

VIOLENT YOUTH - WHENCE AND WHITHER? INAUGURAL LECTURE

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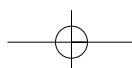
Abstract

Violent crimes committed by children and adolescents shatter society's warm images of youth and innocence, and frequently result in public outcry. Who are these young people, why do they do it, and how can criminal justice play an effective part in the spheres of treatment and prevention? This paper, which provides an overview of this topic, constituted Gwyneth Boswell's Inaugural Professorial Lecture, given at De Montfort University on 27th March 2003.

The title of this inaugural lecture represents, for me, a quest which has occupied much of my working life as an academic for the past 12 years. What I would like to do in this article is to explain why this has been so - in other words to look at the importance for all of us at community, societal and global levels for developing a greater understanding of violence in young people - and to share with you some research findings about the backgrounds of young people convicted of violent and murderous offences.

Violence and murder perpetrated by children and young people became high profile in the UK during the 1990s largely as a result of the murder, in February 1993, of two-year old James Bulger at the hands of two 10 year old boys. The blurred video image of this innocent toddler, hand in hand with his two young killers as they led him through a Liverpool shopping precinct to his ultimate death, is one which will probably remain in the minds of all who saw it for the rest of their lives. At that time, little attempt was made to seek an explanation for the two 10 year-olds' behaviour. It seemed sufficient for the media to apply the label 'evil'. It appeared acceptable for any hint of the welfare philosophy, applicable to children under the age of 14 years in most other European countries, to be firmly supplanted by the notions of punishment and retribution. It seemed uncontentious, as David James Smith reports in his book *The Sleep of Reason* (1994) for the trial judge, when passing sentence, to threaten them by carrying into the Courtroom a black cap and white gloves - the traditional artefacts of the death penalty.

Thus, these two young children, publicly named and reportedly severely traumatised, came to be sentenced to detention during Her Majesty's Pleasure under Section 53 (1) of the



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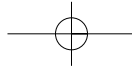
Children and Young Persons Act 1933 (now replaced by Section 90 of the Powers of Criminal Courts [Sentencing] Act 2000) with a minimum of 15 years to serve, longer than the period they had yet lived. There was little recognition of them as children who would normally be seen as separate, vulnerable beings with distinct needs. Following the overruling by the European Court of the Home Secretary's executive powers at that time, however, their sentence was eventually reduced to its original 8 year tariff and the young men were released some 18 months ago on Life Licence.

In the United States, during 1999, a public outcry followed the multiple killing by two eleven-year old boys of their Colorado schoolmates. In the same year, in South Africa, petitions for the return of the death penalty (following Nelson Mandela's abolition of it, in the spirit of reconciliation after the brutal apartheid era) accompanied news of the (also brutal) gang-rape and stabbing to death of 14 year old Valentia Farmer, by a 15 year old boy together with four adults. In a study of child violence in South Africa, one author observed:

The tendency now is to emphasise the lurid details of the brutal acts committed by children. Glaringly missing from the media reports are the reasons behind this type of violent behaviour (Zwane, 2000: 2).

In Rwanda, too where, this time last year, a colleague and I attended a huge outdoor memorial service for the 8th anniversary of the genocide, children and young people became involved in the killings, and some of them are still in prison. Of course, the reasons for violence and murder by youngsters vary enormously in relation to their individual circumstances and their respective cultures. But if we are seriously to consider the prevention of such violence by the next generation, we need now to examine much more closely the nature of the problem about asking this question 'Why?' I would suggest that we start by looking at the wide-ranging sets of images of violence to which we as individuals and societies are exposed in our daily lives.

In parallel with images of violence perpetrated by children, which I have described, have developed other powerful media projections of violence perpetrated upon children in the form of child abuse - physical, sexual, emotional, organised or combinations thereof. In the UK, these have impacted upon the populace as a consequence of public inquiry either because of child death within the family; or the mismanagement of suspected child abuse; or abusive practices in children's homes. According to the particular circumstances, those with professional responsibility, notably social services departments, have been criticised either for intervening too much or intervening too little. Public feeling seemingly runs as high about the increase of state interference in domestic and family life as it does about that same state's failure to prevent the death or abuse of a child. Can this be because this highly emotive issue touches us all in some way? We have all been children, and many of us have children of our own. We have no training for parenthood other than the model provided by our own parents, which may have been good, bad or, more realistically, a mixture of both. We hope we are getting parenthood right; it is very important to us not



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to be exposed when we get it wrong. Are we, perchance, collaborators in a collective subconscious cover-up which, fearing personal reprisal, looks the other way when it sees a suggestion of child abuse, and compensates by massive over-reaction and outrage when evidence of such abuse becomes unequivocal and public? Can there, to elaborate, be a connection between the baying for blood at the injury or murder of a child and professional reluctance to read important and manageable signs of risk and take appropriate action?

