

The perfect storm - a moment for decarceration

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Abstract

The metaphorical use of the term 'perfect storm' has been applied to the conditions that led to a decrease in the level of incarceration for children in England and Wales in the 1980s. The three main factors seen as contributing to this reduction were; the prevailing economic conditions that exposed the spiralling cost of incarceration, a pragmatic political administration that became receptive to professional bodies in criminal justice organisations with practice and research expertise, and a radical, organised set of practitioners, passionate about the abolition of custody as a response to criminal behaviour by children and young people.

This paper examines contemporary political, economic and other factors (both local and global) in order to make comparisons with those factors experienced in the early 1980s and to consider whether the reduction in custody rates achieved in the 1980s might also be a consequence of the changes in penal policy currently being formulated. More generally, it asks how these changes in 'penal policy' might impact on criminal justice practice with children and young people.

The constitutive conditions for such a perfect storm discussed in the paper include the 'global recession' and associated 'austerity measures', and policy initiatives from the Home Office and the Ministry of Justice. These are treated speculatively, considering them in the light of contemporary understandings of the social constructions of youth and anti-social behaviour, as well as within wider discourses, such as those surrounding the notion of globalisation. Decarceration here is contextualised within the wider concept of deinstitutionalisation.

Keywords: Youth Justice; Globalisation; Neo-liberalism, Deinstitutionalisation, Risk Factors

Introduction

Whilst it has been long accepted that there is a relationship between criminal and non-criminal forms of social control, often captured by the term of transcarceration (Scull, 1984; Lowman *et al.*, 1987; Arrigo, 2001), this paper is primarily concerned with addressing the direct deinstitutionalisation of 'young offenders' in England and Wales as opposed to the more subtle and complex processes by which 'troublesome' populations are incarcerated. Here I ought to point out that UK has a rather complicated system of legal jurisdiction and thus for the purposes of this paper I will be referring only to England and Wales which are both, for the moment at least, under the 'supervision' of the Youth

Justice Board (YJB).

The 'perfect storm' refers to the process by which a rare combination of events coalesces to aggravate a situation. Popularised in Petersen's 2000 cinematic account of a killer storm in the North Atlantic, the term has since become a metaphor for the coinciding of a number of significant conditions which, when brought together, lead a spectacular event. The phrase itself is attributed to the meteorologist Bob Case who, in a discussion with Sebastian Junger (author of the novel upon which the film was based), ironically described the coming together of a number of adverse weather conditions as 'perfect' for the creation of a particularly potent storm. Literally, the phrase described the convergence of a number of weather systems nearly 20 years ago in October 1991; a low-pressure area southeast off Nova Scotia, cool, dry air moving into the storm from the North and a 'dying' hurricane that resulted in the sinking of fishing vessel the Andrea Gail.

In the field of youth justice this metaphor has been used to describe the specific conditions that occurred in the 1980s that were responsible for the reduction in the use of penal custody for children in England and Wales, a process of decarceration. In that period the UK experienced what might be described as a neo-conservative/neo-liberal revolution (see also Klein, 2007), witnessing both a reduction in the welfare state and the introduction of the euphemistically named policy 'care in the community'. The surprising events of the early 1980s youth justice system were made all the more surprising occurring as they did in the wake of the 'crisis' of the late seventies (Hall *et al.* 1978). The seminal work *Policing the Crisis* linked together the wider economic, social and cultural crisis of capitalist Britain with a moral panic ostensibly centred around fears of the 'black mugger' (*ibid*). To some extent it also explained what might be the introduction of 'authoritarian statism' (Poulantzas, 1978). Authoritarian statism is not the only response. There are alternatives. A number of possible 'response models' to youth crime exist, eloquently outlined by Cavadino and Dignan (2009) such as the 'welfare model', the 'justice model', 'minimum intervention and Systems Management', 'Restorative justice' and 'Neo-correctionalism'. These will be touched upon later.

