overcrowding: violent female inmates to be moved to juvenile detention centre](#), Linda Simalis, *The Daily Telegraph*, 17 April 2016.

[Freya's heartbreaking story of homelessness and hope](#), Nathaneal Cooper, *Brisbane Times*, 17 April 2016.

[Vic juvenile centre repair bill tops \\$141K](#), *Nine News*, 18 April 2016.

[Palaszczuk rolls back Newman's youth justice reforms](#), Amy Remeikis, *Brisbane Times*, 18 April 2016.

UK

[Seven G4S staff suspended over abuse claims at youth institution](#), Alan Travis, *The Guardian*, 8 January 2016

[Andy Burnham calls for G4S to be stripped of youth prisons contract](#), Eric Allison and Simon Hattenstone, *The Guardian*, 11 January 2016

[Labour says all G4S prison must be put into special measures following allegations of 'unnecessary force' was used against children](#), Tim Sculthorpe, *Daily Mail*, 12 January 2016

[The G4S-run Medway youth jail must be closed](#), Frances Cook, *The Guardian*, 13 January 2016

[Four held over child neglect claims at G4S young offender centre](#), Alan Travis, *The Guardian*, 13 January 2016

[Our collective shame: the treatment of children in custody](#), Mary O'Hara, *The Guardian*, 13 January 2016

[Institutional abuse: why we don't listen to children behind bars](#), Jameel Hadi, *The Conversation*, 20 January 2016

[G4S paid to look after empty beds at scandal-hit Medway youth jail](#), Eric Allison and Simone Hattenstone, *The Guardian*, 25 January 2016

Research

Australian Institute of Criminology 2016 [Recorded Crime: Facts and Figures 2014](#), AIC: Canberra.

Australian Institute of Health and Welfare 2016 [Young People in Child Protection Services and Under Youth Justice Supervision 2013 – 14](#), AIHW: Canberra.

Barry, M 2016 [On the Cusp of Recognition: Using Critical Theory to Promote Desistance Among Young Offenders](#), *Theoretical Criminology*, 20(1), 91.

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- Case, S and Haines, K** 2015 [Children First, Offenders Second, Positive Promotion: Reframing the Prevention Debate](#), *Youth Justice*, 15(3), 226.
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- Henry, S. Henaghan, M. Sanders, J and Munford, R** 2015 [Engaging Youth in Youth Justice Interventions: Well-being and Accountability](#), *Youth Justice*, 15(3), 240.
- Hopkins, T. Clegg, J. and Stackhouse, J** 2016 [Young Offenders' Perspectives on Their Literacy and Communication Skills](#), *International Journal of Language and Communication Disorders*, 51(1), 95.
- Holsinger K and Hodge JP** 2016 [The Experiences of Lesbian, Gay, Bisexual and Transgender Girls in Juvenile Justice Systems](#), *Feminist Criminology*, 11(1), 23.
- Howard League for Penal Reform** 2016 [Criminal Care: Children's Homes and Criminalising Children](#), Howard League for Penal Reform: London.
- Lenton, S. Grigg, J. Scott, J, Barratt, M and Eleftheriadis, D** 2015 [The Social Supply of Cannabis Among Young People in Australia](#), *Trends and Issues in Crime and Criminal Justice no. 503*, Australian Institute of Criminology: Canberra.
- Malvaso, C and Delfabbro, P** 2015 [Offending Behaviour Among Young People with Complex Needs in the Australian Out-of-Home Care System](#), *Journal of Child and Family Studies*, 24(12), 3561.
- Youth Justice Board** 2016 [Youth Justice Statistics 2014/15 England and Wales](#), Ministry of Justice: London.
- Nugent, B** 2015 [Reaching the 'Hardest to Reach'](#), *Youth Justice*, 15(3), 271.
- Porter, A** 2016 [Decolonizing Policing: Indigenous Patrols, Counter-Policing and Safety](#), *Theoretical Criminology*, 1

Poynton, S and Menendez, P 2015 [The Impact of the NSW Intensive Supervision Program on Recidivism](#), *Contemporary Issues in Crime and Justice Bulletin no. 186*, NSW Bureau of Crime Statistics and Research: Sydney.

Ringland, C. Weatherburn, D and Poynton, S 2016 [Can Child Protection Data Improve the Prediction of Re-Offending in Young Persons?](#) *Crime and Justice Research Bulletin No. 188*, NSW Bureau of Crime Statistics and Research: Sydney.

Souhami, A 2015 [The Central Institutions of Youth Justice: Government Bureaucracy and the Importance of the Youth Justice Board for England and Wales](#), *Youth Justice*, Vol. 15(3), 209.

Stone, N 2015 [A Real Prospect of Increasing Use of the Youth Court for the Trial and Sentencing of More Serious Crime](#), *Youth Justice*, 15(3), 286.

White, R 2015 [Indigenous Young People and Hyperincarceration in Australia](#), *Youth Justice*, 15(3), 256.

Events

The **Reintegration Puzzle Conference** will be held from 20 – 22 June 2016 at Deakin University, Geelong. The theme for 2016 is *Disability and Incarceration: Multiple Disadvantage and the Need for Individualised Support*.

The **British Society of Criminology Conference** will be held from 6 – 8 July at Nottingham Conference Centre. The theme for 2016 is *Inequalities in a Diverse World*.

The **2nd Australasian Youth Justice Conference** will be held from 13 – 15 September in Brisbane, Queensland.

The **European Society of Criminology Conference** will be held from 21 – 24 September in Muenster, Germany.

The **American Society of Criminology Conference** will be held from 16 – 19 November in New Orleans. The theme for 2016 is *The Many Colors of Crime and Justice*.

The **Australia and New Zealand Society of Criminology Conference** will be held 29 – 2 December in Hobart, Tasmania. The theme for 2016 is *Horizon Criminology*. Looking over the horizon there are challenges for criminology and criminal justice requiring innovative interpretations and creative responses to the past, present and future.