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# Youth Crime, the 'Parenting Deficit' and State Intervention: A Contextual Critique

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## Abstract

On 1 June 2000 a new court order was implemented in England and Wales. The Parenting Order provided for the extension of state intervention (primarily through youth justice agencies) into 'family life'. We have recently completed research with regard to youth justice parenting initiatives, and during the course of our research, our interest in, and concern with, the broader question of 'parenting', 'parental responsibility' and the 'parenting deficit' consolidated. This article sets out our principal concerns by locating the new statutory powers within their wider context. By tracing their historical antecedents, theoretical foundations and policy expressions we aim to critique the latest developments in state intervention. Similarly, by analysing the material circumstances of the parents who are targeted by such intervention, and reviewing the means by which children, young people and parents conceive such intervention, we argue that the new powers essentially comprise an extension of punitiveness underpinned by stigmatising and pathologising constructions of working class families.

## Introduction

We have recently completed two evaluative research studies of parenting projects in the North West of England. Each of the projects was introduced and developed by Youth Offending Teams, and each was supported by grants from the 'Development Fund' administered by the Youth Justice Board for England and Wales. In total 42 parenting projects were similarly established across England and Wales, 36 of which have also been 'subjected to evaluation' (Ghate et al., 2001). Our research, in tandem with the other evaluations, extended over a period of two years (April 2000–March 2002) and our final reports have been submitted to the Policy Research Bureau, an independent social research organisation based in London. The Youth Justice Board for England and Wales commissioned the Policy Research Bureau to co-ordinate the 36 localised evaluative research projects, to aggregate the data, to compile national datasets, and to draw together the findings within a meta-analytic framework. Given that the Policy Research Bureau's national evaluation report is due to be published by the Youth Justice Board in 2002, it is not our intention to detail our localised findings here, although we will be referring to some of the qualitative results later. Rather it is our objective in this paper to address a range of conceptual concerns that have exercised us throughout the process of our empirical inquiry.

Taken together, the new parenting projects comprise a significant expansion of state intervention into 'family life' and we have been troubled by this in a number of respects. Our principal anxiety is probably rooted in the underpinning rationale for such interventionist expansion, predicated as it is upon a construction of 'parenting deficit' necessitating the intervention of youth (criminal) justice agencies. Although some of our concerns have been expressed elsewhere (Goldson, 2000; Jamieson, 2001; Jamieson, 2001a; Jamieson, 2002), this paper comprises the first published account of them. It aims to set out such concern by situating the 'new wave' of parenting projects within their broader historical, theoretical, policy,

material and applied contexts. Inevitably the discussion is inexhaustive, but we hope that it might assist (even encourage) youth justice policy-analysts, managers and practitioners to take account of the ‘bigger picture’ in comprehending a significant policy and practice component of the increasingly interventionist (and punitive) tendencies ushered in by the ‘new youth justice’ (Goldson, 2000a).

## Historical Context

Like much of the ‘new youth justice’, the contemporary emphasis on parenting is not desperately ‘new’ at all. Indeed, the notion that ‘the family’ is in ‘crisis’, and/or that parents are ‘failing’, comprises a ‘cyclical phenomenon with a very long history’ (Day-Sclater and Piper, 2000: 135), and the ‘parenting theme’ (Gelsthorpe, 1999) has enjoyed, and continues to enjoy, a certain prominence within debates surrounding youth crime and youth justice. Indeed, the ‘improper conduct of parents’ was identified as one of the ‘principal causes’ of ‘juvenile delinquency’ by the first public inquiry into youth crime in the early part of the nineteenth century:

*The first circumstances, which are allowed to operate in the formation of character, flow from the exercise, or neglect, of parental authority . . . It is apprehended that, in the many cases which have come before this Society, the number of boys is very small, whose original tendencies to do wrong have not sprung from the **improper conduct of parents**. Trifling faults punished with disproportionate severity – undue indulgence, in permitting their children to be absent from school – allowing them to attend fairs, and other places of indiscriminate resort – these are often the result of weakness, rather than design. But . . . the **errors of parents** have done much to encourage the criminal propensities of their children . . . and have in great measure, produced that laxity of morals, which has rendered a considerable number of parents regardless of the welfare of their children.*

(Committee for Investigating the Causes of the Alarming Increase of Juvenile Delinquency in the Metropolis, 1816: paras. 11–12, our emphasis).

Therefore, the Committee had little hesitation in proclaiming that ‘neglect of parental authority’, ‘improper conduct’, ‘disproportionate severity’, ‘undue indulgence’, ‘permitting absence from school’, ‘weakness’, ‘laxity of morals’ and other ‘parenting deficits’ combined to ‘cause delinquency’. Moreover, this particular inflection of aetiological discourse consolidated throughout the nineteenth century and beyond, and it accumulated an increasingly ‘scientific’ gloss with the passage of time.<sup>1</sup> So it was, that by the 1850s a Parliamentary Select Committee on ‘Criminal and Destitute Juveniles’ reported that no parent should be allowed to bring up a child ‘in such a way as to almost secure his (sic) becoming a criminal’ (cited in May, 1973: 111). Furthermore, Mary Carpenter, an extraordinarily influential and energetic figure at the time, defined a threefold classification of ‘delinquency’ within which the causal purchase of ‘inadequate’ parenting was unequivocally stated:

*The first class consists of daring, hardened young offenders, who are already outlaws from society . . . We need hardly ask what has been their previous history; it is certain that they have had an **undisciplined childhood**, over which no moral or religious influence has been shed. . . The second class is, if possible, more dangerous to society than the first. . . these are youths who are regularly **trained by their parents** or others in courses of professional dishonesty . . . A third class, and perhaps a still more numerous one, consists of children who are not as hardened or daring as the first, or as trained in crime as the second,*

<sup>1</sup> It is quite remarkable how the precise detail of such discourse has not only endured for almost two hundred years, but in many key respects it continues to be expressed through some of the most recent (and influential) research literature, see for example: Farrington, 1996; Farrington and Welsh, 1999; Utting et al. 1993; Utting, 1997.