Simply put, three main factors were seen to contribute to the reduction in the use of custody for specific categories of offender; a neo-liberal commitment to reducing state expenditure (including the spiralling costs of imprisonment), a range of decarcerative and transcarcerative strategies, as the state sought to withdraw from key areas of social care, the prevailing economic conditions that exposed the cost of spiralling incarceration, a pragmatic political administration that appeared more receptive to the knowledge of organisations with policy and research expertise, and a radical and organised set of practitioners passionate about the abolition of custody for - what were then termed - 'juvenile offenders'.

I would argue that we may now be experiencing a similar convergence of circumstances, at least with similar structural forms, which may also lead to the conditions suitable for a change in direction in youth justice policy. This, in

turn, may result in a reduction in the number of children incarcerated in England and Wales. Conversely, these similarities may indeed be less significant than they appear to be and, far from leading to a reduction in custody, may contribute to a further increase in the custody rate. Moreover, the way they 'play out' may be different this time round. We may be approaching another new orthodoxy (systems management) or conversely, the changes may indeed herald the continuation of neo-correctionalism 'on the cheap?'

The first context I want to discuss is the economic and political context. This includes the impact of the global recession and the draconian and class-based response adopted in response to this by the current UK government measures recently planned to overcome the consequences of economic recession. The political context can be summarised as the political response to the recession and in particular the consequent policies related to incarceration, coupled with what might be called ideological considerations or the lack of political ideology that might inform political direction.

The second context is the young people with whom practitioners work. The lives of children in contemporary Britain are different now in so many ways to the lives of children 30 years ago and yet there are many similarities, for example mass unemployment and the intensification of social exclusion of the already disadvantaged. Added to this is the difficulty of comparing the realities and aspirations of young people now with their counterparts in the early 1980s.

Thirdly, I would like to reflect on the current state of training state of the youth justice workforce, for want of a better phrase, i.e. those people who are charged with the care and control of children in conflict with the law in order to make some comparisons and speculations.

However, before moving on to a detailed look at each of these contexts, it is perhaps worth pausing to consider the relationship between a broader consideration of deinstitutionalisation and decarceration (Scull, 1984). These ideas are essentially driven by a need to think about the consequences of institutionalising people, in the latter case by means of penal custody. In order to make sense of this connection, it is difficult to escape from the concept of transcarceration, which can be seen as an awareness of the movement between various forms of institutionalisation as part of a wider process of social control and, of course, this process includes penal incarceration. In other words the apparently simple move to abandon formal penal custody for children may be subverted by other forms of institutions such as training centres or secure children's homes. There are a number of difficulties that arise as a result of policies that encourage incarceration. For example, Arrigo (2001, p.165) observes that 'to define a person as diseased or in need of treatment implies the individual is not able to care for himself or herself', (See also Flaker 2011) but it also implies a degree of passivity, or lack of agency within the individual, leading to assumptions of an inability to take control of their future life course. The implication of these assumptions is that, whether in penal custody or some other form of institution, there is a very real danger of eroding the agentic

processes, seen by many as a constituent part of the rehabilitative pathway. Indeed accepting unquestioningly the 'rehabilitative process' is problematic in itself as it ignores the constructionist view of rehabilitation as well as potentially disregarding an individual's role in defining his or (less commonly) her own behaviour.

Deinstitutionalisation, can be seen to contain contradictory discourses, encompassing both a concern to reduce costs and a desire to prevent harm. For example the 'back to justice' movement that began in the 1970s as a radical reaction to excesses in the name of 'welfare' led to 'just deserts' in the 1980s. Moreover, whilst encompassing economically driven agendas, such as 'care in the community', deinstitutionalisation is, at base, a movement that seeks to prevent the unnecessary institutionalisation of individuals. The process of institutionalisation, and indeed the impact of the 'total institution' (Goffman, 1968), or 'greedy institution' (Davies, 1989) is seen by many as damaging in various ways, and sometimes difficult to reverse. (See also, Wooden, 2000). Within the institution described by Flaker (2011) we have a situation by which 'The image of the user, created on the dependence of the providers, amplifies the impression of powerlessness and dependence...', (Flaker, 2011).

