

BOOK REVIEWS

THE NEW POLITICS OF YOUTH CRIME: DISCIPLINE OR SOLIDARITY?

**John Pitts. Russell House, 2003; pp. 192;
£16.95, pbk. ISBN 1-903855-23-3 (First
Edition in hardback by Palgrave, 2001)**

YOUTH OFFENDING AND RESTORATIVE JUSTICE

**Adam Crawford and Tim Newburn. Willan,
2003; pp. 256; £18.99, pbk. ISBN 1-84320-11-
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These two books provide an insightful contrast in examining the 'new' youth justice of the 21st century. John Pitts is quite clear that the foundation of New Labour's disciplinary project is fundamentally flawed whereas Adam Crawford and Tim Newburn find some hope for a better restorative future with their evaluation of referral orders. Pitts bases his radical view on a critique of the underlying theories and (flawed) empirical research that have underpinned recent developments. His own and related research on the solidarity of communities provides an alternative perspective on the problem of youth crime. Crawford and Newburn suggest that practitioners have done much to attenuate the potential problems of the new restorative sentence for young offenders and that it is broadly successful.

Both books derive from earlier work by the authors. Pitts' Palgrave edition of the same work from two years earlier has had some revisions made to it and Crawford and Newburn have developed Home Office Research Study 242. The benefit of the former will hopefully be a wider circulation of the extensive critique of contemporary policy and for the latter a better conceptual understanding of the implications of referral orders for the developing system. They will be of benefit to both academic and practice audiences and hopefully policy makers will already have read the original work. Students will be entertained and enlightened by Pitts' style which uses New Labour style soundbites (e.g. 'After the Goldrush') as subheadings and an incisive rhetoric to unearth the hidden dimensions of policy. The significance for academic audiences of Crawford and Newburn's work lays in the conclusions they have drawn from the research. These suggest that referral orders may

go some way to challenge managerialism and include victims, offenders, families and communities in the system of justice.

The New Politics of Youth Crime provides a broad and deep critique of youth justice policy. Pitts starts with a review of the political function of contemporary youth crime as an 'electoral glue'. Different groups of voters are united in their condemnation which then supports the increased politicisation of policy responses. Although the commentary starts in the 1980s and 1990s nothing is lost from the lack of an historical context. This is covered in depth in other established texts. In fact the main thrust of the book is that something new and peculiarly 'New Labour' has happened to youth policy. The seamless transition from punitive Conservative to more punitive 'Hard Labour' policy is documented under subheadings such as 'The Gates Slam Shut' and 'God Bless America', recognising the carceral and transatlantic influences. In addition the way in which New Labour placed single mothers on benefit, problem families, poor education authorities and public service professionals at the heart of problems within the youth justice system is detailed. By the time we reach Chapter 3 and the implementation of 'No More Excuses' in the Crime and Disorder Act 1998, it is apparent that the new disciplinary project is supported with a centralised culture. According to Pitts, this is being imposed throughout the system with accredited programmes. These programmes rest on limited criminological explanations of offending which allowed cognitive behavioural interventions to dominate.

The following two chapters concentrate on the increase in child incarceration, the detailed provisions of New Labour's flagship legislation and the pitfalls of attempts to introduce restorative justice into the system. Crawford and Newburn categorise youth justice literature into polemic accounts, detailed empirical studies and localised evaluations. Pitts' middle chapters epitomise the book as being in the first category. He terms the new policy which replaces welfare and minimalism as a 'corporate correctionalism'. The legislative provisions introduced are detailed and the sections on community safety and youth justice contrasted in relation to their divergent tendencies to civilianise and criminalise. He bemoans the loss of a welfare based preventative approach and the introduction of orders designed to exclude any threats to the civic peace. The impact on custodial provision and the wider policy is the (updated) news that more young people are incarcerated than ever and more, pro rata, than in Western Europe. Pitts' own critique implies - probably rightly - that this is not a matter of great concern to the wider electorate or policy community. Even the more rehabilitative elements of the 'new' youth justice are criticised for leading to net widening. The restorative approach found in the referral orders of the Youth Justice and Criminal Evidence Act 1999 is also subjected to a theoretical savaging. This highlights a lack of empirical support, divergent aims and problems which are now being found in the original Maori system.