*but who, from the **culpable neglect of their parents**, and an entire want of all religious and moral influence at home, have gradually acquired, while quite young, habits of petty thieving, which are connived at, rather than punished, by their parents.*

(Carpenter, 1853: 23, our emphasis).

The developing agenda – invariably informed by constructions of (ir)responsibility, (im)morality and (in)discipline – was one in which the legitimacy of state intervention in respect of ‘malfunctioning’ or ‘dysfunctional’ families was increasingly expressed. Equally, it was not simply the principle of state intervention that emerged, but also the question of sanction and punishment:

*This marked the start of the state's promotion of desired family life and intervention to enforce it. In England, for example, in the 1870s and 1880s, various Acts of Parliament required parents to carry out certain parental duties by the **threat of a penalty** or even the loss of the child if they failed.*

(Morris and Giller, 1987: 22, our emphasis).

Indeed, ‘the family’ loomed large within the Victorians obsessive interest in discovering the basis of social order (Donajgrodzki, 1977), and they left a legacy which was sustained and further developed into the early decades of the twentieth century. It was at this point in time that ‘delinquency’ discourse began to claim the scientific legitimacy to which we referred earlier, as the 1920s witnessed a resurgence of interest in children and crime not least among academic psychologists. Although the crime rate had decreased during the war years (1914–1918) it had started to rise in the 1920s during the period of ‘Great Depression’. However, despite the likely relation binding widespread poverty and crime (a point to which we shall return), the conceptual emphasis was placed at the micro level of parent-child relations and individual personality. Medico-psychological perspectives became very influential, within which the work of Cyril Burt exercised particular purchase. Burt (1925) characterised the family backgrounds of ‘delinquents’ in terms of ‘defective family relationships’ and ‘defective discipline’, and he argued that parents were primarily responsible for the offending conduct of their children. Such reasoning was also expressed through influential government committees and, in turn, it had a major impact on law and policy. Perhaps most significantly, a Home Office Departmental Committee on the Treatment of Young Offenders (the Molony Committee) was established in January 1925, and many of its recommendations formed the basis of the Children and Young Persons Act 1933. The 1933 Act comprised an important youth justice policy milestone in several respects (for a more detailed discussion see Goldson, 2002), but for the purposes here, suffice to note that it had the effect of making the courtroom ‘a site for adjudicating on matters of family socialisation and parental behaviour’ (Muncie, 1984: 45).

Almost twenty years later and developments in law, policy and practice (during the post-war period of reconstruction and widespread welfare reform) were similarly informed by psychological/psychoanalytic research and the associated recommendations of government committees. The work of John Bowlby was particularly influential at this time. Bowlby (1944) initially concluded, informed by his (in)famous study of ‘forty four juvenile thieves’, that ‘maternal deprivation’ led to the development of ‘affectionless characters’ with a propensity to commit criminal offences in later years. Having developed his thesis further, Bowlby (1965) was later to claim that ‘maternal deprivation. . . stands foremost among the causes of delinquent character development’. Armed with such ‘scientific evidence’ the Home Office was pressed to undertake a review of juvenile justice law, policy and practice, and accordingly in 1956 – during an extended term of Conservative Government (1951–1964) – it established a departmental committee (the Ingleby Committee) to address the key issues that were being raised. In turn, the Ingleby Report, which was presented in 1960, had a significant impact upon

the Children and Young Persons Acts of 1963 and 1969 by which time the problem of 'delinquency' had very clearly become synonymous with the 'problem family' (Clarke, 1980). By emphasising four principal points we shall conclude our schematic overview of the historical antecedents to the 'new wave' of parenting projects.

First, across history the analytical gaze with regard to the parenting – juvenile crime relation has almost exclusively focused upon 'parenting deficit' derived in a pathological construction of working class families. Second, parental responsibility and individual agency has consistently been emphasised, whilst the significance of structural conditions (principally poverty and inequality) has largely been neglected. In this sense 'morality' is abstracted from its material context, or to put it another way: 'the remedy of social problems [is seen to lie] primarily in personal rejuvenation rather than in the more politically radical solution of changing fundamental aspects of the social structure' (Morris and Giller, 1987: 20). Third, although the primary emphasis of official discourse has alternated between benign 'welfare' and punitive 'justice' imperatives, in their totality they have served to legitimise increasing forms of state intervention into 'family life' which are implicitly or explicitly coercive, and which are underscored by penalties to be visited upon those parents who are regarded as being uncooperative, and/or those who are adjudged to have 'failed'. Fourth, such observations are not consigned to history and they continue to apply to the most contemporary policy and practice developments with regard to parenting in the youth justice context.

We shall re-engage with this fourth point shortly, but for now the principal theoretical constructions which have served to sustain the notion of the 'parenting deficit', to nourish policy developments, and to legitimise the interventionist expressions of state agencies in more recent times will be briefly considered.

## Theoretical Context

A broad comprehension of the theoretical constructions underpinning the political priorities of the 'New Right' and, more recently 'New Labour', is crucial to any analysis of policy responses to parenting within the youth justice realm.

