

The Comparative Youth Penalty Project



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Project Newsletter November 2015

The Comparative Youth Penalty Project (CYPP) is an ARC Discovery Project led by Professor Chris Cunneen, Professor Eileen Baldry, Emeritus Professor David Brown, Melanie Schwartz and Professor Barry Goldson (University of Liverpool).

The CYPP is an international comparative study of youth punishment in Australia (focusing on NSW, Victoria, Queensland and WA) and in England and Wales. The project aims to analyse developments in the punishment of children and young people over the last 30 years. This is the first in-depth analysis of Australian youth penalty and the first comparative study of youth punishment across these jurisdictions.

The Project seeks to answer the following questions:

- What are the defining features of contemporary juvenile justice penalty?
- How has youth penalty changed since the early 1980s across the jurisdictions that are the subject of this project?
- How have changing approaches to youth penalty impacted upon particular social groups, including racial minorities, Indigenous youth, young women, and young people with mental and cognitive disabilities?
- What, if any, jurisdictional differences are to be found in discourses on community safety, the nature of childhood and youth (including child welfare and protection), the appropriateness of rehabilitation and the character of punishment practices for youth?
- How has the development of a human rights framework impacted on penal law, policy and practice as applied to youth? What impact, if any, has a children's rights framework had on differentiating youth justice from adult penal systems?

This newsletter provides stakeholders with an update on the progress of the CYPP. It also lists some of the latest news and research in the field of youth penalty. For more information please visit our [website](#) or contact CYPP Research Associate, [Sophie Russell](#).

CYPP News

Interviews

During September, three members of the Western Australian judiciary were interviewed, as well as five young people from the Northern Territory who have spent time in custody. All CYPP project interviews have now been completed.

Juvenile Justice Workshop in Vietnam

In October, Professor Chris Cunneen travelled to Vietnam to participate in a number of international workshops focused on juvenile justice. The workshops were presented as part of the 'Vietnam-Australia Human Rights Technical Cooperation Program' organised by the Australian Human Rights Commission in Ho Chi Minh City, Nha Trang and Ha long.

Conference Presentations

On 11 September, Professor Chris Cunneen presented a paper titled: 'Surveillance, Stigma, Removal: Indigenous Child Welfare and Juvenile Justice in the Age of Neoliberalism' at the [Indigenous Children's Well-Being in the Neo-Liberal Age Symposium](#), held at the University of Technology, Sydney.

On 23 September, Professor Barry Goldson presented the opening keynote address at [The Age of Criminal Responsibility \(ACR\) Conference](#) hosted by Northumbria University in partnership with the University of Sydney. Barry's presentation was entitled: 'Beyond questions of "criminal capacity": five reasons for raising the minimum age of criminal responsibility'.

Professor Barry Goldson is scheduled to present a keynote paper titled: 'Why are children imprisoned and why do child prison populations vary over place and time?' at a 'Making Research Count' event: [The Controversies of Child Imprisonment: Messages from Research](#) at Salford University on December 10 2015.

UNSW Justice Reinvestment Event

On 12 October, the University of New South Wales held a [Criminologists in Conversation](#) event with Aboriginal and Torres Strait Islander Social Justice Commissioner Mick Gooda, and CYPP Chief Investigators Professor Chris Cunneen and Melanie Schwartz as panel discussants. The event

discussed the value of justice targets and a justice reinvestment approach to the overrepresentation of Aboriginal and Torres Strait Islander people in adult and juvenile criminal justice systems across Australia.

IAMHDCD Project Report Published

In early November, CYPP Chief Investigator Eileen Baldry, along with Ruth McCausland, Leanne Dowse and Elizabeth McEntyre published the report of the *Indigenous Australians with Mental Health Disorders and Cognitive Disabilities in the Criminal Justice System* (IAMHDCD) Project: [A Predictable and Preventable Path: Aboriginal people with mental and cognitive disabilities in the criminal justice system](#). The study found that Aboriginal and Torres Strait Islander peoples with mental and cognitive disabilities are significantly over-represented in Australian criminal justice systems. The study also found that Indigenous people with mental health disorders and cognitive disabilities are 2.2 times more likely to be Juvenile Justice clients compared to their non-Indigenous counterparts.

News (Australia & UK)

Australia

[Boot camps to close across Queensland](#), Amy Remeikis, *Brisbane Times*, 20 August 2015.

[Briggs, rapper and role model for incarcerated Indigenous Youth](#), Fred McConnell, *The Guardian*, 10 September 2015

[Teenage detainees hooded, gassed in Northern Territory adult prison](#), Kate Wild and Katherine Gregory, *ABC*, 18 September 2015

[Northern Territory youth justice system risks breaching human rights, UN told](#), Helen Davidson, *The Guardian*, 21 September 2015

[WA Chief Justice Wayne Martin fears language barriers putting innocent people behind bars](#), Courtney Bembridge, *ABC*, 27 September 2015.

