



## Youth justice in a changing Europe: crisis conditions and alternative visions

*Barry Goldson*

### → Introduction

Framed within a context of economic crisis, Europe is currently facing extraordinary challenges and undergoing profound changes. This article maps the impact of the crisis on children and young people and considers its implications for youth justice.<sup>8</sup> The limitations of both “utopian” and “dystopian” visions are examined and it is argued that more nuanced forms of analysis are necessary in order to comprehend shifts in youth justice policy formation in Europe and elsewhere. The article concludes speculatively by contemplating the prospects for European youth justice in 2020.

### → Crisis conditions

For many countries in Europe, the period between 2000 and 2009 was characterised by patterns of sustained economic growth and corresponding increases in social investment and

---

8. “Youth justice” is taken to mean the formal corpus of law, policy and practice that is directed towards children and young people (normally below the age of 18 years) in conflict with the law. Many jurisdictions continue to prefer the term “juvenile justice” and, for the purposes of this essay, the two terms are used interchangeably.

protection. Since 2009, however, Europe has endured a far more hostile economic climate and the consolidation of crisis conditions has produced, among other issues: drastic cuts in social investment and public services; substantially reduced employment, education and training opportunities; rising food, fuel and transport costs and reduced health and welfare services for those in greatest need. In particular, millions of young Europeans have been, and will continue to be, especially disadvantaged by the economic crisis. Between 2009 and 2010, for example, the proportion of children and young people who were at risk of poverty or social exclusion increased substantially and, by 2012, 27.1% of children and 29.1% of young people were facing the prospect of poverty and/or social exclusion within the European Union's 27 member states (European Commission 2012: 48-49).

Growing rates of youth unemployment represent a particularly conspicuous aspect of the crisis conditions. The United Nations (2012: 15) has observed: "Young people are disproportionately affected by unemployment, underemployment, vulnerable employment and working poverty ... the financial and economic crisis has further hit young people particularly hard". At the global level, the rate of youth unemployment – which has far exceeded that of other age groups – saw the "largest annual increase over the 20 years of available global estimates" in 2009 (United Nations 2012: 16. See also International Labour Organization 2011a). At the European level, the rate of youth unemployment at the end of 2012 ranged from 8.1% (in Germany) to 57.6% (in Greece), with the average rate across European Union member states standing at 25.8% (see Table 1) – more than 10% higher than the rate in 2008 (15%) (Goldson 2013).

**Table 1: Youth (under 25 years) unemployment rates in European Union member states: November 2012**

Country	Youth Unemployment Rate
Germany	8.1
Austria	9.0
Netherlands	9.7
Denmark	14.2
Malta	16.4
Estonia	17.5 <sup>9</sup>
Luxembourg	18.6
Finland	19.0
Belgium	19.7
United Kingdom	20.2 <sup>10</sup>
Czech Republic	21.3
Romania	23.0 <sup>11</sup>
Slovenia	23.5 <sup>12</sup>

9. Data pertains to October 2012.

10. Data pertains to September 2012.

11. Data pertains to September 2012.

12. Data pertains to September 2012.

Country	Youth Unemployment Rate
Lithuania	24.2
Sweden	24.8
Cyprus	27.0 <sup>13</sup>
France	27.0
Bulgaria	27.4
Poland	28.4
Hungary	29.3 <sup>14</sup>
Ireland	29.7
Latvia	31.9 <sup>15</sup>
Slovakia	35.8
Italy	37.1
Portugal	38.7
Spain	56.5
Greece	57.6 <sup>16</sup>

Source: Table compiled using Eurostat data (European Commission, 2013)

High rates of youth unemployment in Europe are accompanied by equally high numbers of children and young people who are excluded from education and training programmes. Indeed, the number of young people not in employment, education or training (NEET) “has increased sharply since 2008”, reaching record levels (European Commission 2012: 6). In 2011, 7.5 million young people aged 15-24 were excluded from the labour market and education in Europe. This corresponds to a significant increase in the NEETs rate: in 2008, the figure stood at 11% of 15-24-year olds and by 2011 it had increased to 13% (Mascherini et al. 2012: 1). In some European countries, the NEETs rate is significantly higher, exceeding 17% in Bulgaria, Ireland, Italy and Spain, for example (Mascherini et al. 2012: 1).

As countries in Europe and elsewhere grapple with the effects of the economic crisis – many overburdened by massive debts – their governments are implementing wide-ranging “austerity measures” and imposing deep cuts in public expenditure. The effects of such actions are catastrophic for those in greatest need and, “in many cases [they amount to] shrinking or even eliminating programmes that provide educational, health related, job placement and other support and assistance to the public, particularly low-income and marginalised persons” (United Nations 2012: 43). The social and economic impacts of such phenomena on (disadvantaged) children and young people are particularly concerning. The International Labour Organization (2011b: 6) observes: “increasingly, young people are moving to cities or migrating to countries with greater job opportunities, separating from their families and social support networks”. Being distanced from family and home in this way, invokes “a risk of exploitation and trafficking, particularly among vulnerable youth” (International Labour Organization 2011b: 2). Furthermore, whether young people

13. Data pertains to September 2012.

14. Data pertains to October 2012.

15. Data pertains to September 2012.

16. Data pertains to October 2012.

migrate or remain static, the crisis conditions “significantly increase the risk of ... health problems [that] ... can often last for life” (European Commission 2012: 7).