Muncie (1999: 137) has observed that 'the term "new right" escapes easy definition' but, along with Tame (1991), he argues that despite its multi-faceted theoretical nature (derived in a 'number of schools of thought') it ultimately rests upon the concepts of individual freedom and self responsibility. The criminological focus of the New Right is almost exclusively concerned with working class crime which is analysed in a 'dematerialised and decontextualised' form, separating it from critical questions of political economy, ignoring the primary concept of social justice, and emphasising the imperatives of control (see Goldson, 1997). More specifically, with regard to family-parenting-crime relations such theoretical constructions emphasise 'pathological' family forms (especially 'fatherless families') and are underpinned by antagonistic responses to universal welfare and state support. Such critique invariably identifies the 'permissive' mood of the 1960s and the early 1970s as triggering a subsequent wave of failure, irresponsibility and immorality:

*The decline of family life, the lowering of standards in schools, the 'permissive' worm within, the irresponsibility of working mothers and their delinquent 'latch-key' children, the excessive leniency of the law, and the unwarranted interference of 'softly-softly, namby-pamby pussyfooting' of the 'so-called experts' – these were well trodden avenues of complaint by 'law-and-order' enthusiasts and 'anti-permissive' moralists, warning of a vast degeneration among the British people.*

(Pearson, 1983: 4).

Indeed, it was Margaret Thatcher who called for a return to 'Victorian values' in order to re-establish a sense of 'discipline', 'decency', 'morality' and 'responsibility', and reverse the tide

of 'family disintegration' (Dennis, 1993). As Brake and Hale (1992: 2–3) have argued: 'the conservative government was setting its agenda around law and order, welfare, shiftlessness, and immorality. It intended to move social responsibility back to the individual and morality back to the family' (also see Coppock, 1997).

The theoretical vanguard of New Right thinking popularised the specious and deeply problematic concept of the 'underclass', and its principal champion was the American social scientist Charles Murray (1984; 1990; 1994). Murray staunchly criticised state welfare arguing that it undermined individual responsibility and encouraged fecklessness. In particular he contended that social security and state benefits enabled young mothers to become financially independent of the fathers of their children. For Murray, it is not manifest inequality, widening and deepening forms of social polarisation, entrenched poverty, and multiple expressions of injustice, but 'fatherless' – and thus undisciplined – families that comprise the principal 'cause' of crime and social disorder. Murray's theorisation was also adopted and applied in the UK, and Dennis and Erdos (1992) proposed that it was simply a matter of 'common-sense' that crime in general, and juvenile crime in particular, was the inevitable by-product of the disintegration of the 'family'. Parents who evaded their responsibilities, produced and (literally) reproduced immorality. The conceptual continuities across time are remarkable: the perceived failings of the late twentieth century 'underclass' resonate with the 'moral weakness' attributed to their nineteenth century forebears, the 'perishing' and 'dangerous' classes, the 'social outcasts'.

Ultimately such conceptual continuities can also be detected, albeit in a nuanced form, within New Labour's theoretical foundations, particularly its attachment to communitarianism. Here too the question of responsibility and moral obligation is not only central, but it is frequently expressed through a 'rallying call for a return to the "traditional family" as the means to prevent social ills, including crime' (Hughes, 1998: 109). Such theorisation has primarily been developed and popularised by the sociologist Amitai Etzioni (1994; 1995; 1997), who argues that communitarians aim to 'restore civic virtues' and expect 'people to live up to their responsibilities...and shore up the moral foundations of society' (Etzioni, 1995: ix). Indeed, the theoretical priorities of communitarianism are central to the New Labour project, and Tony Blair himself has been consistently keen to apply their self-evident simplicity and populist appeal (for a more detailed discussion see Lavalette and Mooney, 1999).

We are not arguing that there is no distinction to be made between the theoretical foundations of the New Right (informed by Murray's conceptualisation of the 'underclass'), and those of New Labour (rooted in Etzioni's 'communitarianism'). Indeed, such an argument would be tenuous. Notwithstanding this, (and excusing the inevitable over-simplification of theoretical detail), we are contending that the theoretical basis of the New Right and New Labour – to borrow a term originally coined by Alvin Gouldner (1971) – share certain 'domain assumptions'. The commonality of such 'assumptions', and the policy continuities that stem from them, are most conspicuous in respect of conceptualising the aetiology of juvenile crime and locating it alongside a skewed notion of the 'parenting deficit'. Indeed, it is here that the constructs of parental responsibility, moral obligation and civic duty are particularly significant. Furthermore, it is at this very juncture that the material and structural contexts within which parenting and 'family life' is situated are peripheralised. It is this way of 'seeing' that led Margaret Thatcher (a New Right protagonist of undeniable conviction and the UK Government's Conservative Prime Minister at the time of speaking) to claim that 'there is no such thing as society':

*There are individual men and women, and there are families . . . It's our **duty** to look after ourselves . . . People have got entitlements too much in mind, without the **obligations**. There is no such thing as entitlement unless someone first has an **obligation**.*

(Thatcher cited in Lund, 1999: 449, our emphasis).

Similarly, although Jack Straw (speaking as New Labour's Shadow Home Secretary some ten years later) was at least able to detect the existence and significance of 'society', it was a society in which 'duty' and 'responsibility' were uppermost:

*But let us not delude ourselves that we can build a society fit for our children to grow up in without making a **moral judgement** about the nature of that society . . . Any decent society is founded on **duty** [and] **responsibility**.*

(Straw quoted in *The Guardian*, 15 October: 2, our emphasis).