Furthermore, children and young people's 'institutionalisation' can be seen as one of three contradictory processes, the other two being 'familialisation' and 'individualisation'. These antagonistic tensions need somehow to be addressed when children are taken out of the community and away from their families. (See also Prout, 2002; Nasman, 1994; Brannen & O'Brien, 1995).

The focus of this paper however prevents a fuller discussion of the many problematic effects of institutionalisation (or indeed their potential benefits). An examination of the contemporary context of youth justice follows in order to make comparisons between the prevailing conditions of the 1980s at a time when youth justice was experiencing a 'new orthodoxy' (Jones, 1984) and the present day contexts outlined above that, on the face of it, could lead to a revival of the decarcerative impulse effects experienced about thirty years ago.

The economic and political contexts

The economic crisis that faces the UK, whether confined to worries about the Euro-zone debt crisis or wider concerns that might embrace the United States and Japan, is generally put forward by the government as the reason why the UK, along with other nation states in Europe, has needed to make significant changes to their economic and fiscal policies, the so-called 'austerity measures'. Allied to this has been a radical ongoing transformation of welfare provision which, under the intentionally seductive rubric of the 'big society' is rapidly dismantling welfare provision undermining the post-war 'welfare settlement' and thus exposing already socially marginalised individuals to potential oppression with little access to resources and thus increasing levels of social and economic disadvantage (Coote & Franklin, 2010).

The economic crisis coupled with a change in administration and the consolidation of neo-liberal perspectives, has resulted in a major assault on the public sector. This can be seen in the details of the Health and Social Care Bill, introduced in January 2011, but also, in the context of the penal crisis by the publication of the Green Paper¹ *Breaking the Cycle: Effective Punishment, Rehabilitation and Sentencing of Offenders* a month earlier which might represent a pragmatic - and positive - response to the 'crisis' of youth crime.

There were however other indications well before the winter of 2010/11 that could be interpreted as the beginnings for positive change and indeed it is worthy of note that there has been a recent decline in the use of youth custody over the last two years. In the very early stages of the new Coalition Government, statements were made containing both decriminalising and decarcerative rhetoric and assurances given that reductionist action would be taken to ease the penal crisis. These were driven - in part at least - by the stark fact that whether or not 'prison works', there is little doubt that 'prison costs' At the time I started writing this article, the Ministry of Justice was still in the process of absorbing the Youth Justice Board (the QUANGO in England and Wales responsible organising arrangements for the incarceration of young people in conflict with the law). The simple abolition of juvenile custody through primary legislation was nowhere to be seen but it was possible to imagine, (if one were optimistic) that we had indeed reached a juncture which might affect real change. The extent of the change on offer can be assessed through a careful analysis of the discourses implicit in the Green Paper.

The Green Paper - Breaking the Cycle

There were signs for optimism in the early part of 2011, as the Green Paper appeared to promote a restorative approach to justice which, at face value, may suggest that the government had begun to abandon a neo-correctionalist approach to the criminal justice system. More encouraging still, at one point in the Government's Green Paper, published at the beginning of 2011 there is the line '...instead put our trust in the professionals who are working on the ground.', which raises the prospect of a renaissance in reflective practice. Admittedly, this sentence is specifically referring to police and prosecutors. However, as a guiding principle, this idea of trusting professionals could nevertheless be responsible for the anemometers to speed up a little. Less optimistically, the strong focus - supported by both the government and opposition - on 'payment by results', suggests that the Green Paper has less to do with supporting practitioner discretion and is primarily part of a much wider project of state withdrawal from the criminal justice system in order to allow others (markets) to determine the nature of interventions by way of contractual arrangements with the 'independent sector'². In the previous year other indications, for example key speeches from government ministers may have also given some room for optimism.

Early signs and U turns

As early as July 2010, the Home Secretary Teresa May with reference to ASBOs³ stated that: 'These sanctions were too complex and bureaucratic. There were

too many of them, they were too time consuming and expensive, and they too often criminalised young people unnecessarily, acting as a conveyor belt to serious crime and prison...Where possible, they should be rehabilitating and restorative rather than criminalising and coercive. 'May (2010). Again, at first glance this seemed almost too good to be true and sadly, over time it appears that the sentiment here was more about simplifying the process rather than reducing the use of ASBOs in recognition of their damaging effects.

