



Knowledge Exchange Seminar Series (KESS)

...is a forum that encourages debate on a wide range of research findings, with the overall aim of promoting evidence-based policy and law-making within Northern Ireland



Experiencing Youth Justice: Process, Meaning and Legitimacy

**Dr Nicola Carr and Dr Siobhán
McAlister**

**School of Sociology, Social Policy and
Social Work**

Queen's University Belfast

Criminal Justice and Conflict Transformation

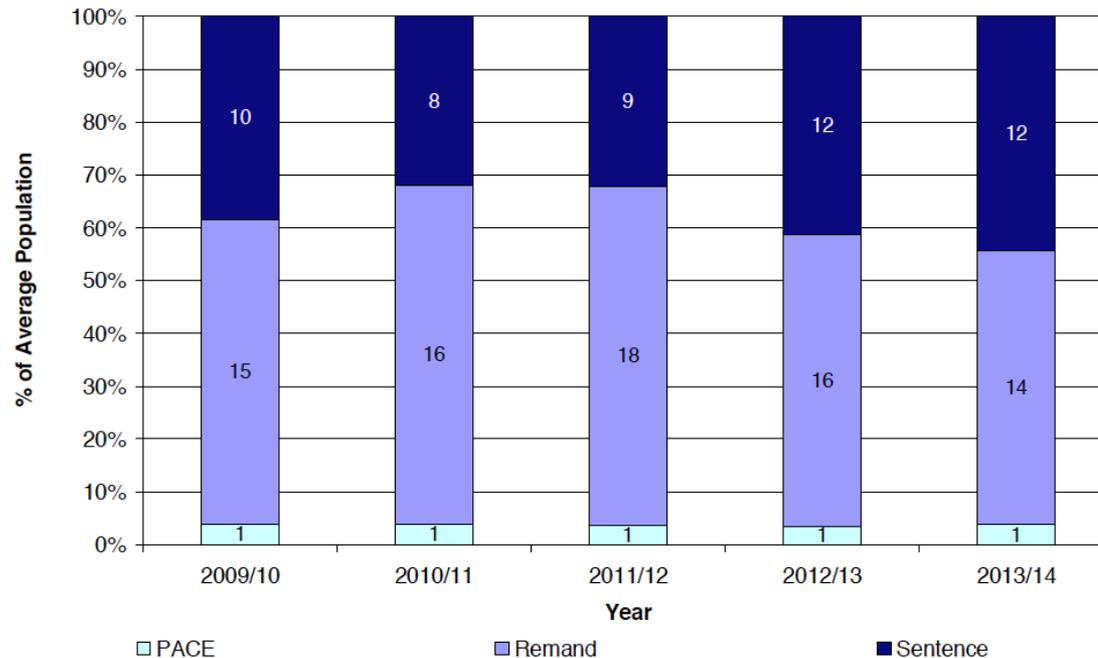
- Good Friday/ Belfast Agreement (1998)
- Addressing the legitimacy deficit - Public trust in justice builds institutional legitimacy and public compliance with, and commitment to, the law (Hough et al., 2010)
- Good Friday/ Belfast Agreement and Criminal Justice Review (2000) place **human rights** and the principles of **accountability**, **transparency** and **due process** at the heart of criminal justice system in Northern Ireland (Doak and O'Mahony, 2011: 309).

Criminal Justice and Conflict Transformation

- Youth justice and principles of **restorative** justice – Youth Conferencing at heart of youth justice system
- Principles of conflict transformation informed criminal justice reform, especially restorative measures
 - Restorative justice building **trust** in the state to deal with crime in a **fair** and **legitimate** manner (O'Mahony et al., 2012: 289)
- Youth Justice Review (2011: 11) – ‘ ... make recommendations ... within the wider context of, among other things, **international obligations** ... ’