In the final analysis the abstract notions of morality, duty and responsibility which have been applied to (working class) parents and families throughout modern history, comprise key theoretical cornerstones which are common to the New Right and to New Labour. Indeed, such historical constancy and theoretical commonality is particularly evident when it comes to contemporary policy responses to parents within the youth justice system.

## Policy Context

*You can argue forever about the causes of crime. My approach is based on some simple principles. That children – at home and at school – must be taught the difference between right and wrong.*

(Michael Howard, Conservative Home Secretary, October 1993, cited in Goldson, 1999: 10).

*We will uphold family life as the most secure means of bringing up our children. Families are the core of our society. They should teach right from wrong. They should be the first defence against anti-social behaviour.*

(Tony Blair, New Labour Leader, April 1997, cited in Goldson, 1999: 10).

*When 'family' is discursively constructed anew in relation to a new set of 'social problems' . . . it can assuage both individual and social anxieties by elevating an ideal, whilst simultaneously relegating 'deviant' forms to an underbelly of 'otherness' that is maligned and denigrated.*

(Day-Sclater and Piper, 2000: 135).

Although a preoccupation with 'the family' and parenting has a substantial historical antecedent, its more specific characterisation within contemporary youth justice policy has assumed a distinctively punitive edge. 'What has changed', according to Drakeford and McCarthy (2000: 96), 'is the extent to which the tone of legislation has been dominated by the state's willingness to insist and punish, rather than advise and ameliorate'. Indeed, in many respects whilst residual vestiges of family support and welfare are still partially evident, they have largely been displaced by a responsibilising (even recriminatory) discourse. In other words, the emphasis has shifted from notions of the 'failing' and 'inadequate' parent, to constructions of the 'wilful', collusive and even deliberately recalcitrant. The fractious co-terminosity of support and punishment, with the latter ultimately ascendant, is expressed through the concept of 'parental responsibility', a central feature of recent policy development and statutory provision through which the 'parenting deficit' is effectively criminalised.

Parental responsibility was a recurrent policy theme in each and all of the Conservative administrations between 1979 and 1997. Referring to the first such administration Drakeford has noted that:

*Its earliest significant piece of legislation in the juvenile justice field, the 1982 Criminal Justice Act, introduced new measures, such as the controversial Section 20 night restriction order which were said, in the preceding White Paper, 'Young Offenders', to be useful to 'reinforce parental authority', in the control of adolescent family members.*

(Drakeford, 1996: 244).

Moreover, it was the 1990 White Paper 'Crime, Justice and Protecting the Public' which not only placed further emphasis on parenting, but also re-introduced the question of sanction for those who 'failed' to exercise due 'responsibility':

*Crime prevention begins at home. Parents have the most powerful influence on their children's development, from their children's earliest years, parents can and **should** help them develop as responsible, law abiding citizens. . . The Government considers the **imposition** on the parents of a formal requirement to **pay** [fines] has an important effect. It brings home to them the reality of the consequences of their children's behaviour and the implications for their own actions . . . [Further the] power [to bind over] . . . could play an important part in ensuring that parents do all they can do to stop their children re-offending. The knowledge that they may **forfeit up to £1,000** if they **fail** to meet the terms of the recognisance would be a strong incentive to improve the supervision of their children.*

(Home Office, 1990, our emphasis).

Such provisions were included in the Criminal Justice Act 1991, and the Criminal Justice and Public Order Act 1994 extended the same powers to require parents to ensure their child's compliance with community sentences (for a fuller discussion see Drakeford, 1996; Drakeford and McCarthy, 2000; Penal Affairs Consortium, 1995). However, the 'finger pointing' at parents, intrinsic to Conservative (New Right) policy development through the 1980s and early 1990s, assumed a more rigorous and more explicit 'finger wagging' upon the election of New Labour in 1997 (Gelsthorpe, 1999: 20).

In actual fact all of the signs of a proposed 'clamp down' on parents were in evidence before the election of the first New Labour government. For example, in one of its definitive pre-election publications the Home Secretary in waiting, Jack Straw, claimed that 'too often parents are not made to face up to their responsibilities' (Straw and Michael, 1996). If there was any lingering doubt of New Labour intent however, it soon evaporated after the general election itself, and Straw had little hesitation in using the media to express his growing mood of impatience: 'What I am trying to break is the excuse culture that has developed . . . none of us should evade our responsibilities for our children. You have got to get parents to accept their responsibilities. The earlier you get to these parents and their children the better' (*The Guardian*, 26.09.97). Furthermore, in September 1997, when the New Labour government published a series of 'consultation documents', its plans to provide the courts with extended powers to punish parents who 'wilfully neglect their parental responsibilities' (Home Office, 1997a: 5) were unveiled in the form of a new Parenting Order. Indeed, Sections 8–10 of the Crime and Disorder Act 1998 provided:

*. . . the courts with a new court disposal . . . The order is designed to **help** and **support** parents or guardians in addressing their child's anti-social or offending behaviour. It will be available in criminal, civil and family proceedings courts . . . the parenting order can consist of two elements: a **requirement** on the parent or guardian to attend counselling or guidance sessions . . . and **requirements** encouraging the parent or guardian to exercise a measure of control over the child . . . If the parent **fails** without reasonable excuse to **comply** with any requirement of a parenting order he or she will be **guilty of an offence** and will be liable to summary **conviction** to a fine of up to £1,000.*

(Home Office, 1998: 5–6, our emphasis).

