

# The Comparative Youth Penalty Project



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## Project Newsletter June 2014

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, [Daniel Wells](#).

### **Interviews**

In March this year, members of the CYPP travelled to Queensland to visit youth detention centres in Brisbane and Townsville. We conducted 12 interviews with detainees and 7 interviews with employees of Queensland Youth Justice Services. We plan to work with the Queensland Department of Youth Justice and Attorney General to arrange a further visit to Queensland youth detention centres in September this year.

Through March to June this year, CYPP investigators also conducted interviews in Sydney and Melbourne with 12 different stakeholders in the NSW and Victorian juvenile justice systems. Among the interviewees were judges, magistrates, community workers, lawyers and academics.

To date, the CYPP has completed a total of 31 interviews in Australia. Audio recordings from 23 of these interviews have been now transcribed.

Damon Briggs, PhD candidate and Research Associate with Professor Goldson at the University of Liverpool, has collected youth court and police data from England and Wales. He has also completed interviews with staff members from six Youth Offending Teams in England and Wales for his PhD.

In June this year, Professor Eileen Baldry from the University of New South Wales travelled to the UK to work with Barry and Damon on initial comparisons of the data from these Australian and British interviews.

### **Canadian Youth Justice Conference, Toronto (25-26 June)**

Over 25-26 June 2014, the 2<sup>nd</sup> Annual Canadian Youth Justice Conference was held in Toronto. The CYPP's Professor Barry Goldson gave the international keynote address, entitled 'Envisioning International Youth Justice: Global Trends and Future Prospects'. A full copy of the conference program is now available [online](#).

### **British Society of Criminology (BSC) Conference, Liverpool (9-12 July)**

Production of this June newsletter has been delayed so that we can report on the successful conclusion of the [BSC Criminology Conference](#). The conference ran from 10-12 July 2014 (preceded by a postgraduate conference on 9 July) and was hosted by Professor Barry Goldson and his colleagues at the School of Law and Social Justice in the Department of Sociology, Social Policy and Criminology at the University of Liverpool. The overarching theme of the conference was 'Crime, Justice, Welfare: Can the Metropole Listen?'

Damon Briggs, CYPP Research Associate the University of Liverpool, presented to the 'Youth Justice' session of the postgraduate conference. Damon's presentation was entitled 'A national youth justice system? Differential justice in England and Wales'.

On the second day of the main conference, members of the CYPP presented a themed panel entitled 'Critical issues in contemporary youth justice'. Professor Eileen Baldry presented a paper on 'Youth with disability, welfare and criminalisation.' This was followed by a paper from Emeritus Professor David Brown and Professor Chris Cunneen entitled 'Narrating the recent history of juvenile justice in Australia: What does it say about penal drivers, narratives and politics?' The session ended with a presentation from Professor Barry Goldson on 'Developments in youth penalty: global, national and local 'messyness''.

Later, Professor Cunneen addressed the whole conference as a keynote speaker. His address was entitled 'Subjugated Knowledges and the Coloniality of Power'. The CYPP will publish more from the BSC Conference in our next newsletter in September. In the meantime, the full conference program is available [online](#).

### **Chris Cunneen discusses Queensland's new youth crime laws on ABC radio**

On 30 April 2014, the ABC's Cathy Van Extel reported that a 13-year-old boy was forced to appear before a magistrate in the Cairns Children's Court charged with stealing two cigarette lighters. Van Extel speaks to the boy's lawyer, Paul Richardson, and to the CYPP's Professor Chris Cunneen about the draconian effects of Queensland's new juvenile justice laws. The segment can be downloaded as a [podcast](#) from the ABC's RN Breakfast website.