The strongest grounds for optimism came when the Minister for Justice, Kenneth Clarke, who publicly refuted Michael Howard's 1993 mantra that 'prison works'. Clarke suggested that 'There is not and never has been, in my opinion, any direct correlation between spiralling growth in the prison population and a fall in crime . . . Crime fell throughout most of the western world in the 1990s. Crime fell in countries that had and still have far lower rates of imprisonment than ours.' (Clarke, 2010).

Taken in isolation, the casual observer of criminal justice policy might be excused for thinking that a 'perfect storm' was once again providing the conditions for the emergence of progressive policies in youth justice. Yet these statements cannot, alas, be seen in isolation but need instead to be placed in a much wider context. Here again this hope for a more informed policy shift seems fragile and vulnerable to the punitive rhetoric of sections of the public, media and political class (including Conservative backbenchers and - to their shame - key members of the opposition). For example, later in the year the same Justice, Kenneth Clarke was embarrassed in a radio discussion concerned the processing of criminal cases where a defendant would plead guilty. It was suggested that this should lead to much shorter sentences. Partly as a result of the media-amplified public's reaction to this in the context of rape, (encouraged by the opposition party) and partly driven by the traditional 'hard line' views of his own backbenchers, what might have been one component of an enlightened, decarcerative approach, was abandoned to political expediency and reversed.

The Global effect on the economy

To contextualise these potentially surprising developments, it is also important to step back in time to the end of the last century for a brief look at the 'crisis of Atlantic Fordism'. Jessop (2000) has suggested that Atlantic Fordism has disturbed the relationship between national, regional and local governments as well as producing national economies which are more crisis prone (Jessop, 2000).

Thus Globalisation, far from driving this crisis, Jessop suggests, is 'best interpreted as the complex resultant (my emphasis) of many different processes rather than as a distinctive causal process in its own right.' (2000, p. 339). Summing up his discussions on the ecological dominance of globalising capitalism, Jessop articulates six themes, the sixth of which concerns the response of the political system to the increasing dominance of the global market forces. It is in this sixth theme, Jessop suggests, that a contradiction

exists between a nation state's ability to be actively involved in the process of change brought about by globalisation and, on the other hand, its need to manage the consequences of, inter alia, social exclusion. If neo-liberal policies are essentially exclusionary, nation states are often at a loss to deal with the fall out, attempting instead to use rhetorical devices like 'prison works' or 'tough on crime' to at least give an impression that 'something will be done', or 'something will work', even if neither is true.

It is here that comparisons between the economic situation of the early 1980s and the present day deserve further attention. Whilst the complexities of policy production defy simple explanation (see Fergusson, 2007) and are the product of a number of sometimes contradictory forces, structural factors provide the context. This doesn't mean however that individuals can't make a difference. Hence I feel it is important to put the spotlight on three individuals, prominent in the early Thatcher years. I am thinking here of the collective impact of Douglas Hurd, as Home Secretary, David Faulkner, Deputy Secretary in charge of the Criminal, Research and Statistics Departments at the Home Office, and Archie Pagan, architect of the LAC 83(3) initiative, which gave new impetus for youth justice practice.

The apogee of Hurd's influence was perhaps most notably crystallised by the introduction of the 1991 Criminal Justice Act which broadly sought to give legislative backing to the restrictions in the ability of sentencers to impose long custodial sentences for juveniles. During the period, the influence of David Faulkner and others in the Home Office was crucial in bolstering the idea that imprisoning juveniles was both costly and ineffective. The encouragement of voluntary sector involvement in both practice development and delivery, championed by Archie Pagan of the Department of Health and Social Security was also central to the move to develop 'alternative to custody centres' and 'custody free zones'. This was a period when key individuals were able to exploit the space created by the intersection of economic dogma and political pragmatism to engineer a new, progressive direction for youth justice policy and, in one sense, is a similar position to the one we are experiencing at present. However, whilst contemporary statements from May and Clarke might, at first glance, give some hope that we have reached the end of an era of 'prison works' and the obsession with youth antisocial behaviour, it seems now that this may have been something of a 'false dawn' as the indications seem to be that the economic crisis, rather than opening up the space for more enlightened criminal justice policy, is acting as a force for retrenchment and punitiveness.