In typical New Labour style, double-speak – which attempts to shroud punitive authoritarianism under the cloak of benign-welfarism (see Goldson, 2002a: 394–5) – was in evidence. Thus the imposed 'requirement' to 'control' with the visitation of substantial financial penalties for the 'offence' of 'failure to comply', is juxtaposed with 'help' and 'support' (albeit coercive and accessed through a court order) (also see Home Office, 1998a: paras. 5.11–16; Home Office, 2000: paras. 9.1–7). Indeed, despite the deceptive effect of such



‘structured bad faith [which] allows indefensible forms of control to look more defensible’ (Cohen, 1985: 273), the Parenting Order is ultimately predicated upon a pathologising construct of parents who ‘wilfully refuse to accept their responsibilities’. Moreover, it provides the courts with a new power to punish, and in so doing it extends the interventionist reach of state (youth justice) agencies into ‘family life’.

There are manifest tensions, strains and even contradictions within New Labour policy formation in relation to children and families in general, and youth justice in particular (for a fuller discussion see Goldson, 2002b). It is pitted with mixed messages, its ‘logic’ is inconsistent (illogical), and it both borrows from and denies ‘evidence’ to suit its (often short-term) purpose (Goldson, 2001). As Scraton (2002: 43) has perceptively observed, Tony Blair’s ‘mission statement, “tough on crime, tough on the causes of crime”, [can] be interpreted as progressive or reactionary’. In part this is explicable in terms of New Labour’s broad political strategy and its determination to sustain the widest possible electoral appeal (Pitts, 2000). Thus it faces both ways with its Parenting Order (as with other aspects of its youth justice agenda and, indeed, its wider policy portfolio). On the one hand the Order conveys the language of ‘support’, on the other it consolidates and extends punitive intervention. New Labour double-speak is thus applied in such a way that it can switch interchangeably between ostensibly benign family-centredness and ‘tough’ no-nonsense authoritarianism, in order to suit the political moment. Irrespective of its presentation (and thus interpretation) however, one striking feature of New Labour’s construction of the ‘parenting deficit’ is that above all else it is ultimately grounded in moral obligation. In the final analysis the underlying message is that parents should parent effectively because that is their moral calling and their civic duty. In some senses at least we have little quarrel with this. However, morality, duty and parenting capacity do not comprise free-floating abstractions and their presentation as such is extraordinary. Scraton (2002: 44) has argued: ‘While Blair’s moral certainty might be attractive to Christian social democrats, his promotion of moral purpose and moral renewal is vacuous when devoid of context’. Indeed, the negation of material context and the associated proposition that micro-level parenting interventions (conceived in essentially correctional terms) might ‘prevent offending’ is deeply problematic (Goldson, 1999). Drakeford and McCarthy (2000: 110–11) capture this point well:

*The Government has presented the Parenting Order as a rational response to a primary cause of youth offending . . . this assertion has been stretched to promulgate a fundamental untruth: that problematic parenting lies at the root of youth crime. Ineffective parenting, we suggest, in most cases, is a symptom of more fundamental problems and pressures, including poverty, social exclusion and structural inequalities.*

## Material Context

*Any crime control policy which fails to recognise that the uneven distribution of income is strongly related to criminality, actively fails to get to grips with a major underlying structural factor which generates a strong motive to commit crime.*

(Box, 1987: 96).

*An emphasis on parental and individual responsibility masks wider structural causes of crime [which are] . . . explained away as a symbol of moral decay and reprehensible anti-authority attitudes rather than a sign of alienation, hopelessness, the decline of physical surroundings, unemployment, recession and depression.*

(Gelsthorpe and Morris, 1994: 982).

*The essential point of our findings is the very close association between . . . parenting methods, with severe situations arising from frequent or prolonged spells of unemployment . . . and an often permanent condition of poverty. If those factors are ignored and parental laxness is seen instead as an ‘attitude’ which can be shifted by education or by punitive measures, then our findings are being misinterpreted. It is the position*

*of the most disadvantaged groups in society and not the individual that needs improvement in the first place.*

(Wilson, 1987).

Although the UK currently boasts the fourth strongest economy in the world, its socio-economic landscape is scarred by enduring patterns of poverty and inequality. In 1999/2000, the Households Below Average Income (HBAI) statistics reveal that 14 million people (25 per cent of the population) were living below 50 per cent of mean income after housing costs. Indeed, whichever poverty line, definitional model or measure is applied, approximately one in four people in the UK are impoverished, a situation which is considerably worse to that which prevailed twenty years earlier. As the economy has grown stronger, poverty – with all of its associated social problems – has become more deeply rooted and more widespread. In short, increased wealth has not been evenly distributed (Jones and Novak, 1999; Goldson, 2002b). For example, the latest figures indicate that between 1979 and 1999/2000 the growth in real income of the poorest 10 per cent of the UK population amounted to 6 per cent, which contrasts sharply with the staggering 86 per cent rise enjoyed by the richest 10 per cent over precisely the same period (Child Poverty Action Group, 2002: 4). Moreover, since the election of the first New Labour government in 1997 earnings inequalities between the richest and poorest deciles have not only consolidated, but have continued to move apart (Lakin, 2001). What does this mean for children, families and parenting?

