

LAW AND ORDER CONSERVATISM AND YOUTH JUSTICE: OUTCOMES AND EFFECTS IN CANADA AND ENGLAND AND WALES

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Abstract

This paper explores how underlying law and order conservatism has shaped and defined youth justice policy in England and Wales and Canada. We argue that cultural and political influences affected implementation in ways which were initially unforeseen and therefore unconsidered.

Our focus is twofold, on the intentions that drove the policy and practice changes and subsequently, on the negative consequences that emerged during implementation. We explore these with regard to the application of discretion and the paper considers the complexity of discretion and how neither, reducing or increasing it has led to simple or obviously predictable patterns. In addition, we apply Thompson's (2006) model of Anti-Opressive Practice to consider how policies that were not intended to be oppressive and which were evidence based and informed by research and the policy community moved towards a law and order agenda.

Keywords

Youth offending; Youth Justice Systems; Law and Order; unintended consequences.