Returning to the macro scale, Stuart Hall echoes writers such as Klein in reminding listeners to *Thinking Allowed* that Milton Freedman had often observed that 'crises were critical because within crises you can not only introduce new things, but you can pick up the elements of the new vision that were marginalised in the previous one.' (Hall, 2010). In the same interview he suggested that the moment seized by Margaret Thatcher in 1979 allowed the neo-liberal idea that 'markets' - rather than the state - should dictate policy, to take hold, and that both New Labour and the Coalition Government's

trajectories have largely been continuations of that moment. This idea connotes with the difficulty that some political commentators may have had in defining exactly what is driving contemporary political policy in the UK today. Cohen (2010) for example suggests that, in the context of a search for meaning behind contemporary neoliberal policy that, 'One answer would be that we cannot find what lies behind them because it is not there; that these policies exist in a sort of free-floating limbo where they do not have to be given a very well-developed vocabulary of motive or ideological account.' (Cohen, 2010, p.390). Furthermore, it is important to recognise that this apparent pragmatic approach can open up the space for the influence of key agencies and individuals.

Evidence-based practice?

If this is indeed the case, that we live in a world subject to 'a more widespread and recent wave of so-called 'post-ideological' political imperatives' (Goldson, 2010:155), a world where political ideology is not the driving force behind youth justice policy and practice, then at least there is may be some solace to be gained in our confidence that policy is driven perhaps by a more scientific, 'neutral' call on evidence. If only this were the case. Goldson, whilst carefully documenting the much vaunted 'evidence-led' approach to youth justice policy and practice development under New Labour, provides compelling evidence that over the last 12 years there appeared to be a process of 'privileging' certain types evidence in order to simply support government policy, rather than policy being the driven by evidence (Goldson & Muncie, 2006). This is further supported by the work of Stephen Case (2009) who exposed the sometimes fragile evidence base on which the 'risk-based approach' to youth justice is predicated.

The rise of the use of custody globally

This paper has argued that the existence of a 'melting pot' (Fergusson, 2007) of discourses in youth justice can, under certain conditions, create interstices for progressive reform. However, the extent of the opportunities available is determined, to extend the nautical metaphor, by the wider currents. Here I consider one of these - the apparently inexorable rise in the global use of incarceration as a method of social control. This absence of direction or ideology is perhaps not problematic in itself but when experienced within the context of greater currents it quickly becomes one. Stan Cohen (2010) succinctly describes Loic Waquant's observations on the rise of incarceration as 'the massive surge in the use of imprisonment; the penalisation of poverty to curb urban disorders resulting from economic deregulation and the erosion of social care; and the perception of the prison not merely as a technical instrument for implementing criminal justice policy, but as a core political institution for the Leviathan to reveal itself.' (Cohen, 2010, pp. 387).

Within the sphere of youth justice the relationship between globalisation and the growing use of custody for children is well documented (see for example Muncie, 2005 and Hester, 2010). As Muncie has suggested, essentially the

impact of the global is both differential and differentiated across state boundaries through the mediation of local context. Neo-liberal values and popular punitivism, however, have permeated government policy over the last thirteen years in a wider context that has witnessed an apparently inexorable rise in the use of custodial sanctions. This wider influence appears stronger now than ever and may drown the voices of Home Secretaries, however enlightened, who may want to do something about the financial cost and the ruined lives often associated with the penal custody of children. If the economic and political circumstances of the 1980s appear superficially similar, can we say the same about youth justice practitioners?