In the starkest terms, as the Commission on Social Justice observed, 'Britain is not a good place in which to be a child' (cited in Piachaud, 2001: 446), and because 'the increase in national income has been highly concentrated on the rich . . . too many children have not shared in rising national prosperity' (Land, 2002: 2). Indeed, within the general context of poverty and inequality the specific impact upon children is particularly problematic: 'children have been more vulnerable to poverty than society as a whole' (Child Poverty Action Group, 2001: 39), as is illustrated by the most up-to-date statistical evidence. For example, in 1979, 10 per cent (1.4 million) of all children in the UK were living in poverty (again defined as below 50 per cent of mean income after housing costs), but by 1999/2000 the corresponding figures had risen to 34 per cent or 4.3 million children (Department of Social Security, 2001). Moreover, the nature and extent of child impoverishment in the UK, is further illuminated when it is located within a comparative international framework. A recent report published by UNICEF (2000), in which patterns of child poverty were surveyed in 23 countries in the Organisation for Economic Co-operation and Development (OECD), ranked the UK as third bottom in the child poverty 'league table'. The impact of such poverty on families, and the extent to which it defines the material context within which parenting is located is self-evident. One in five children in the UK are growing up in workless households, a higher percentage than in any other OECD country. Wage inequality in Britain has risen faster than in most other 'developed' nations, and despite the enormous increases in salaries which have been enjoyed by the biggest earners, there is evidence that low pay is more persistent in the UK (and the USA) relative to other OECD countries. The largest increases in poverty have been borne by lone-parent families without earnings in the UK, but even children in two-parent households with both parents employed have faced an increased risk of poverty, a phenomenon which is virtually unknown to all other industrialised countries for which there is data (Land, 2002: 3). Despite all of this, the emphasis on parenting within the youth justice system continues to hinge upon specious and dematerialised constructions of morality and individual capacity, and is driven by what Bowring (1997: 110) has termed 'the studied indifference to relations of power and oppression in society'. Four related issues are also particularly significant.

First, the pressure of parenting has not only been accentuated by patterns of poverty and inequality in recent years, but it has also become more difficult by the very fact that it lasts

longer and it is vested with increased levels of responsibility. Jones and Bell (2000: 1) have noted that:

*Particularly over the last two decades, a range of social policies affecting different areas of young people's lives has effectively extended the period during which they are economically dependent on parents or carers . . . Responsibility for young people has shifted from the State to the family, as State support has been eroded. Parents or carers are now expected to exercise some parental responsibility for the first twenty-five years of their children's lives and to provide economic support where necessary.*

Second, and related to the first point, family support is in retrenchment and the eligibility criteria for state welfare services have heightened, particularly in relation to child and family social work. Added to this is the burgeoning dehumanisation of professional-client relations. Following a detailed qualitative research project (during which he interviewed 'over 40 front line practising social workers in local authority social services departments') Jones (2002: 553–7) reported:

*Social workers are still seeing clients, but in the state sector at least the nature of that contact has fundamentally changed . . . the contact is more fleeting, more regulated . . . Much of this comes from the new regulatory focus of the agencies which leads to state social workers doing ever more assessments to see if those who are referred meet the ever higher eligibility requirements. I was told by social workers how their managers advised them not to form any sort of relationship with those they are assessing . . . I was told that social workers were pressed to be speedy in their assessments, limit the contact with the potential client and get in and out quickly . . . According to many of the social workers I interviewed, one of the most significant changes over time was that their clients were now on the whole more troubled and distressed and in greater need than before. This is further exacerbated by the eligibility criteria now in use which also means that it is increasingly only those at the top end who are considered suitable for some kind of service.*

Third, in many instances the parents who are referred to the 'new wave' of parenting projects now available in the youth justice system, are the very same parents who have been denied assistance and support from state agencies in the way that Jones describes. This effectively amounts to the criminalisation of welfare need. But more than this, the intervention of the state when it comes, arrives in the form of correctional process underpinned by stigmatisation and negative labelling, ultimately targeted at 'failure'. This is not only ethically problematic but it calls into question the very integrity of the intervention itself. Similar, responses in the USA have elicited this response:

*Because parents bear primary responsibility to raise their children, public programs to assist other people's children stipulate that parents demonstrably must **fail** at the task as a **prerequisite for receiving public assistance**. But, stigmatising the clients of social programs by making **failure a requirement of eligibility** undermines public support for those programs and ensures their inadequacy.*

(Feld, 1999: 291, our emphasis).

Fourth, as if the difficulties and injustices that are experienced by many parents are not enough, the punitive urge of New Labour has led it to consider compounding them further still. The Government recently announced that it was considering taking child benefit away from the parents of children who truant from school (and are thus 'at risk' of offending). With quite remarkable reserve, the Child Poverty Action Group (2002a: 1) responded to the prospect of the government stealing benefits in this way by noting that 'removing child benefit from parents struggling to cope with poverty or debt is not going to make the difficult job of parenting any easier'.

The material context which confronts many parents therefore, is characterised by deep-rooted and widespread poverty, inaccessible welfare assistance and support, stigmatising

and criminalising modes of state intervention, and the prospect of further (state sanctioned) impoverishment if they are adjudged to 'fail'. This is also the context within which the 'new wave' of parenting projects is located. Muncie and Hughes (2002: 10) have argued that 'technologies of remoralization . . . which do not simultaneously advocate a redistribution of power, wealth and opportunity are likely to be flawed'. So how do children and young people in trouble, together with their parents, experience such 'technologies'?

## **Applied Context**

In the introduction to this article, we explained that it was not our intention to detail the findings from our recently completed evaluative research of two parenting projects in the North West of England, and that remains the case. However, by drawing upon some of the qualitative data from this research (together with an earlier research project – Goldson, 1998), we are able to express some of the direct experiences of children, young people and parents involved with the youth justice system, together with their conceptualisations of the 'parenting deficit' and related forms of state intervention.