## **News (Australia & UK)**

### **Australia**

[Concern over juveniles in jail](#) (Chris Burns, *The North West Star*, Mount Isa (Qld), 24 March 2014, p. 5)

[Research project launches to keep young people out of jail](#) (*The Cowra Guardian*, Cowra (NSW), 28 March 2014)

[Board to bring new focus on youth justice](#) (Media release, Government of Western Australia, 2 April 2014)

[Youth boot camp gets first sentenced offenders](#) (David Chen, *ABC News* (Qld), 4 April 2014)

[More inmates at Wandoo prison would reduce chances of rehabilitation](#) (Stephanie Dalzell, *ABC News* (WA), 9 April 2014)

Court names young offenders (*Sunshine Coast Daily*, Maroochydore, 12 April 2014, p. 25)

Court releases names of kids behaving badly (Peter Hardwick, *The Chronicle*, Toowoomba, 12 April 2014, p. 6)

Naming, shaming young 'won't work' (Janessa Ekert, *The Daily Mercury*, Mackay (Qld), 10 April 2014, p. 7)

[Report shows decrease in young people under justice supervision orders](#) (Elize Strydom, *ABC News* (NSW), 17 April 2014)

[State credited with dramatic cut in youth detention rate](#) (James Robertson, *Sydney Morning Herald*, 18 April 2014, p. 8)

[WA juvenile detention 'a mess', Labor says, following new violence at Banksia Hill facility](#) (*ABC News*, 22 April 2014)

Answers to youth crime lie in education, not jail (*The Cairns Post*, 22 April 2014, p. 20)

[Researcher to probe alcohol link](#) (*Canning Times*, Myaree (WA), 22 April 2014, p. 18)

Jailed youth action call (*The Centralian Advocate*, Alice Springs, 22 April 2014, p. 4)

Youth still locked up (*Koori Mail*, 23 April 2014, p. 6)

[Magistrate questions arrest of girl, 12](#) (Christopher Knaus, *The Canberra Times*, 25 April 2014, p. 8)

[Extra \\$2m for Banksia Hill juvenile detention centre](#) (Emily Moulton, *Perth Now*, 8 May 2014)

[Minister orders Ashley jobs review after 9-1 ratio revealed for juvenile detainees](#) (*ABC News* (Tas), 9 May 2014)

[Budget cash saves innovative Geelong youth diversion program](#) (Anthea Cannon, *Geelong Advertiser*, 10 May 2014, p. 23)

[Aboriginal youth at higher risk of detention](#) (Ben Westcott, *The Canberra Times*, 12 May 2014, p. 3)

[Greens MP Adam Bandt warns young people will turn to crime because of brutal Budget](#) (Jennifer Rajoa, *The Courier-Mail*, Brisbane (Qld), 15 May 2014)

[Mandatory sentencing on track](#) (Amanda Banks, *The West Australian*, 20 May 2014)

[Fetal syndrome 'must be recognised as disability'](#) (Michael Owen, *The Australian*, 22 May 2014, p. 5)

[\\$450,000 to help local youths at risk](#) (Bruce Kalyeigh, *Whyalla News*, Whyalla (SA), 27 May 2014, p. 2)

Caution to keep kids out of court (*Daily Examiner*, Grafton (NSW), 4 June 2014, p. 5)

[A lawyer has called on the Department of Justice to improve early intervention programs for young offenders in regional areas](#) (Emma D'Agostino, *The Wimmera Mail-Times*, Horsham (Vic), 13 June 2014, p. 5)

[Youth crime service gets new boost](#) (Maddie Wines, *The Bendigo Advertiser*, 20 June 2014)

## UK

[Brinsford young offender institution rated worst single jail by inspector](#) (Alan Travis, *The*

*Guardian*, 23 April 2014, p. 7)

[Labour promises to scrap plans for 'modern-day borstal'](#) (Rowena Mason, *The Guardian* (online), 30 April 2014)

[MPs launching a thorough probe into Welsh prisons](#) (David Williamson, *Daily Post*, 21 May 2014, p. 6)

['Modern borstal' is unveiled](#) (David Barrett, *The Sunday Telegraph*, 8 June 2014, p. 17)

[Youth courts failed children, MPs report](#) (Sarah Cassidy, *The Independent*, 19 June 2014, p. 10)

[Lights out will be earlier for young offenders](#) (Frances Gibb, *The Times*, 28 June 2014, p. 15)

[Young offenders face strict lights-out by 10.30pm, TV-off regime from August](#) (Owen Bowcott, *The Guardian*, 28 June 2014)

## Research

**Australian Institute of Health and Welfare** 2014 ['Youth Justice in Australia 2012-13'](#), *AIHW Bulletins*, no. 120.