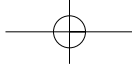
Pitts moves on to criticise the criminological foundation of the New Labour disciplinary project. Whilst it is applied to youth justice it could equally apply to the wider community justice sector and developments in prison for adults. Significant criticisms of delinquent development research are made and the lack of intellectual and empirical rigour associated

with cognitive behavioural programmes detailed. These remove the intellectual and empirical planks that support policy but it is not clear that the alternatives, presented in the final chapters, will stand on their own. Pitts cites evidence that links community cohesion with lower rates of crime. Evidence from his own research in France is examined and a call for a community dimension to youth policy and crime prevention made. Whether the collective can ever totally supplant individual responses to crime is perhaps a moot point. A return to a (romanticised?) welfare past is not politically realistic at present (although perhaps desirable).

This pragmatic criticism provides a useful link into a detailed consideration of the second book on *Youth Offending and Restorative Justice*. Crawford and Newburn suggest that polemic accounts, detailed research and local evaluations in youth justice do not successfully address the relationship between politics, policy and practice. Their research does this by recognising the practical politics of contemporary policy and examining what has happened with the implementation of referral orders. At one point they mention the considerable interest shown in the results of their evaluation. I wondered whether they were trying to say that as evaluators they were aware of the political implications of their work. This is inevitably the case with research which supports the new direction of youth justice policy. A direction that they acknowledge has been subject to much criticism. Their findings not only show that practitioners can make a difference with policy implementation but that some of Pitts' theoretical concerns have not necessarily been borne out in practice. More generally, whereas Pitts would like to see fundamental changes that could combat social exclusion and its impact upon crime, Crawford and Newburn imply there is hope for incremental changes to the system of youth justice using a restorative approach.

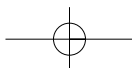
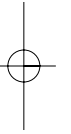
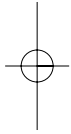
The early chapters of the research on referral orders make a broad historical sweep of youth justice policy and the literature on restorative practices. Importantly it recognises that implementation needs to take account of broader social justice issues. In particular the relationship between communities and the wider socio-economic context is regarded as important. Whilst this resonates with Pitts' approach any similarity is purely coincidental and stops thereafter. The complexity of policy implementation is recognised in the extensive research Crawford and Newburn organised. Structural issues are examined and the place of different groups of participants such as panel members, staff, victims, offenders and parents detailed. Benefits are found for all parties but the problems of victim involvement, because of administrative and practical reasons, were noted. Most contracts with offenders were successful but one of Pitts' criticisms of restorative initiatives is relevant here. He suggests that it is only ever the initial pilot that is evaluated thereby making it hard to find out what has happened when the project is rolled out across the system.

The books are a welcome addition to the literature on contemporary youth justice in theoretical, policy and practice terms. Both have their place, albeit that they take fundamentally different positions on current developments. The benefit is to strengthen



the debate and carry on the search for better ways to understand and then act in respect of young people and children. The policies developed reflect as much about values and politics as they do about objective academic insights and this very subjectivity could perhaps be better acknowledged by all the authors involved. The perspective of the young offenders themselves also does not come clearly though in either account. Adults talking about children is perhaps best criticised by children talking about adults. This can add a new voice to the policy discourse that may help balance some of the punitive dimensions of the system and broaden the contemporary concept of victim to recognise vulnerability in all its forms.

Richard Lynch, Sheffield Hallam University



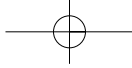
RESTORATIVE JUSTICE AND FAMILY VIOLENCE.

**Heather Strang and John Braithwaite (eds).
Cambridge University Press, 2002; pp. 288.
pbk. ISBN 0-521-52165-3.**

In agreeing to review this book I was very intrigued by how these authors would approach the whole question of family violence through the restorative justice lens. Since the 1998 Crime and Disorder Act we are now all very familiar with the efforts within the UK to embrace the principles of restorative justice in dealing with young offenders, however to move that framework to the issues surrounding family violence seemed to me to be one step too far. So how did the editors present such possibilities to the reader? As there often is, there is an easy and a hard answer to this question. The easy answer is that they present an honest account, and as a consequence, an account with integrity, of their own feelings and concerns about making a case for the use of restorative justice in the family arena. The hard answer is to be found in the collection of papers they have presented here for the reader.

This is an excellent collection. Not necessarily because each of the individual contributors makes some significant or original contribution to this particular debate (though some of them do), but largely because they follow the tone set by the editorial introduction. Each contribution in its own way reflects the same kind of honesty and integrity. There is no shying away from the difficulties involved in working with the principles of restorative justice within the family; more an embrace of them along with the recognition that if restorative justice is to work, then it requires hard work and attention to detail. As a result of these observations it feels rather invidious to make particular comments about particular contributions, so I shall not do that. However, I shall offer some observations on what I took away from this volume that makes me think that it would be a very valuable collection to all those associated with restorative justice work whether in the context of family violence or not.