Training the youth justice workforce

'Systems management' was a result of political pragmatism and the mobilisation of radical, well-informed policy advisors and practitioners but are the 'class of 2011' up to the challenge? One thing is true, there are (for the time being at least), many more practitioners in the field than there were in the 1980s when most practitioners tended to be drawn from the professions of Probation, Social Work (CQSW trained), teaching and Youth Work. Many were activity involved in organisations such as Nit Fed (the National Intermediate Treatment Association) and its regional variations such as LITA (The London Intermediate Treatment Association and WMITA and from 1983 AJJ (The Association for Juvenile Justice).

The situation is very different today. The youth justice workforce is subject to more restrictive national standards and a 'positivist', risk based approach to practice, meaning practitioners have to negotiate a path between discretion and accountability that is far narrower. The failure to provide a proper professional qualification in youth justice was a failure of New Labour and looks likely to continue under the present government.

It is difficult to commence a discussion on the contemporary youth justice workforce in England and Wales without some reference to Pitts' (2001) account of the potential 'zombification' of the workforce in the first few years of the Labour government. Whilst the Government introduced laudable targets for the training of youth justice practitioners, the experience of practitioners was often to receive what some students felt to be superficial and partial information on uncritical and unreflective account of the 'principles of effective practice'. I have argued elsewhere (Kubiak & Hester, 2009, Case & Hester, 2010) that it will remain important to develop the training of practitioners in order to address the rather strange mixture of qualifications and experiences of practitioners in the field. As Phoenix (2011) has recently observed in respect to this range of experience there is a:

'bewildering array of qualifications possessed by and work placement experience possessed by people employed within the youth justice sector. Those working in multi-agency YOTs tend to have the requisite initial training and professional qualifications specific to their disciplinary backgrounds. Police and probation officers seconded to YOTs

will have police training or might possess, for instance, diplomas in probation studies and/or degrees in community justice or criminology. This training may (or may not) emphasise the needs of children and young people. ...Sessional workers in YOTs, particularly those working in prevention and early intervention, come from widely disparate backgrounds and many possess few, if any, formal professional qualifications....' (Phoenix, 2011, p.126)

In order to address this state of affairs I suggest, notwithstanding the complexities of the workforce outlined by Phoenix (*ibid.*), that the training of youth justice practitioners should deal with both the overarching (sociological and psychological theoretical) knowledge and underpinning knowledge (of how the system works - professional competencies). This will address Pitts' concerns that the workforce is reduced to simply unquestioning personnel, implementing, for example, risk assessments based on a simple and erroneous understanding of the causal relationships between 'risk' and 'need'. To some extent the qualification framework offered by the Open University has made a start on this, but there is still considerable progress that can be made if the work force is to be supported in developing a critical approach to youth justice practice.

Young people

Another constituency worth considering here is young people themselves. Here we might consider both the changes in the contemporary social construction of young people and the difficulties that they face compared to the 1980s. There are perhaps a number of growing concerns about young people now, compared to their 1980s counterparts not least an increasingly negative attitude to young people in England. The ambitions of young people today, their use of social media, their relationship with the police, and the part they play in a what might be a turbo consumerist world are in many ways light years apart from their 1980s counterparts.

The public image of young people received another body blow as a result of the 'riots' of August 2011. Given the overwhelming evidence that the young people subject to criminal justice sanctions are predominantly drawn from the ranks of the socially marginalised and disadvantaged, the austerity measures will no doubt impact very directly on their lives in terms of the facilities available to them, general youth provision, cuts in education and for many the general impact of harsh financial conditions experienced by their families.

For those aspiring to enter tertiary education the opportunity to gain a degree without incurring substantial debts is over. Whatever the result of the Browne Review⁴, it is clear that the financial implications of studying for a degree will put many young people off that particular career pathway. The alternatives of apprenticeships, or simply getting a job in anything other than the low-paid sectors of the service industries for many will be out of their grasp. Unemployment figures for 16-17 year olds released in April 2011 (Wearden, 2011) indicated that the figure had risen to 218,000 whilst the overall figure for

16-25 year olds has risen in the three months to January to just under 1 million (974,000).