**Australian Institute of Health and Welfare** 2014 ['New South Wales: youth justice supervision in 2012-13'](#), *Youth Justice Fact Sheets*, no. 20.

**Australian Institute of Health and Welfare** 2014 ['Queensland: youth justice supervision in 2012-13'](#), *Youth Justice Fact Sheets*, no. 21.

**Australian Institute of Health and Welfare** 2014 ['Victoria: youth justice supervision in 2012-13'](#), *Youth Justice Fact Sheets*, no. 24.

**Bäckman, O, Estrada, F, Nilsson, A & Shannon, D** 2014 ['The Life Course of Young Male and Female Offenders: Stability or Change between Different Birth Cohorts?'](#), *The British Journal of Criminology*, vol. 13, no. 3, pp. 393-410.

**Baidawi, S, Mendes, P & Snow, P** 2014 ["Setting Them Up to Fail": System responses to dual order Child Protection Youth Justice clients'](#), *Alternative Law Journal*, vol. 39, no. 1, pp. 27-31.

**Bateman, T** 2014 ['Youth Justice News'](#), *Youth Justice*, vol. 14, no. 1, pp. 89-99.

**Beal, C** 2014 ['Insider Accounts of the Move to the Outside: Two Young People Talk about their Transitions from Secure Institutions'](#), *Youth Justice*, vol. 14, no. 1, pp. 63-76.

**Corrado, R, Kuehn, S & Margaritescu, I** 2014 ['Policy Issues Regarding the Overrepresentation of Incarcerated Aboriginal Young Offenders in a Canadian Context'](#), *Youth Justice*, vol. 14, no. 1, pp. 40-62.

**Crook, T** 2014 ['Anonymity for serious child criminals is not fair on the accused or the victim'](#), *The Conversation* (online), 20 May.

**Drake, D, Fergusson, R & Briggs, D** 2014 ['Hearing new voices: Re-viewing Youth Justice](#)

[Policy through Practitioners' Relationships with Young People](#)', *Youth Justice*, vol. 14, no. 1, pp. 22-39.

**Fergusson, R** 2014 [Regulate or abandon: two-speed tracks to criminalisation](#)', *Criminal Justice Matters*, vol. 96, no. 1, pp. 18-19.

**Goddard, T** 2014 [The Indeterminacy of the Risk Factor Prevention Paradigm: A Case Study of Community Partnerships Implementing Youth and Gang Violence Prevention Policy](#)', *Youth Justice*, vol. 14, no. 1, pp. 3-21.

**Goldson, B** 2014 [We must do more to protect children in prison](#)', *The Conversation* (online), 24 April.

**Goldson, B** 2014 [Youth justice in a changing Europe: crisis conditions and alternative visions](#)', *Perspectives on Youth* (Council of Europe), vol. 1, no. 1, pp 39-52.

**Hargreaves, C & Francis, B** 2014 [The long term recidivism risk of young sexual offenders in England and Wales - enduring risk or redemption?](#)', *Journal of Criminal Justice*, vol. 42, no. 2, pp. 164-172.

**Howell, J** 2014 [Mark Lipsey's Contribution to Evidence-Based Services for Juvenile Offenders: What Works across Juvenile Justice Systems](#)', *Criminology & Public Policy*, vol. 13, no. 1, pp. 15-19.

**Kenny, D** 2014 [Mental health concerns and behavioural problems in young offenders in the criminal justice system](#)', *Judicial Officers' Bulletin*, vol. 26, no. 4, p. 4.

**Lipsey, M** 2014 [Interventions for Juvenile Offenders: A Serendipitous Journey](#)', *Criminology & Public Policy*, vol. 13, no. 1, pp. 1-14.