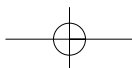
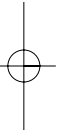
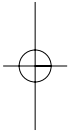
First of all this collection made me think very hard about the whole question of control within restorative justice and/ or conferencing work. By this I mean the question of whose agenda is being met in such processes, whose agenda is being lost, or whose agenda is paid less attention to, as a result of the nature of the process and the participants involved. This question seems to have a resonance above and beyond family violence issues but is certainly essential within that context. Secondly, there is the question of connectivity. How do restorative justice initiatives fit (or fail to fit) with other aspects of the participants' lives, other aspects of the criminal justice system, and/or other aspects of the work of the professionals involved? What works and what does not work, for whom and when? Where does retribution fit in all of this? What might the role and participation of women, or children, or people from ethnic minorities really look like, given that they more often than not start from a position of structural inequity to begin with. As I have



already suggested, this collection offers no easy answers to these questions; but they are questions that are there in this volume and each of the contributors in their own way nevertheless tries to address one or other of them.

As a final comment, I was impressed by the close working evidenced by this collection, between academia, academic research, practitioners, policy makers and politicians. This left its particular mark on me as I read much of this book on a train journey back to North Wales after having made a presentation at a seminar sponsored by the Legal Action Group concerned to address the current governmental focus on victims of crime. The issue that repeatedly came to my mind was, if only there was such a level of interaction between all of these groups in the U.K! Those working within the restorative justice field might feel potentially less subject to the winds of change if we could just get the politicians to listen a little more and sound bite a little less! That aside (though not intended as an aside) I would say that this is a collection to be highly recommended and a real challenging read!

Sandra Walklate, Manchester Metropolitan University.



FROM WELFARE TO RISK: DISCOURSE, POWER AND POLITICS IN THE PROBATION SERVICE (Issues in Community and Criminal Justice Monograph), Mark Oldfield, NAPO, 2002; pp. 84; pbk. ISBN 0-901617-16-4

This is the first in Napo's new series of monographs. As the title implies, the author tracks an historical movement in probation, arguing that a 'welfarist' discourse has been displaced by neo-liberalism and relating this change to broader political and social developments. Mark Oldfield is especially well-qualified for this undertaking, handling both broad sociological material and detailed research findings with confidence.

The historical account and Oldfield's interpretation are illuminating and, mostly, persuasive. The exposition of probation's early history is fairly familiar, although the connection between the development of probation and wider social developments lends authority and some originality to the account. Oldfield's discussion of contemporary probation and particularly his analysis of managerialism, of centralisation and of the role of audit and accreditation are astute and instructive.

The critique of *What Works* is especially well-achieved, with the author making some telling points about the hazards and shortcomings of meta-analysis, as well as bringing a sceptical (but never cynical) eye to the more extravagant claims of 'effective practice'. He is especially – and rightly – concerned about the way in which *What Works* has been presented as a 'done deal' and the associated intolerance of criticism and rejection of other perspectives. History is a wholesome corrective to any uncritical acceptance of *What Works* and Oldfield's exposition makes a significant contribution here. A persistent theme in the monograph – more usually unstated though sometimes explicit – is that probation has a moral and political significance that is not reducible to a set of purportedly neutral methods of intervention.

I have three main criticisms to make of this most useful monograph. First, it is an historical analysis and that involves, at the least, a history. But what is this a history of? This question is really about what it is exactly we are studying when we study discourse. In his conclusion, Oldfield claims to have addressed the 'shifting configurations of practice', but it is not at all clear that this is what he has addressed. As Stanley Cohen so convincingly showed, the relationship between practice and the 'story' of that practice is never straightforward (Cohen, 1985)³. Behind the discursive transformations lie changes of practice to which they do not precisely correspond. There are, moreover, continuities in practice about which the 'stories' may mislead us. For example, whether we speak of the redeemable and the damned, the deserving and undeserving, the treatable and the recalcitrant, the experience of being on the wrong end of these dichotomies may often have been much the same. And these judgements are – and always have been – devices for

3 Cohen, S (1985) *Visions of Social Control*, Cambridge: Polity Press

determining access to resources and levels of service (though not, of course, only that). For that matter, there are discursive continuities as well – for example, the project of normalisation can be traced from the philanthropic visitor (p. 25) right through to contemporary practice.