The research which was completed in 1998, comprised a detailed examination of the backgrounds and social circumstances of 49 'heavy-end juvenile offenders' living in Merseyside. In-depth interviews were undertaken with 20 of the young people, during which they were explicitly invited to comment upon the guidance and advice that they received from their parents with particular emphasis on crime prevention (Goldson, 1998: 14–15, also see Goldson, 2000b). The young people were specifically asked whether or not they thought that their parents had done all that they could to help them to keep out of trouble. Although many of the young people reported tension in their relationships with their parents only three believed that their parents could have taken more effective remedial action with regard to their offending. In each of these cases the interviewees raised fundamental concerns about the overall quality of the care they received as children (each of the three young people had been 'looked after' by the local authority). The remaining seventeen young people believed that their parents had done all that they could to divert them from offending and typical comments included:

*They would talk to me for ages about keeping out of trouble. They tried everything from grounding me and stopping my pocket money to giving me little jobs to do to earn money to keep out of trouble.*

*My mum did alright. It's a school issue though. The school was not bothered about me, just not bothered. It's as simple as that.*

*They grounded me. They tried to encourage me to go to school. Certain people were not allowed at the door because my mum thought that they were a bad influence, undesirable like. They looked after me. They tried the best that they could.*

*It's not their fault. How can they know what I get up to? They tell me not to do this and that, they try their best to advise me but at the end of the day it's my responsibility, it's up to me what I do.*

*All of the family advised me, my mum, dad, nan, uncles. No one could have done anything more really.*

The research unveiled the difficult material contexts within which such young people live. Complex, layered and inter-related patterns of disadvantage and disappointment. Fractured and impoverished families. Neighbourhoods beset by multiple forms of deprivation and protracted neglect. Disrupted, incomplete, unhappy and relatively unproductive school careers. Structural unemployment, boredom and poverty. Stunted aspirations. Alienation. Anger and frustration. Health related problems invariably connected to alcohol and drug misuse. Permutations of these classic indices of social distress comprised their everyday landscapes and lived realities.

Equally, the young people reported endless tensions with authority, and they often experienced adult intervention as an antagonistic and unwelcome presence. When it came to their parents however, and notwithstanding their often fractious family relationships, almost all of the young people believed that their parents had done all that they could in order to prevent them from offending.

Similarly, the parents that we interviewed during our recent evaluative research described their consistent, if frustrated, efforts to ‘control’ their children:

*They were offending, in and out of court, getting fines I had to pay . . . I wasn't coping. My health was suffering. I started to ground them but they'd still go out and offend.*

*X was stealing from my family but he was denying it. So that led to tension with other family members and my brother used to come here a lot and he bit X once. . . Everyone was really upset . . . He was truanting more than he was in school and doing stuff to get excluded. . . They wanted to take me to court for not sending him to school even though I was taking him. I did get it over to him that I would be fined but he still wouldn't go. . .and then he got excluded.*

*He wasn't attending school and was three times in trouble with the police . . . I'd lock myself in the bedroom to avoid the situation. I withdrew from all the children. I was crying all the time and upset. It was impossible to use discipline as he used to ignore me and walk away . . . It got to the stage where I couldn't cope.*

*X wasn't attending school. There was a lot of arguing because of the pressure and worry about school attendance. Having no-one to talk to made it worse.*

These may be expressions of struggle and desperation but they are hardly statements of ‘wilful’ neglect and wanton irresponsibility. Indeed, many of the parents (almost exclusively women) who we interviewed, explained that they had sought help and assistance from Social Services but nothing was forthcoming. The succinct comment from this parent told a very typical story:

*I was so desperate. I wanted help from anyone . . . I didn't want my son in bother but there was just no help.*

This experience echoes Jones’ (2002) findings (to which we referred earlier), in relation to the retrenchment of state welfare and the heightened eligibility criteria for ‘mainstream’ social services. Similarly, recent research completed by Macdonald and Williamson (2002: 2–3) has provided further insights:

*Overall the data confirm a long history of problems that are not being addressed by social services or other relevant agencies . . . many families were in desperate need of help . . . with complex and entrenched problems . . . after many years of struggle . . . Service users often felt aggrieved at the lack of help they had received from locality team social workers.*

At the point of our interviews all of the parents had been referred to one of the two ‘parenting projects’ that we were researching within the youth justice system. Most of the 204 parents with whom the projects intervened (during the two year period of our evaluative research) were attending voluntarily, only 3 per cent were the subjects of formal court orders. We essentially regard this ‘voluntarism’ as good practice as far as it can be, although the risk of ‘net-widening’ is apparent. Moreover, many of the parents had some clear views about the coercive and responsibilising powers of the courts:

*The courts don't live in the real world, they impose fines on parents who can't afford it, and keeping children under control when they're 15 or 16 years old is just not possible however hard you try.*

*Being made to come would be like being trapped. At the end of the day you have to be responsible for your kids . . . but at a certain age they have to take responsibility, they shouldn't dump on the parents all the time.*

*Parents being punished for their child's behaviour is unfair.*

Similarly, Drakeford (1996: 253–4) describes how one parent he interviewed during his research 'expressed the experience of the court process as like draining a car engine of its petrol and then expecting it to achieve levels of performance which it had never previously attained'. Indeed, penalising parents (by whatever means), and holding them legally accountable (through either civil or criminal sanctions) for the actions and behaviour of their teenage children, is not only problematic with regard to the most basic test of justice, but it also 'seems an unlikely method of strengthening their hand in dealing with forces which already appear outside their control or influence' (Drakeford and McCarthy, 2000: 107). Furthermore, Section 34 of the Crime and Disorder Act 1998 abolished the rebuttable presumption that a child is *doli incapax*, which now means that in England and Wales every child over the age of 10 is held to be as criminally responsible as any adult (Goldson, 1999: 17–20; Bandalli, 2000). Kempf-Leonard and Peterson (2000: 445) raise an interesting issue in this respect:

*If youths are to be processed using adult criteria and held responsible for their delinquent actions as individuals capable of making rational decisions, it is an incompatible dichotomy to hold parents responsible for these capable youths as well.*

Our analysis of children's, young people's, and parent's experiences and conceptualisations of the new statutory powers in respect of parenting in the youth justice system is necessarily circumscribed here. It has to be said however, that some parents appeared to welcome 'group work' interventions and the opportunities they brought, and typical comments in respect of the 'benefits' of the parenting projects included:

*Being able to get away from your situation and talk to others who have the same situation.*

*There is someone there who will listen and want to know how you are and how you are feeling. They gave good advice and help. They gave debt advice with the catalogue.*

*It was a release really to say your story without someone judging you . . . At times it felt a bit like a social life. It was nice to get away and meet different people. It felt like a break from everyday routine even if it wasn't pleasant stuff to talk about.*

However, it is a telling measure of such parents' circumstances and experience of struggle that a youth justice intervention can be conceived in terms of 'escape', 'release', 'relief', time to meet with people who 'want to know how you are and how you are feeling', an opportunity simply to 'meet different people', 'a break from routine', and even a 'social life'. Moreover, the same parents who normally guide and 'discipline' their children to their best abilities – against all the odds and in the most challenging material contexts – are also too well aware of the inadequacies of 'mainstream' state welfare and 'family support' services, and they bitterly resent the stigmatising residualisation that underpins the new powers of the court. Indeed, throughout our interviews such powers were usually understood and explained in punitive terms, and the parents that we met objected to being cast as 'failures', spurred to act more 'responsibly', and confronted with the prospect of financial penalties. To deny such parents access to universal and properly resourced welfare services, whilst simultaneously holding them primarily responsible for youth crime by the application of a crude and reductionist form of aetiology, is a desperate expression of profound injustice.

## Conclusion: Punishing Parents

There can be no doubt that the implementation of the Parenting Order (and associated interventions) within the youth justice system of England and Wales in June 2000 (and subsequently applied to target ‘poor behaviour in schools’ see Department for Education and Skills, 2001), represented a significant extension of state intervention into ‘family life’. By situating this development in youth justice (and civil) law and practice within its broader historical, theoretical, policy, material and applied contexts, we have expressed a range of concerns that have exercised us throughout the process of completing our recent evaluative research. Central to such concern is the official emphasis on ‘morality’, ‘responsibility’ and ‘discipline’ that is ultimately abstracted from material reality. From the ‘improper conduct of parents’ at the beginning of the nineteenth century, to the ‘wilful refusal of parental responsibility’ at the end of the twentieth and the outset of the twenty first century, a discourse rooted in individual agency has served to displace any sustained analysis of structural context. This way of ‘seeing’ is particularly resonant within the contemporary realm of youth justice, and it shows no signs of abating.

Like much contemporary youth justice policy development, the government has at least one eye focused on its electoral ambitions and its associated determination to be seen to be ‘tough on crime’. Despite all of its talk of ‘evidenced-based’ policy formation and ‘what works’ priorities, it is its ‘populist punitiveness’ – grounded in the seductive simplicity of the commonsensical – which ultimately ascends above all else. In this way the tendency for over three-quarters of respondents to a major survey of ‘attitudes to crime’ to express a belief that ‘there were not enough options available to the police and the courts’ to address juvenile offending is problematic (Mattinson and Mirrlees-Black, 2000: 23). Moreover, the fact that the very same sample of respondents identified imposing ‘parental punishment or responsibility’ as their preferred extension of police and court powers (ibid: 24), provides a certain legitimacy for the increasingly interventionist drift. It doesn’t seem to matter that such reasoning is flawed. Nor does it matter that ‘overall knowledge about crime and the criminal justice system amongst the general public is poor’ (Chapman et al., 2002: ix; also see Allen, 2002). Thus, at precisely the time that we make our final revisions to this article, the New Labour government is preparing to grind out further interventionist and punitive routes into ‘family life’, no doubt targeting the very parents who are raising children within the poorest and most disadvantaged estates, neighbourhoods and communities in a divided, starkly polarised and profoundly unequal land.

In April 2002, a government ‘official’ stated:

*The Prime Minister is determined to take whatever action is needed to **force parents** to be more **responsible**, and he is not frightened of considering radical solutions . . . If they know that they were going to lose several hundred pounds in **child benefit** over six months if their child refused to go to school, they might just do **something extra** to make sure they attended.*

(Walters, 2002: 13, our emphasis).

The following month, the Children’s Legal Centre (2002: 12, our emphasis) reported:

*Magistrates have sentenced a mother to 60 days imprisonment for **failing** to ensure her two daughters attend school. Patricia Amos had previously breached two parenting orders . . . Patricia is appealing against the decision but has had her application for bail refused.*

Withdrawing child benefits from those who need them most, and incarcerating the mothers of children, comprise the most graphic expressions of punitive intent and determination, located as they are at the extreme end of the interventionist continuum. There are many more ‘routine’ points on that very same continuum however, and although they may be more opaque, more ambiguous and more insidious their ultimate rationale is no less punitive.

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