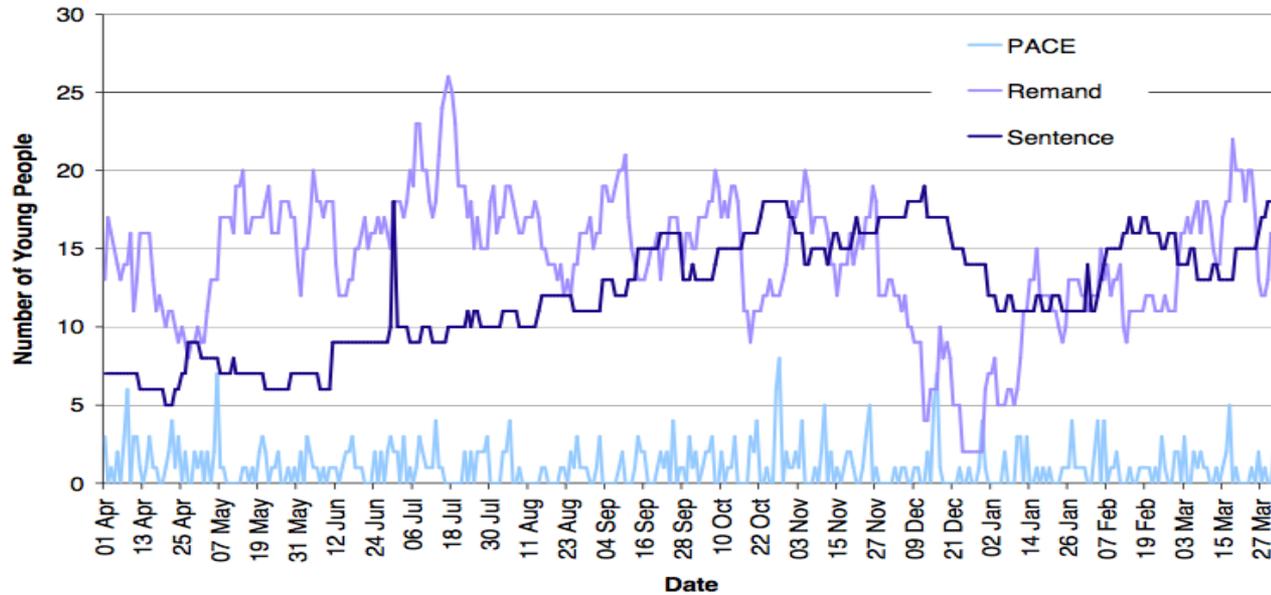
Context

Figure 1: Average Population by Status, 2009/10 to 2013/14



Source: DeCodts and O'Neill (2014) *Youth Justice Agency Annual Workload Statistics (2013/14)*

Figure 3: Daily Population by Status, 2013/14



Sample and method

- 21 young people in Juvenile Justice Centre
 - 8 sentenced, 13 remand
 - Aged 15-17 years
 - 19 male, 2 female
 - Geographical spread

- Focus on transitions into and out of custody + experiences of 'justice'
 - Longitudinal
 - Baseline life history
 - Up to three follow up interviews over a year
 - Attrition

Complex lives and system contacts

- ‘... wherever we may look, youth justice systems around the world characteristically process (and punish) the children of the poor’ (Goldson, 2014: 122-123)
- Chaotic family lives, housing careers and traumatic life events
 - *‘...I rang the social workers and got ***** [name of younger sister] took off me ma, and then the relationship with me ma just ended really. Then she died.’ (Ronan)*
- ‘Offending’ cannot be removed from the context in which young people experience multiple harms and adversities

Complex lives and system contacts

- Drug and alcohol common features
- Mental health
- Early contact with the police and criminal justice system
- Most have multiple previous system contact (except offences involving Riotous Behaviour)

Experiencing custody

- Impact of lack of family support on remand

and/ or

- Impact of multiple complex issues on ability to adhere to bail conditions



- Pattern of 'remand, bail, breach'

Experiencing custody

- *'I didn't have a bail address to go on and I went, I just went on the run, I went on the run because I thought, I was in a B&B outside [town] and I live in [another town]...and I just thought nothin's gonna work for me. Like I've been in and out of B&B's like nothin' normal, like I've been swingin', like social services have just been swingin' me from this place to that place just wherever they can put me to get their job done.'* (Hugh)

Experiencing custody

- JJC as respite:
 - *'I like it in here, it's good...Cos it's kinda a detox centre, you just come in and get off all the drugs and all and get fit again'* (Anthony)
- Welfare needs and safety needs met (context of their lives and 'punitive environments'):
 - *'You've no worries about people looking for you, no worries about nothing. You've no worries about going looking and getting food and shit like that.'* (Robbie)

Experiencing custody

- But concerns of returning to 'punitive environments' and difficult lives situations:
 - *'I don't have a problem with bein' in here (JJC) cos, I don't know, I guess you just get used to it after a few times. But then it's just the fact that when you have bail you just have nowhere to live, it's the worst thing that could possibly happen to ya.' I like it in here, it's good...Cos it's kinda a detox centre, you just come in and get off all the drugs and all and get fit again'* (Hugh)

Experiencing community 'justice'

Half (n=11) of sample experienced intimidation, threats, beatings, exiling:

R. Aye, I've been beat black and blue by them loads of times

I. What for?

R. Wee stupid things, anti-social behaviour, bein' a wee dick about your area. (Anthony, age 17)

Experiencing community 'justice'

I: So would you even when you get in trouble, would there be people in here who might threaten you?

R: Yeah, they tell me to get the fuck out.

(Patrick, age 17)

Conclusions

Findings from this study indicate the need for:

- A greater recognition of the extent of violence within communities, and the particular impact of young people who are marginalised;
- Greater emphasis on the rights of young people to be protected from harm within their communities;
- Drug and alcohol and mental health interventions that are more tailored to the young person's needs;
- The need for young people to have trusted and consistent supports particularly in the context of bail.



Northern Ireland
Assembly



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