Second, Oldfield treats the risk and the What Works projects as characteristic of contemporary probation discourse, but he does not examine any tensions between them. It is true that an actuarial calculation of risk at a certain level is necessary – and sometimes sufficient – for the assignment of an offender to an accredited programme, but the agendas of risk and What Works are not the same. Probation mostly deals with the riskiest offenders when they are on licence and, typically, these are not offenders who are referred to accredited programmes. Meanwhile, the principal candidates for accredited programmes – those made subject to community sentences at Court – are less and less 'risky' as calculated by the standard actuarial instruments⁴. This merits some discussion. The contrast is not just between welfare and risk: popular punitivism has a retributive objective which is not just about risk reduction or crime prevention.

Third, this is not an easy read. It should not be, of course, since it introduces and develops ideas of considerable complexity. It is, however, densely written to the point of being opaque in places. Again, the author's search for well-turned phrases and striking adjectives is not always successful. What can be meant by the 'ecumenical' nature of *What Works*? 'Distal' belongs only in anatomy texts and 'schizophrenic' for *ambiguous* or *contradictory* does not belong anywhere. At his best, Oldfield is clear and eminently quotable, but parts of the monograph are short of this standard.

Despite these misgivings, I would not hesitate to recommend this monograph, both for its challenging critique of contemporary received wisdom and for its attempt to situate probation discourse, which cannot be understood as a discrete domain, in its social and political context. If subsequent monographs match this standard, then this new series will indeed be welcome.

Rob Canton, De Montfort University

⁴ See, for example, Her Majesty's Inspectorate of Probation Annual Report 2002/3 at <http://www.homeoffice.gov.uk/docs2/hmipobar0203.pdf>

GENDER AND POLICING: SEX, POWER AND POLICE CULTURE

Louise Westmarland. Willan Publishing, 2001; pp 208; £30.00 hbk. ISBN 1-903240-70-0

Drawing on empirical evidence from ethnographic work conducted in two separate UK police forces, Louise Westmarland sets out an ambitious framework for *Gender and Policing*. Her overarching aim is to investigate and reflect upon various theoretical studies that are concerned with the body and apply them to the study of policing. Despite an increased interest in the study of the body, exploring the way in which policing is shaped and influenced by theorisations of the body remain relatively untapped by police researchers. Through documenting the way in which police officers do policing, existing works on gender and policing have confirmed the importance of such an enquiry. In particular, research has emphasised the importance of the body through an appreciation of the significance of physicality to the formation and maintenance of an appropriate (masculine) police identity and sense of self. Women's perceived lack of physicality, of physical presence, of tough physique, and above all, of masculinity, continue to be used as rational and legitimate reasons for their exclusion and remains a consistent justification offered by policemen for women's continued differential deployment and their negative view of policewomen.

In its entirety, *Gender and Policing* covers much ground but is essentially directed by two distinct yet interconnected aims. The first, to explore the 'lived' experiences of women and men in policing; the second, to engage with and challenge debates about the differential deployment of men and women. In Chapter 1, Westmarland sets out the theoretical concerns that govern the study and raises critical questions for the study of the body and policing. Throughout subsequent chapters there are tempting glimpses of engagement with these discussions but much of what follows is dedicated more to exploring the way in which the operational practice of policing is gendered than to outlining the significance of the body in these processes. Chapters 2, 3 and 4 consider the role of gender in police work, how gender impacts on police responses to child abuse and sexual assault, and how masculinities are performed in particular types of police work. Following interviews and observations with male officers working with 'cars, guns and horses', Chapters 5 and 6 offer some interesting discussion on the way in which the task of policing and the identity of police officers are embodied through masculinity. In these chapters, Westmarland provides ample evidence of how notions of gendered embodiment are translated into work experience and practice for both female and male officers. She also ably demonstrates the way in which subcultural masculinities in specialist departments reflect particular hierarchies of gendered competence and status. A more detailed insight into how each sex uses the body in the enactment of police work would have been useful here. Such an analysis would have pushed the boundaries of our knowledge of the body and police work in a welcome direction.

