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RECENT DEVELOPMENTS IN YOUTH JUSTICE IN ENGLAND AND WALES

Introduction

Good morning ladies and gentlemen. First of all, I would like to say what a pleasure it is to address this conference. I hope that you will find what I have to say both stimulating and informative. **2 years ago I spoke at the 24th Deutschen Jugendgerichtstages in Hamburg. Some of you will no doubt have been there and heard about the new developments in Youth Justice in my country. Today I will try to update you on what has happened since much of what I described then has become law. But first a little history.**

When the current Government came into power in 1997, it made five pledges to the nation. One of these was to reform the Youth Justice System and this pledge constituted the Government's top law and order priority. It grew largely out of two reports, which profoundly influenced their thinking on the nature of youth crime and what role the youth justice system should play in responding to it.

The first report, published in 1995, was a study of self-reported offending by young people aged between 14 and 25. This study found that, contrary to popular belief, many young men do not appear to grow out of crime during the transition from childhood to adulthood. This led the new Government to question earlier policies which were based on the premise that, wherever possible, juvenile offenders should be diverted from formal judicial proceedings, since most grow out of crime they **as they** approach adulthood. Instead it suggested that interventions should take place **sooner rather than later and with a greater degree of certainty.** This came to be known as "nipping offending in the bud" and constitutes one of the main philosophical planks underpinning the new approach to youth justice.

In the same year (1996), a study undertaken by the Audit Commission entitled "Misspent Youth" presented a severe indictment of existing youth justice policy and practice. The report criticised the effectiveness and efficiency of the youth justice system and the services which support it. From its analysis, it concluded that:

- the time taken from arrest to sentence - four months on average - was unsupportable;
- most of the £1 billion per annum (DM 3 billion) spent on young offenders is taken up by processing and administration costs with virtually no money being used specifically to address their offending behaviour;
- the management of the youth justice system was largely uncoordinated, inconsistent, unsystematic and inefficient; and
- too little was undertaken to prevent children and young people from becoming offenders in the first place.

The Audit Commission went on to make a number of recommendations, including the need to shift resources from the youth justice system to more proactive, preventive work with children at risk of offending. It has since monitored progress towards achieving these changes and I will be returning to some of their findings later on.

Many of the Commission's recommendations were enshrined in the 1998 Crime and Disorder Act, which reflects in law much of the new discourse on the nature of youth crime and ways to combat it. This new discourse has moved away from the rather tired "punishment versus welfare" debate and **instead** focuses on the notions of criminal responsibility, restorative justice, addressing offending behaviour and early intervention and introduces concepts more familiar in other areas of public policy, such as