The combined effects of the crisis conditions also raise serious implications concerning the democratic engagement and civic participation of young people which may lead some to “opt out of participation in civil society” (Mascherini et al. 2012: 82). Alternatively, others might “engage” in ways that are deemed to be problematic. The United Nations (2012: 11), for example, has noted that youth unemployment can lead to civil unrest: “There is no doubt that one of the contributing factors to the recent Arab Spring uprisings is the disturbingly high levels of youth unemployment in the Middle East and North Africa region”. Similar “uprisings” have recently occurred in Europe and Chang (2012) suggests that they may carry serious and long-lasting implications:

austerity, privatisation and deregulation ... The threat to livelihoods has reached such a dimension that renewed bouts of rioting are now rocking Greece, Spain and even the usually quieter Portugal ... The danger is not only that these austerity measures are killing the European economies but also that they threaten the very legitimacy of European democracies – not just directly by threatening the livelihoods of so many people and pushing the economy into a downward spiral, but also indirectly by undermining the legitimacy of the political system through this backdoor rewriting of the social contract. Especially if they are going to have to go through long tunnels of economic difficulties in coming years, and in the context of global shifts in economic power balance and of severe environmental challenges, European countries can ill afford to have the legitimacy of their political systems damaged in this way.

Chronic social exclusion, impoverishment, unemployment, NEET status, deep-cutting and wide-ranging “austerity measures”, patterns of forced migration, the prospect of exploitation and trafficking, multiple health problems, potential alienation and civil disengagement or, conversely, direct action and urban uprisings, these are the crisis conditions that currently confront millions of young Europeans. The same conditions pose formidable challenges to political systems throughout Europe. They also create social and economic environments that are known to give rise to youth crime and the disproportionate criminalisation of identifiable groups of young people. Indeed, youth justice systems around the world characteristically process (and punish) the most impoverished children and young people. This is not to suggest that all poor children and young people commit crime, or that only poor children and young people offend, but the corollaries between economic ruptures, social exclusion, poverty, youth crime and criminalisation are undeniable. To put it another way, contemporary crisis conditions raise big questions about the paternalistic welfare and protectionist principles that have historically defined youth justice systems in Europe. Bailleau et al. (2010: 13) observe the following:

These principles, or at least some of them, are currently being challenged to various extents in a majority of countries in Europe. This weakening of the founding principles of juvenile justice is going hand in hand with a deterioration of the conditions of access to jobs for the least schooled youths, changes in the social ties and relations between generations, and a change in our relationship with social norms.

Thus, it is timely to think about the manner in which youth justice systems might respond in the future. This is far from certain, however, and such thinking invokes alternative visions.

## → Alternative visions

Both historically and contemporaneously, youth justice systems have been, and are, beset by ambiguity, paradox and contradiction. The question as to whether children and young people should be conceptualised as “vulnerable *becomings* in need of protection, help, guidance and support, or as undisciplined and dangerous *beings* necessitating correction, regulation, control and punishment, is central to such uncertainty and flux” (Goldson and Muncie 2009: vii). If it can be said that a paternalistic welfare model characterised youth justice in most European countries in the 20th century (Baillieu and Cartuyvels 2002; 2010), youth justice has become more complex in the opening decades of the 21st century as “discourses of child protection, restoration, punishment, public protection, responsibility, justice, rehabilitation, welfare, retribution, diversion, human rights, and so on, intersect and circulate in a perpetually uneasy and contradictory motion” (Goldson and Muncie 2009: vii). At what point, and in what circumstances, the vulnerable youth is transformed into a fully culpable offender is a recurring source of tension and dispute. In other words, the fundamental question remains: when, if at all, is it more appropriate to make people responsible and punish rather than to protect and support?

Many commentators continue to envision “child-friendly justice” as the standard European approach to children and young people in conflict with the law. Others argue that various conditions of late modernity including, but not limited to, the crisis conditions considered above, wrenching social and economic transformations, heightened insecurities and neoliberal politics have combined to give way to a “new punitiveness” characterised by tough “penal populism”. Such alternative and starkly contrasting perspectives might respectively be termed as utopian and dystopian visions.

### **A utopian vision**

What we may call the utopian vision conceptualises youth justice as progressing steadily and incrementally towards a state of penal tolerance, where the “best interests” of children and young people prevail and where recourse to correctional intervention – particularly custodial detention – is only ever mobilised as a “last resort”. This vision is underpinned by both global and European human rights standards.