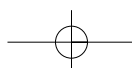
The second set of images which are relevant to this issue are to be found in an examination of the cultural legitimacy given to violence across the world. As 'the global village' becomes more accessible, so it becomes increasingly apparent that violence, both physical and mental, is embedded in prevailing societal cultures. The study of history, in particular, reveals an almost universal culture of physical violence in the shape of militarism. As Charles Elliott, in his book *Signs of our Times* says:

Children and nations have been brought up to believe that battles, and wars and military heroes, conquests, invasions, sieges and campaigns, constitute 'the history' of a people (Elliott, 1988: 125).

Likewise, regimes predicated upon political oppressions have both portrayed violence as a behavioural norm for children and engaged them in it. Child soldiers are the epitome of state-sanctioned violence for the young. Conversely, the apartheid regime in South Africa prompted strikes and demonstrations by school children against 'Bantu Education' in 1976; the response of the authorities was to shoot them.

The contemporary primacy of violence is also demonstrated across the world in military/religious architecture, statues, art, music, press and television coverage of more than 300 wars since the end of World War II and, of course, that coverage is particularly engraved on our consciousness at the present time in respect of the current military conflict in Iraq. Further, violence is enshrined in the response of a range of justice systems to criminalised anti-social behaviour - that is to say torture and other forms of physical retribution, and capital punishment - all of which, in some countries, may be applied to children and young people, despite wide ratification of the United Nations Convention on the Rights of the Child (UN General Assembly, 1989). Similarly, reports from the Bureau of International Labor Affairs (1996; 1998) remind us that mental and physical violence to victims of child prostitution and child labour is to be seen not only in Asia, the Far East, Central and South America, as popularly imagined, but also in parts of the 'developed' world - Europe, North America and Australia. Physical violence between family members is frequently seen as normal for many societies (Gelles and Straus, 1988). As an example, early in the new Millennium, the British Government took the decision not to make the disciplining of children by physical chastisement - i.e. smacking - illegal.

At national and international levels, then, it can be argued that the cultural legitimacy of violence is reinforced to successive generations of youngsters. This results in confusing



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models and messages for a young person moving through developmental stages and trying to gain a sense of identity and morality, against a complexity of interacting sociological, cultural, psychological and other influences. Studies of violent young people in a range of countries have shown how the oppressed may evolve into the oppressor and the victim and the offender become located in one single, damaged young person (e.g. Boswell, 1995; 1996 in the UK; Widom and White, 1997, in the United States; Wedge, Boswell and Dissel, 2000 in South Africa). Although there are clearly differences which relate to cultural and political variables, these studies show remarkably similar retrospective patterns. I will tell you now about one of them.

In England and Wales, during the 1990s, I undertook a survey of the prevalence of abuse and loss in the lives of one-third of the population of offenders detained under Sections 53 (1) and (2) of the Children and Young Persons Act 1933 (Boswell, 1995,1996). The former group was detained for murder, the latter for other grave crimes; all were sentenced between the ages of 10-17 inclusive. At the time, the population of Section 53s of all ages, including those who had become adult, numbered 615 of whom 584 were male and 31 female (the Department of Health did not monitor ethnic origin during that period); now, largely due to harsher sentencing practices and legal net-widening the number is nearer 2000. Our method was to examine a random sample of 200 centrally-held files, to note down professionally confirmed evidence in them of child abuse and loss and, where this evidence was partial or ambiguous, to interview the offenders themselves about these issues. A total of 72% of respondents was found to have experienced abuse (which we defined according to Government Department guidelines [Home Office et al, 1991]) divided as follows: emotional (28.5%); sexual (29%); physical (40%); organised/ritual (1.5%); combinations of abuses (27%).

A total of 57% had experienced significant loss via bereavement (21%) or cessation of contact, usually with a parent (43%) and, in a small number of cases, both. In only 18 out of 200 cases studied were there no personally reported evidences of abuse and/or loss. In other words, the total number of Section 53 offenders who had experienced one or both phenomena was 91%.

The total number who had experienced both abuse and loss was 35%, suggesting that the presence of a double childhood trauma may be a potent factor in the lives of violent young offenders. Indeed there seems little doubt that child abuse and childhood experience of loss, when no effective opportunity is provided for the child to make sense of these experiences, constitutes unresolved trauma which is likely to manifest itself in some way at a later date. Many children become depressed, disturbed, violent or all three, girls tending to internalise and boys to externalise their responses (American Psychiatric Association, 1994).