It is with regard to Westmarland's second aim, to engage with debates about the differential deployment of men and women, that her study offers an interesting challenge to existing works within the field. She suggests that women are 'not being differentially deployed on general patrol', that 'work with young people and domestic violence was not seen as "women's work" and [that] there is little evidence female officers were not being promoted because they lack the general experience and "arrest portfolio"' (184). Rather, she argues that in some areas of police work, women officers are more able to 'choose, have autonomy, and use their "femininity" to achieve control of their careers than has been claimed previously' (30). For Westmarland, existing works on women in policing have underestimated the power of individual agency. Women's ability to choose, to enact their own agency with regard to their career profiles is therefore a central argument of *Gender and Policing*. While Westmarland's (94) proposition that women's deployment to certain policing tasks cannot be explained simply by virtue of a 'male power', operating in 'some conspiratorial way' is both valid and useful - in that it challenges existing simplistic characterisations of power in policing - her analysis fails to fully take account of the more complex and subtle operation of male power. The differential deployment of tasks that officers may encounter in their police careers is achieved through gendered processes that have much to do with the problematic relationship that exists between the (male) structure and organisation of the police career and the reality and nature of many women's lives. Through the embeddedness of gendered structures, male power does not operate so much in a conspiratorial way, but rather operates in a much more legitimate and routinised way. In the processes of trying to emphasise the power of individual agency the visible and invisible structural constraints that characterise the work of policing are somewhat underplayed.

The study of the body is an important one for the police organisation and is long overdue in criminology and policing studies. Such an investigation raises important clues for unpacking and mapping out the cultural identity of the police officer. *Gender and Policing* is therefore a welcome addition to the growing work on the study of gender and policing. New lines of enquiry have been set in motion and the broad scope adopted by this book has ensured that there is still space within the field for those hoping to conduct an investigation on the way in which the study of the body, both theoretically and empirically, is useful to our understanding of policing.

Marisa Silvestri, London South Bank University

VICTIMISATION: THEORY, RESEARCH AND POLICY

Pamela Davies, Peter Francis and Victor Jupp (eds). Basingstoke: Palgrave Macmillan, 2003: pp.189, £45 hbk/£17.99 pbk . ISBN 0-333-92501-7 (hbk); 1-403-92179-2 (pbk)

This book contains a variety of material, some of it original while other chapters are less so. It is in part a revised version of Francis, Davies and Jupp's *Understanding Victimisation* (University of Northumbria, 1996) but it also contains new chapters.

Given the rapidity of change in this area in recent years, it is unfortunate that the book seems to have been almost entirely completed in 2000. Only a few chapters have any references to publications or events since that date. This means that a number of opportunities are missed: there is no discussion, for example, of hate crime (although a couple of references to racially motivated crime do appear) nor of the implications of the Stephen Lawrence Inquiry (apart from two sentences in one chapter).

There are some unfortunate mistakes, especially in the editors' introduction, which gets the name of the Youth Justice and Criminal Evidence Act wrong as well as some of the references. The whole book should have been more carefully proof-read.

It is, however, a useful collection. It appears to aim both for the student market and to engage practitioners and researchers in the field. Some chapters will contain little which is new to victimologists, while others raise interesting issues. The inaccuracies mentioned above make me wary of recommending it as a textbook. However, the remainder of this review will concentrate on the chapters which recommend it to the specialist reader.

Rachel Pain provides a stimulating introduction to issues around the victimisation of older people, and she questions many stereotypical, common sense assumptions. Notions of vulnerability are, she demonstrates, often based upon ageist generalisations. In practice, partly as a result, the needs of younger victims may be neglected. The chapter is illustrated with interesting and vivid interview material.

Karen Evans and Penny Fraser contribute a chapter on communities and victimisation which examines the dynamic relationship between crime prevention, community safety and victim blaming. They use case study material to good effect in making their argument.

Michael McCahill and Clive Norris argue, in their chapter entitled 'Victims of Surveillance', that discrimination and the misuse of the information collected in the process of community surveillance produce new victims. While they make a convincing

case that human rights are being abused in the course of CCTV and other forms of surveillance, the use of the word victim seemed contrived to this reader.

Rob Mawby usefully updates part of his and Sandra Walklate's book *Critical Victimology* (Sage 1994) in a chapter which gives a valuable comparative perspective on victim policies in six countries. The comparison (although based on dated material at times) stimulates thinking about the different emphasis from one country to another. Why, for example, do some states respond to criminal victimisation by providing counselling, while others emphasise political campaigning or the provision of practical support?

In a humane and reflective closing chapter, Martin Wright muses productively about the implications of the preceding contributions. In particular, he raises interesting questions about why criminal justice systems have been so slow to tackle revictimisation issues, and about the contradictions that victim impact statements are struggling to resolve in many jurisdictions. Perhaps unsurprisingly, he concludes with a plea for more frequent and imaginative use to be made of restorative justice approaches.

This book has a place on victimologists' bookshelves, but it has to be read critically and it could confuse the less well-informed reader.

**Brian Williams, Community and Criminal Justice Research Unit,
De Montfort University**