

# The Comparative Youth Penalty Project



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## Project Newsletter March 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 a comparative study of youth punishment between Australia (focusing on NSW, Victoria, Queensland and WA) and England & 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 between 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 comparative jurisdictions?
- 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 aims to update stakeholders and other interested parties on the progress of the project; and relevant news and research in the field. For more information please visit our [website](#) or feel free to contact [Alisa Wicks](#).

## CYPP Project News

The CYPP research team made a [submission](#) to the Legal Affairs and Community Safety Committee, Queensland in response to the Youth Justice and Other Legislation Amendment Bill 2014. The Committee is required to report to Parliament on Wednesday 12 March. For more information on the inquiry into the legislation click [here](#).

Over the next few months the CYPP team will be conducting interviews with Aboriginal and Torres Strait Islander young people in detention, Juvenile Justice staff, Children's Court lawyers, Magistrates, police, policy officers and non-government organisations.

The project has received approval and support from the Queensland Department of Justice and Attorney General and will be commencing interviews with Aboriginal and Torres Strait Islander young people in detention and departmental staff in March.

## News (Australia & UK)

### AUSTRALIA:

[Lives and crimes: Kids who suffer fetal alcohol spectrum disorder](#) (SMH, Begley 16 February 2014)

[Tough juvenile law overhaul 'stifles rehab', lawyers warn](#) (Sunshine Coast Daily, Mackander 14 February 2014)

[Mundine: get kids out of jail, into jobs](#) (The Australian, Karvelas 13 February 2014)

[Legal reforms in NSW](#) (ABC Law Report, 11 February 2014)

[Mandatory boot camp mooted for repeat young car thieves](#) (ABC, 11 February 2014)

[Queensland's tough new youth crime laws spark plea for UN intervention](#) (The Guardian, Jabour 6 February 2014)

[Ditch youth justice reforms: Amnesty International](#) (Brisbane Times, Remeikis 31 January 2014)

[Teen rehab cuts time](#) (Sunday Times Perth, 19 January 2014)

[Safer Sydney: Alcohol link to young criminals](#) (SMH, Hasham & Olding, 8 January 2014)

**UK:**

[U-turn on plans to send young people to adult jails](#) (Children & Young People Now, 7 February 2014)

[Plan to improve young offender education with 'fortified school'](#) (The Guardian, Travis 17 January 2014)

An Inquiry by Parliamentarians into the operation and effectiveness of the youth court

In the UK a Parliamentary Inquiry has been set up under the chairmanship of Lord Alex Carlile QC, to investigate the operation and effectiveness of the youth court. The inquiry has been prompted by long-held and growing concerns that criminal courts do not, in their current form, offer the most effective means of dealing with young offenders. The inquiry started sitting in the autumn of 2013. It is due to report in June 2014. Copies of the written evidence and transcripts of the oral evidence submitted to the inquiry can be found at:

<http://www.ncb.org.uk/what-we-do/policy/youth-courts-inquiry>

## Research

**Australian Institute of Health and Welfare** 2013, '[Youth detention population in Australia 2013](#)', Juvenile justice series no 13, JUV 31. Canberra: AIHW.

**Australian Institute of Health and Welfare** 2013, '[Comparisons between Australian and international youth justice systems: 2011–12](#)', Youth Justice Factsheet no. 18, JUV 30, Canberra: AIHW.

**Blanch, B & Wagland, P** 2013, '[Youths in custody in NSW: Aspirations and strategies for the future](#)', *Contemporary Issues in Crime and Justice*, no. 173, NSW Bureau of Crime Statistics and Research, Department of Attorney General and Justice.

**Cottrell-Boyce, J** 2013, '[Ending gang and youth violence: A critique](#)', *Youth Justice*, vol. 13, no. 3, pp. 193-206.

**Kinner, S, Degenhardt, L, Coffey, C, Sawyer, S, Hearps, S & Patton, G** 2013, '[Complex health needs in the youth justice system: A survey of community-based and custodial offenders](#)', *Journal of Adolescent Health*, no. 30, pp. 1-6.

**Macourt, D** 2014, '[Youth and the law: The impact of legal problems on young people](#)', *Updating Justice*, Law and Justice Foundation, no. 38, February.

**Macourt, D** 2013, '[Youth and the law: It's not all about juvenile justice and child welfare](#)',

*Updating Justice*, Law and Justice Foundation, no. 35, December.

**Mitchell, M (National Children's Commissioner)** 2013, '[Children's Rights Report 2013](#)', Australian Human Rights Commission.

**Myers, R** 2013, '[The biographical and psychic consequences of 'welfare inaction' for young women in trouble with the law](#)', *Youth Justice*, vol. 13, no. 3, pp. 218-233.

**Victorian Ombudsman** 2013, '[Investigation into children transferred from the youth justice system to the adult prison system](#)', December, Victorian government printer session 2010-13.

## Events

The 27th annual **Australian and New Zealand Society of Criminology (ANZSOC) conference** will be held in Sydney from 1 - 3 October 2014 at Sydney Law School, University of Sydney Camperdown. The theme of the 2014 Conference is Testing the Edges; Challenging Criminology. The keynote speakers for the conference are Professor Alan Norrie, Professor of Criminal Law, Warwick University; Jonathan Simon, Adrian A. Kragen Professor of Law, University of California, Berkeley; and Professor Ngaire Naffine, Professor of Law, University of Adelaide. The closing date for submissions for papers, thematic panels, and roundtables is Wednesday 30 April 2014.

In July 2014, the **British Society of Criminology conference** (including the post-graduate conference) - *Crime, Justice, Welfare: Can the Metropole Listen?* - will be hosted by the Department of Sociology, Social Policy and Criminology, School of Law and Social Justice, The University of Liverpool. Based within the legendary city of Liverpool the conference will primarily be held at the University's award winning Foresight Centre which is based in one of the city's most impressive Grade II listed buildings; a site of great architectural significance. The conference dinner will be held in the magnificent [Crypt Hall in the Metropolitan Cathedral](#). For full details: <http://www.liv.ac.uk/law-and-social-justice/conferences/bsc/about/>  
The call for papers (including individual papers, themed panels, roundtables, author-meets-critics sessions and posters), together with submission guidelines, can be found at: <http://www.liv.ac.uk/law-and-social-justice/conferences/bsc/submitpaper/>  
Reduced 'early bird' registration options are currently available and details can be found at: <http://www.liv.ac.uk/law-and-social-justice/conferences/bsc/registration/>