[Law Council calls for urgent action over report into Don Dale youth detention in Darwin](#), Natasha Robinson, *ABC*, 9 October 2015.

[Young offenders must be screened for fetal alcohol spectrum disorders before sentencing](#), Elizabeth Elliott, *The Conversation*, 13 October 2015.

[Youth detention centres need immediate reform, says NT children's commissioner](#), Malarndirri McCarthy, *NITV*, 16 October 2015.

[Young Indigenous imprisonment in NT: 'You wouldn't believe it in a modern-day society'](#), Helen Davidson, *The Guardian*, 22 October 2015

[Calls to raise criminal age of responsibility to 12 years old](#), Rachael Brown, *ABC Radio AM*, 24 October 2015.

[Screening for Fetal Alcohol Spectrum Disorder could impact level of youth crime](#), experts say, Katherine Gregory, *ABC*, 26 October 2015

[Why Aboriginal people with disabilities crowd Australia's prisons](#), Eileen Baldry, Elizabeth McEntyre and Ruth McCausland, *The Conversation*, 2 November 2015.

[Indigenous imprisonment: money is better spent on prevention, expert says](#), Shalailah Medhora, *The Guardian*, 3 November 2015.

[Aboriginal people with disabilities get caught in a spiral of over-policing](#), Ruth McCausland, Eileen Baldry and Elizabeth McEntyre, *The Conversation*, 4 November 2015.

[Indigenous prisoners and FASD](#), Damien Carrick, *ABC Radio National*, 10 November 2015.

UK

[Three mentally ill children locked in cells every week](#), Fiona Hamilton, *The Times*, August 25 2015

[Boost for G4S as it wins UK secure training centre contract](#), *Reuters News*, 4 September 2015.

[Council chiefs agree to hand their youth offending service to the police and crime commissioner](#), Tom Edwards, *Worcester News*, 19 October 2015.

[Replace child prisons with small units](#), report says, *BBC*, 22 October 2015.

[£250K to help keep teens out of trouble in Hull](#), *Hull Daily Mail*, 10 November 2015.

Research

Blake, M; Liddell, M and Singh, S 2015 '[Artifacts, Identity and Youth: A Cultural Intervention with Pacific Islander Young People who Offend in Western Sydney, Australia](#)', *Curator: The Museum Journal*, 58(3), 313.

Case, S 2015 [Children First, Offenders Second: The Centrality of Engagement in Positive Youth Justice](#), *The Howard Journal of Criminal Justice*, 54(2), 157.

Crofts, T 2015 [A Brighter Tomorrow: Raise the Age of Criminal Responsibility](#), *Current Issues in Criminal Justice*, 27(1), 123.

Dadich, A; Stout, B and Hosseinzadeh, H 2015 ['Reacting to and managing change within Juvenile Justice'](#), *Journal of Organisational Change Management*, 28(2).

Farrington, D and Koegl, C 2015 ['Monetary Benefits and Costs of the Stop Now and Plan Program for Boys aged 6 – 11, Based on the Prevention of Later Offending'](#), *Journal of Quantitative Criminology*, 31(2), 263.

Fox, D 2015 ['Law and order conservatism and youth justice: outcomes and effects in Canada and England and Wales'](#), *British Journal of Community Justice*, 13(2), 79.

Halsey, M and Deegan, S 2015 ['Young Offenders: Crime, Prison and Struggles for Desistance'](#). Palgrave Macmillan: United Kingdom.

Haysom, L et al 2015 ['Oral health and risk factors for dental disease of Australian young people in custody'](#), *Journal of Paediatrics and Child Health*, 51(5), 545.

Hutchinson, T 2015 ['A slap on the wrist'? The conservative agenda in Queensland, Australia](#), *Youth Justice*, 15(2), 134.

Peto, LM et al 2015 ['Community-based forensic child and adolescent mental health services in England, Scotland and Wales: a national mapping exercise'](#), *The Journal of Forensic Psychiatry and Psychology*, 26(3).

Lanksey, C 2015 ['Up or down and out? A systematic analysis of young people's educational pathways in the youth justice system in England and Wales'](#), *International Journal of Inclusive Education*, 19(6).

Events

The **2015 ANZSOC Conference** is being held in Adelaide from Wednesday 25 – Friday 27 November. The topic for this year's conference is "Security and Rule of Law: The changing face of criminal justice". For more information about the conference, or to register, please visit the [ANZSOC website](#).