**Mendes, P, Baidawi, S & Snow, P** 2014 [Young People Transitioning from Out-of-home Care in Victoria: Strengthening Support Services for Dual Clients of Child Protection and Youth Justice](#)', *Australian Social Work*, vol. 67, no. 1, pp. 6-23.

**Piquero, A, Farrington, D, Shepherd, J & Auty, K** 2014 [Offending and Early Death in the Cambridge Study in Delinquent Development](#)', *Justice Quarterly* vol. 31, no. 3, pp. 445-472.

**Rogowski, S** 2014 [Radical/Critical Social Work with Young Offenders: Challenges and Possibilities](#)', *Journal of Social Work Practice*, vol. 28, no. 1, pp. 7-21.

**Sarnecki, J** 2014 [Should criminologists shift their focus away from juvenile delinquency?](#)', *International Journal of Offender Therapy and Comparative Criminology*, vol. 58, no. 5, pp. 519-521.

**Shute, J & Medina, J** 2014 [Hunting gruffalo: 'gangs', unreason and the big bad coalition](#)', *Criminal Justice Matters*, vol. 96, no. 1, pp. 26-27.

**Stewart, J, Hedwards, B, Richards, K, Willis, M & Higgins D** 2014 [Indigenous Youth Justice Programs Evaluation](#), Research report commissioned by the Australian Government Attorney-General's Department, published by the Australian Institute of Criminology.

**Stone, N** 2014 [Older Child or Near-Adult? Resolving Age Boundary Quandaries](#)', *Youth Justice*, vol. 14, no. 1, pp. 77-88.

**Taylor, M & Khan, U** 2014 [What works and what does not work in reducing juvenile graffiti](#)

[offending?](#), *Crime Prevention and Community Safety*, vol. 16, no. 2, pp. 128-145.

**Trotter, A & Hobbs, H** 2014 '[A Historical Perspective on Juvenile Justice Reform in Queensland](#)', *Criminal Law Journal*, vol. 38, no. 2, pp. 77-90.

**Weatherby-Fell, C** 2014 '[A complete overhaul of the bail system?: The incoming New South Wales Bail Act 2013 and Aboriginal juvenile offenders](#)', *Indigenous Law Bulletin*, vol. 8, no. 11, pp. 24-29.

**Welsh, B** 2014 '[From Research Synthesis to Evidence-Based Policy and Practice](#)', *Criminology & Public Policy*, vol. 13, no. 1, pp. 21-26.

## Events

### **ANZSOC Conference, Sydney (1-3 October 2014)**

The 27th annual Australian and New Zealand Society of Criminology (ANZSOC) conference will be held over 1-3 October 2014 at the Sydney Law School, University of Sydney, Camperdown. The theme of the 2014 Conference is 'Testing the Edges; Challenging Criminology.' Keynote speakers will be Professors Ngaire Naffine (Adelaide), Alan Norrie (Warwick) and Jonathan Simon (Berkeley).

***The CYPP will be conducting a panel discussion at the ANZSOC Conference.*** Professor Barry Goldson will explain the contexts, rationales, theoretical frames and methods of the CYPP. Professor Eileen Baldry will then present on the CYPP's preliminary findings from Australia, while Damon Briggs will discuss the preliminary findings from England and Wales.

***Early bird registration is available until Monday, 28 July 2014.*** CYPP stakeholders are encouraged to attend. Please go to the [conference website](#) for more information.

### **Critical Criminology Conference, Melbourne (4-5 December 2014)**

The 8<sup>th</sup> annual Australian and New Zealand Critical Criminology Conference will be held over 4-5 December 2014 at Monash Law Chambers, 55 Lonsdale Street, Melbourne. The theme of the 2014 conference is 'Critical Criminology: Research Praxis and Social Transformation in a Global Era?.'

***The call for papers has been extended to Wednesday, 30 July 2014.*** To find more information about the conference program, or to submit a paper or register your attendance, please go to the [conference website](#).