As O' Higgins reported at the end of the last century: 'Probably the most important finding ...of the paper was the overwhelming importance of general macroeconomic conditions in determining the level of youth unemployment.' (O'Higgins, 1997, p. 64). He went on to conclude:

'The wholesale introduction of training programmes for young people will do little more than temporarily ease the problem for that group unless measures are taken to ensure that they will be taken on by employers at the end of schemes. Failure to do so may be worse than doing nothing.' (ibid, p. 64)

This of course reflects criminological research which suggests the same. However, that is not to underplay New Labour's approach to youth employment which achieved much for example - EMA, New Deal, and the soon to be abandoned, Connexions service. This made sense in terms of youth justice policy because of the (obvious) relationship between education training and offending. Vocational prospects in the current climate of major cutbacks in public sector finances are not the only consideration here. The lack of support for vulnerable children in trouble delivers a 'double whammy'. It could be argued that young children today face a much greater challenge than their counterparts in the early 1980s. The impact of social networking and mobile technology with the implications for empowerment and activism is likely to be mediated by social class. For example the 'August riots' highlighted how the use of social networks could be constructed as positively dangerous. It is difficult not to conclude that those children most deprived in our society will remain most at risk from the carceral leviathan as the effects of homelessness, unemployment and lack of educational opportunities begin to worsen. So what are the implications for practice?

Implications for Practice

I believe there is a need for practitioners in the field of youth justice to reclaim their central role, as Cooper & Hester (2010) have suggested, we need to 'span the boundaries of different and often conflicting institutional systems and structures' (Cooper & Hester, 2011, p.75). There is a need for practitioners to reclaim their professional expertise in reflective practice in order to address the excesses of a 'zombification' process built on the dogma of crude risk assessment based on actuarial factorisation. Universities have a role to play here but 'getting organised' as a powerful lobby through the National Association may be a start. The social part of social work implies that practitioners need to take seriously the needs of young people. Not in terms of the rather confusing notion of 'criminogenic need' but the more holistic needs that will be exacerbated by neo-liberal exclusionary policies. This means paying far greater attention to structural factors and a resistance to the individualised and pathologising effects found in the worse of 'what works'.

Conclusions

So can we expect the benevolent effects of a perfect storm? Whilst it may be tempting to read much into the superficial similarities between the conditions that occurred in the 1980s and the present day, like all attempts at temporal comparative work, context and hermeneutics are everything. The context of the current economic crisis and the challenges facing young people now are unprecedented. Comparing the numbers officially unemployed does not do justice to the compound effects felt by this age group over the last thirty years. The August riots of 2011 brought young people and crime back into focus once again with the usual discourse of lost generations etc. When the dust dies down we may find ourselves with more draconian measures aimed at 'dealing with the 'crisis' but I fear it will be the wrong crisis that will be addressed and the wrong solution. The purposeful undermining of the public sector under the rubric of austerity measures may strangle at birth any notions of a revitalised workforce and indeed reinforce the conditions by which practitioners are restricted into myopic practice aimed at removing the fear of uncontrolled youths from our streets.

Perhaps most regrettable is the sense, shared by many practitioners, that this could be an appropriate time to re-evaluate not only the incarceration of young people but youth justice practice more generally. My own view is that this is a moment that will not be seized in England, even if it may well succeed in other parts of the UK, for example in Wales under the 'dragonisation' banner of children's rights, or Scotland under the banner of welfare or Northern Ireland in the development of meaningful restorative justice practices.

As the crisis affecting the contemporary economic and political landscape deepens, life for marginalised young people looks to become even bleaker. Reflective professional practice cannot alone address the structural issues above, which provide further barriers to social inclusion, and promote the fear of young people as representations of unrest. However, we need to remind ourselves that decarceration is a process that has a history. It is possible that we embark on a route that leads to the decarceration of children in conflict with the law, but we have only the slimmest of chances.

Notes

[1] In the UK the government publishes a Green Paper as a consultative document. This is followed by a White Paper outlining their intentions followed by a Bill which is discussed in parliament before receiving 'Royal assent' and becoming law.

[2] The independent sector is a useful piece of political rhetoric which blurs the distinction between the private sector and the voluntary or third sector.

[3] Anti-Social Behaviour Order.

[4] A review of tertiary education that massively increases the cost of tuition fees.

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