

Reviews

Youth Crime and Juvenile Justice (three-volume set), Barry Goldson and John Muncie (eds), SAGE, London, 2009 (ISBN 978-1-84787-064-3)

Youth Crime and Juvenile Justice, edited by Barry Goldson and John Muncie, is a major collection of previously published papers on juvenile justice. The three-volume set is comprised of 51 chapters divided into eleven sections of four or five papers each, and spans a period from the early 1970s to the present, as well as several historical extracts and United Nations (UN) commentary. There is not much material specifically on Australia — there is a chapter by Kathy Daly on conferencing in Australia and New Zealand, and a chapter by Ian O'Connor from the early 1990s on Aboriginal young people. However, leaving aside this relative absence, the book provides an excellent collection of reference material.

The theme that runs through this collection is the apparent hardening of approaches to juvenile justice over the last 40 years. The Editors note that juvenile justice has 'evolved into a particularly complex set of legitimising rationales, institutional arrangements and systems ... which is riddled with ambiguities, tensions and unintended consequences' (Vol 1, p xv). These ambiguities and contradictions involve competing rationales that simultaneously include, for example, restorative justice and retribution; welfare needs and just desserts; community-based reintegration and custodial confinement; at-risk behaviour; and criminal offending. To make sense of 'juvenile justice' as a defined set of institutional arrangements based around a coherent set of principles is, perhaps, an impossible task. However, we can analyse the major trends and outcomes, and this book provides a great resource for achieving this goal.

The first volume of the collection, 'The Youth Problem', explores various constructions of childhood, youth and crime. The first section on the sociology of childhood and youth establishes that childhood and youth are not universal, biological states — but are socially, culturally and historically contingent. The second section of this volume deals with the 'discovery' of delinquency, that is the historical development in the late 18th and 19th centuries of defining youthful behaviour as a social problem that is in need of regulation and control. The third section discusses the origins of institutional responses to youth crime through the development of specific 'juvenile justice' institutions. The final section on 'representations and realities' has chapters on representations of young people during the 20th century in the media, official documentation, reports, and through crime statistics.

Volume 2 of the collection is centred on juvenile corrections. The first section of this volume covers welfare, justice and risk management. The chapters in this section provide contrasting views on the welfare/justice debate. These include arguments that the combined effect of welfare and justice interventions has been to increase the reach and intensity of state control through developing more diversionary options (Austin and Krisberg, Chapter 19). Consolidating various strategies together has been part of a greater corporatist approach to juvenile justice, and the more recent focus on risk factors represents a move to pragmatic searching for measurable outcomes. In an important contribution by Webster, MacDonald and Simpson (Chapter 21), it is argued that risk-based assessments are often unreliable and tend to overlook the complex nature of personal biographies and the broader opportunity structures. The Editors also note that the key risk factor propelling young people into juvenile justice systems is not 'dysfunctional' families, but rather police targeting (Vol 2, p xii). The second section of this volume comprises a collection of papers centred on the theme of 'punitiveness'.

The Editors note that ‘in the final analysis, custodial institutions constitute the defining cornerstone within juvenile justice, against which all other forms of interventions are measured and assessed’ (Vol 2, p xiv). There are two papers in this section (Simon, Chapter 24; Wacquant, Chapter 25) that, although not specifically focused on juvenile justice, are fundamental to thinking about the broader shifts in the punishment of young people. Simon argues for the importance of understanding the rise and influence of neo-conservative ‘law and order’ politics and Wacquant argues for understanding the politicisation of crime and the racialisation of punishment as key drivers to the expansion of the penal estate in the United States. The final section in Volume 2 draws together papers around the theme of ‘international and comparative youth justice’. Various chapters argue that juvenile justice has become more repressive across a range of countries — including those, such as the Netherlands, that were previously considered more tolerant. Van Swaaningen (Chapter 31) notes that the changes in the Netherlands are driven by fears of immigration, multiculturalism and economic marginalisation. By contrast, countries that have retained stronger social democratic objectives have also maintained a philosophy of child protection and developed less punitive juvenile justice approaches.

The third and final volume of this collection is focused on children’s rights and state responsibilities. This volume contains the *Convention on the Rights of the Child* and other UN documents. Various chapters reveal the gap between the rhetoric of children’s rights and the reality of children’s circumstances. The practical translation of rights can be culturally relative, but perhaps more importantly — ‘it is contingent upon social and economic materiality’ (Goldson and Muncie, p xi). As Penn (Chapter 40) notes, economic globalisation has entrenched global inequality among children and global inequality undermines the globalisation of children’s rights. Other specific concerns covered by chapters in this section include young women, Aboriginal youth and young people with mental health problems. The final section in this volume is focused, appropriately enough, on ‘rethinking juvenile justice’. There are two aspects to the arguments presented in the chapters in this final section: one is that the potential for positive human rights for children needs to be acted upon; the second is that there is need to comprehensively decriminalise juvenile justice. McAra and McVie (Chapter 50) argue for minimum intervention and greater diversion because, on the basis of their own extensive research, the deeper young people move into the juvenile justice system, the less likely they are to desist from offending. Such an approach is consistent with what Goldson and Muncie (Chapter 51) argue would constitute a principled juvenile justice that is built on ‘more progressively tolerant, human rights compliant, non-criminalising, inclusionary and participative strategies’ (Vol 3, p 343).

The importance of this collection is that it is driven by an overall conceptualisation of where juvenile justice is heading. It is both a collection of readings and an argument about the nature of juvenile justice systems. Given the cost of the three-volume set, it is unlikely that many individuals will rush out and buy it. However, it is an important collection, particularly if you are working in an institution that provides courses in juvenile justice. While the collection is not a textbook, all 51 readings would make a valuable additional reading reference to the type of topics covered by most juvenile justice courses. The collection would also make a great addition to libraries.

Professor Chris Cunneen

Cairns Institute, James Cook University