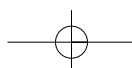
Not untypical of this group is Darren, aged 32 who, when interviewed, had so far served 15 years, 11 of them in adult prisons, for grievous bodily harm and attempted rape, and recounted a childhood which included the loss of his father when he was 3, regular

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beatings from that time by his mother, sexual abuse by his mother's lover, being locked in a dark cellar with rats, and sexual abuse followed by suicide attempts after he was placed in a children's home. George, aged 23 at the time of interview, was sentenced to be detained during Her Majesty's Pleasure for the physical and sexual assault of a woman belonging to a religious group he had joined for support; his attack caused serious and lasting injury. At the time of interview he had served eight years, the last two in an adult prison. His father had died when he was 5, and his stepfather subsequently physically and sexually abused him. His case is not unusual, in that this early abusive and traumatic background had not come to light before his very serious offence, despite professional (and in his case longstanding) involvement with the family. Had abuse been recognised and the child and his family managed differently as a result, it is possible that the long-term outcome not just for George, but for many of these young men, might have been different. This is not to suggest that child abuse or loss are the only potential causes of violent offending, or that every abused child becomes an offender, rather that abuse is sufficiently prevalent among such offenders to be regarded as a key factor which responsible professionals should have in mind as they engage with children and young people, along the dichotomous welfare/justice continuum. Recurringly, research evidence reminds us – as for example the current Edinburgh longitudinal study on youth transitions and crime is doing (Smith and McVie, 2003) – of the seemingly paradoxical but nevertheless close relationship between the offender's own victimisation at some point in their lives, and the offending. This was almost universally true of the small number of young women (12) in our sample. Yule, in a critique of issues and findings relating to childhood abuse points out that 'One reason why professionals did not believe that children were subject to physical or sexual abuse, or suffered from PTSD (post-traumatic stress disorder) was simply that they never asked them!' (Yule, 1993: 165). Yule's view confirmed an earlier study of 105 hospitalised psychiatric patients, which found that 51% of them had been sexually abused in childhood or adolescence, but that in the majority of these cases hospital staff were unaware of the sexual abuse (Craine et al, 1988). Further, only 20% of the abused patients believed that they had received adequate treatment for their abusive experiences. These were trends our research team also observed from interviews and scrutiny of files for the Section 53 study.

In thinking about ways forward for working effectively with these undoubtedly challenging, frequently disturbed and sometimes continuingly dangerous young people, I would first advocate the raising of the age of criminal responsibility to at least that of 14 years so that it becomes commensurate with that of most other European countries, where such youngsters are channelled through the child care system. I would second invoke the United Nations Riyadh Guidelines of 1990 which state:

Deprivation of the liberty of a juvenile should be a disposition of last resort and for the minimum necessary period, and should be limited to exceptional cases (UN, Fundamental Perspective 2, 1990).



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Third, concentrating on what is rather than what might be, I would wish to propose three ways forward for staff who work with violent young people, whether inside or outside prison.

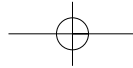
Firstly, staff must be furnished with a firm knowledge base about the importance of childhood trauma, and with the relevant skills to make accurate assessments which lead to appropriate treatment and prevention measures. They need to be furnished with an understanding of the theories of crime and how to link them with effective methods of working to prevent such crime in the future. As the Social Exclusion Unit's recent report, for example, notes in relation to juvenile offenders:

The vast majority of those with diagnosable mental health problems, but who do not require mental health admission, do not receive adequate management and care from custodial or community services (Social Exclusion Unit, 2002: 169).

An important example of such a knowledge base is the growing body of work on post-traumatic stress disorder (Wilson and Raphael, 1993) which confirms that children suffer the after-effects of traumatic stress in the same way as adults. The set of criteria commonly used to establish whether an individual is suffering from post-traumatic stress disorder (PTSD) is set out by the American Psychiatric Association (1994). They must have witnessed or experienced a serious threat to their life or physical well-being. They must re-experience the event in some way. They must persistently avoid stimuli associated with the trauma, or experience a numbing of general responsiveness. Their symptoms must have lasted at least a month. The PTSD criteria have been linked with maladaptive childhood experiences which include subjugation, vulnerability to harm, emotional deprivation, abandonment and loss (Young, 1990) It seems entirely possible that such interactions along the continuum from PTSD to psychological morbidity could manifest themselves in several ways, including violence to self and violence to others. Professionals need to be equipped with the knowledge which will help them recognise these signs and to be provided with the training and resources which will enable them to intervene appropriately before high-risk behaviour becomes entrenched within young adulthood.

Secondly, young people who have been abused and otherwise traumatised need communities which support them by validating rather than ignoring their experiences, making it more acceptable for them to report, describe and discuss these traumatic events, and placing emphasis on prevention, also offering support to parents in difficulty, and providing parenting classes in schools.

Finally, there is a need for full integration of research programmes into the process of policy formulation and effective application in the justice system for young people. As noted in a manual about best practice in relation to youth violence prevention:



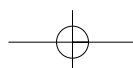
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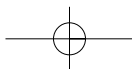
Once we know an intervention is effective we need to share it with other communities so they can prevent youth violence (Thornton et al, 2000: Appx.B).

Such a process should take into account the views of professionals, the public, victims and their families, and the youthful perpetrators themselves, moving society towards a greater sense of collective responsibility in the process. Formal responses to young, violent offenders should, in this way, become much more proactive, confident and accurate in the complex arena which spans child welfare and youth justice, and which frequently finds the victim and the offender located in one single damaged young person.

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