

# **EDITORIAL**

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This is the third and final issue of Volume 6, which has been dedicated to the memory of Professor Brian Williams. The volume has focussed throughout on the topic of social justice, a cause dear to Brian's heart and for which his advocacy and scholarship were renowned. An influential and energetic partner in the development of this journal and much valued friend and colleague, Brian died tragically in a road accident in March 2007.

In the manner of the first issue (BJCJ 6(1)), the articles presented cover a number of policy areas and practice approaches within the field of criminal and community justice. The authors provide authoritative and, on occasions, provocative and challenging accounts of the topics they have chosen. They offer some scholarly analysis and thoughtful reflection on the prospects for promoting or, in some cases, restraining the development of social justice.

In the first article in this volume, Boeck and colleagues rework some of the data gathered in their project within the ESRC's Pathways in and out of Crime research network. Through the lens of the concept 'social capital' they relate findings on features of 'resilience' to criminal behaviour, to ideas about how young people may be actively assisted to negotiate key life transitions, facilitating their desistance from crime. They emphasise the importance of the concept of the 'agentic' individual, in other words, a positive view of our youth as people capable of exercising choices and shaping their futures.

Denis Bracken, in a Canadian contribution, takes the medical disorder, foetal alcohol syndrome, as a case example in which to examine discrimination within the Canadian criminal justice system against Aboriginal people. Bracken carefully examines the evidence. He argues that one cannot assume that foetal alcohol syndrome, as a link to problem drinking in adulthood, is a major contributing factor to Aboriginal peoples' over-involvement with the criminal justice system, a common view based on stereotypes of the "drunken Indian". Rather the relationship between the syndrome and the incarceration of Aboriginal people, is connected to discrimination, economic marginalisation and broader health and social development issues, which may also have alcohol dimensions.

Drawing on evidence from her study of murder investigations, Sheila Brown examines the social and welfare consequences of the police inquiry. She describes how a legal-scientific model of responding to murder, drives the investigation. This approach, she argues, excludes a broader perspective on murder victimization with the result that the complex and distressing effects of the murder inquiry itself on those bereaved by the homicide are neglected. Third Sector organizations are not in a position to take on responsibility. In a particularly pertinent section, she examines the contradictory nature of the role of the police Family Liaison Officer. Brown shows not only how victims' real needs may not be

met but also the danger of misuse of a relationship in which, in sensitive and highly emotional circumstances, understanding of the ground-rules may well differ.

From the perspective of an academic lawyer, Ian Edwards carefully evaluates two discourses to be found within the notion of 'shaming': degrading shaming, popularly described as "naming and shaming" and the alternative, constructive or reintegrative shaming. He argues that they are mutually exclusive. Edwards considers how the Government has made use of each, creating ambiguity through political expediency, and how wider community-based justice initiatives are endangered by conflating the two approaches. While no panacea, restorative justice should be preferred as offering the more constructive discourse and practice framework for the shaming process.

Carolyn Hoyle and Stephen Noguera critically evaluate the role of parents as supporters of young offenders during restorative proceedings and consider their suitability to play the formal role of Appropriate Adult. It is a timely entry into the very contemporary debate about the rights of children vis a vis their parents. Hoyle and Noguera, drawing upon some vivid interview data, show how parents feel ashamed, embarrassed and as if they themselves are on trial and may react in ways that are authoritarian and punitive. Importantly, these feelings and reactions can undermine the very purpose of an Appropriate Adult presence and, more widely, frustrate the viability or success of a restorative response.

The final article, by Philip Whitehead, considers the impact and significance of the different formats by which Probation Officers prepare and present Pre-Sentence Reports to the courts. The trend is towards briefer formats which can be produced more speedily. Whitehead contends that increasing the usage of briefer layouts could have profound implications for delivering criminal and social justice. He considers the ideological, political and economic factors which are pushing towards these outcomes.

At the end of these three issues and some 21 articles, what have we learned about social justice as a concept and what lessons can be deduced for policy makers and practitioners?

Social justice is described by Jan Fook (2002, p.vi) as, reflexively, a concern about social disadvantage and those who experience it and a commitment to social reform and change. In terms of practical outcomes, she asks, "how do our ideals and theories assist us in the everyday practices and settings which are, and often seem, beyond our control?" In a new book on research for social justice, Beth Humphries (2008, p25) goes some way towards answering this question. Citing the work of Craig (2002), she presents a two-fold approach to the promotion of social justice. Besides attention to political and structural issues which reside in the public domain, she demands processes which are truly person-focussed, incorporating and promoting diversity, dignity and participation as key values. Humphries sets out three key standards:

- Evidence: demonstrating the reality of injustice in people's lives.
- Voice: facilitating the right of people on the margins to be heard.
- Participation: working alongside excluded and deprived people and promoting their involvement.

With these standards in mind, the acid test for this collection is whether it has taught us more about the contexts, nature and causes of disadvantage within criminal justice? What can we find about policies and approaches to address these problems and improve the experiences and status of those who experience them?

Our contributors have taken us, often vividly, into a wide variety of settings, all penetrated to some degree by the criminal justice apparatus, in the UK, Europe and beyond, in which social disadvantage and structural inequity are manifest. In broad terms they range from custodial to community settings, apply to adults and young people and have aspects which embrace the dimensions ethnicity, gender and the myriad of other means through which Justice and, in turn, injustice are mediated. They cover formal judicial processes as well as penal and quasi penal responses. The interfaces with social welfare are distinguished and explored.

Topics are not confined within national boundaries. The second issue (BJCJ 6(2)) was devoted to a collection of articles on restorative justice compiled by the multinational membership of the European Union's COST A21 research network. Here we saw that, while there are often similarities in targeted outcomes, also there are distinctive approaches and definitions of success related to particular cultures and legal and policy frameworks. We viewed different value positions on crime and ways of responding to it. Also, we saw how differences in research orientation were reflected in, and had an influence on, national ideas about ways of dealing with crime and victims.

Threading through the majority of papers in all three issues, we can see the dehumanising, demoralising and diminishing consequences of policies and practices which view and treat people as different and, in various ways, outside the mainstream. We learn about processes which sometimes contravene their rights but invariably violate their dignity. People are stereotyped and distanced, often in the name of meeting wider justice goals and the effective functioning of its apparatus, but also, on occasion, in the cause of well intentioned and benevolent welfare objectives. And, it matters not where they stand in system of Justice: offender or victim, adult or child, in court or outside, in custody or in the community. While we may not have been confronted in this volume with the stark excesses of torture nor the extraordinary arbitrary exercise of power, we see frequently how the relationship of formal justice, as exercised, and the maintenance of human rights is contradictory and uncomfortable.

As stated in my editorial for the first issue, this volume sought to make a contribution, first of all worthy of Brian - one with which he would have been happy to be associated - and one which would add richness and texture to thinking about and conceptualisation of

social justice. With hindsight, the latter objective now seems to be rather formal and sterile and, on review, to understate the potential impact and significance of what has written. Returning to Fook's and Humphries' thoughts on social justice, what runs through the various articles are convincing and scholarly expositions of the wide-ranging structural and personal dimensions of inequity and injustice and a resounding call to take up the equally broad political and human challenges required to promote social justice.

Reviewing this volume in the light of Humphries' three standards, I feel confident that our authors have made significant contributions to the pool of evidence on social justice: to understandings of the concept and to strategies for action. By description or direct report we have heard the voices of many diverse participants in the justice system, commanding attention to the issues and arguments presented.

At some point in these articles each one of us will find issues that relate to our own life-worlds. It would be foolhardy to imagine that inequity and injustice are a problem of others, the excluded and disadvantaged. Social justice demands participation in a common campaign for human rights, personal dignity and greater fairness in access to services and resources. Current times of 'credit crunch' and economic downturn make this particularly pressing and challenging. The pursuit of social justice becomes even more timely and necessary as the threat of inequity and injustice is magnified and, probably, widened. I believe that the contributions to this volume can provide materials and inspiration to those committed to take up this challenge.

## **References**

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- Fook, J. (2002) *Social Work: Critical Theory and Practice*. London: Sage.
- Humphries, B. (2008) *Social Work Research for Social Justice*, Basingstoke: Palgrave Macmillan.