At the global level, three human rights instruments are particularly significant. First are the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the “Beijing Rules”), adopted by the United Nations General Assembly in 1985. The rules provide guidance for the protection of children’s and young people’s human rights in the development of separate and specialist youth justice systems “conceived as an integral part of the national development process of each country, within a comprehensive framework of social justice for all juveniles” (United Nations General Assembly 1985: Rule 4.1). Second is the United Nations Guidelines on the Prevention of Delinquency (the “Riyadh Guidelines”), adopted by the United Nations General Assembly in 1990. The guidelines are underpinned by diversionary and non-punitive imperatives: “the successful prevention of juvenile delinquency requires efforts on the part of the entire society to ensure the harmonious development of adolescents” (paragraph 2); “formal agencies of social control should only be utilized as a means of last resort” (paragraph 5) and “no child or young person should be subjected to harsh or degrading correction or punishment measures at home, in schools

or in any other institutions” (paragraph 54) (United Nations General Assembly, 1990a). Third is the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (the “Havana Rules”), adopted by the United Nations General Assembly in 1990. The rules centre around a number of core principles including: deprivation of liberty should be a disposition of “last resort” and used only “for the minimum necessary period” and, in cases where children are deprived of their liberty, the principles, procedures and safeguards provided by international human rights standards must be seen to apply as minimum and non-negotiable benchmarks (United Nations General Assembly 1990b).

At the European level the notion of “child-friendly justice” is pivotal. By extending the human rights principles that inform the European rules for juvenile offenders subject to sanctions or measures (Council of Europe 2009), the Council of Europe Committee of Ministers has more recently formally adopted specific guidelines for child-friendly justice (Council of Europe 2010). The guidelines state that any young person under the age of 18 years is to be regarded as “a child” (section IIa) and they apply “to all ways in which children are likely to be, for whatever reason and in whatever capacity, brought into contact with ... bodies and services involved in implementing criminal, civil or administrative law” (section I, paragraph 2). The Council of Europe has also emphasised the unifying human rights objective of the guidelines by explaining that they are intended to:

achieve a greater unity between the member states ... by promoting the adoption of common rules in legal matters ... [and] ensuring the effective implementation of ... binding universal and European standards protecting and promoting children’s rights (Council of Europe 2010, Preamble).

The guidelines are also meant to:

guarantee the respect and the effective implementation of all children’s rights at the highest attainable level ... giving due consideration to the child’s level of maturity and understanding and the circumstances of the case... [Child friendly] justice is accessible, age appropriate, speedy, diligent, adapted to and focused on the needs and rights of the child, respecting the rights of the child (Council of Europe 2010, section IIc).

Collectively, the United Nations and the Council of Europe human rights standards can be taken to indicate a “unifying framework” for modelling youth justice statutes, formulating policy and developing practice in all nation states to which they apply (Goldson and Hughes 2010). As such, it might appear that the same instruments provide the basis for “globalised” human rights-compliant and “child-friendly” youth justice (Goldson and Muncie 2012).

### **A dystopian vision**

In stark contrast to the notion of youth justice characterised by penal tolerance, “best interest” principles, “last resort” imperatives and human rights foundations, the dystopian vision emphasises the emergence, consolidation and development of a harsh “culture of control” (Garland 2001) within which the special protected status of children and young people is diminishing; welfare paternalism is retreating; children and young people are increasingly “responsibilised” and “adultified”; human rights standards are routinely breached; children’s and young people’s human rights claims are systematically violated; penal tolerance

is displaced by what Muncie (1999) has termed “institutionalised intolerance”; the population of young prisoners continues to grow; youth justice is increasingly politicised; and punishment becomes the state’s preferred strategy for managing “urban outcasts” within conditions of “advanced marginality” (Wacquant 2008).

Both quantitative and qualitative dimensions of a “new punitiveness” are discernible (Garland 2001; Goldson 2002; 2009; Muncie 2008; Pratt et al. 2005; Pratt and Eriksson 2012; Wacquant 2008; 2009). Increasing rates of youth detention (in penal custody) – more custodial sentences and/or longer custodial sentences – represent the key quantitative dimension, whereas the corresponding qualitative dimension is evidenced by “a decline in rehabilitative ideals, harsher prison conditions, more emotional and expressive forms of punishment emphasising shaming and degradation ... or increased attention to victim’s rights as opposed to the rights of offenders” (Snacken and Dumortier 2012, pp. 2-3). Bailleau et al. (2010: 7) claim that a “neo-conservative paradigm [has] become dominant within the European Union” and, as a consequence, “youth justice has undergone major changes in recent years in Europe” (ibid: p. 8):

Social intolerance in various States is rising against a backdrop of a drift to hard-line law-and-order policies and practices. The deviant youth is perceived first and foremost as a social problem ... to the detriment of a vision that saw the ‘child in danger’ as someone whom society also had to protect ... a greater tendency to hold the youth’s ‘entourage’ accountable for his/her actions by shifting responsibility to his or her family and the local community (either the geographic community or cultural or ethnic community) ... There has also been a shift in the State’s orientations and strategies in the public management of youth deviance ... The main consequence of this new orientation is the increased surveillance of young people and families by a host of entities and the extension of criminalisation to include certain types of behaviour that used to be considered to be mere deviations from the norm and/or petty delinquency (Bailleau et al. 2010: 8-9).

Perhaps the most prominent analyst of the dystopian vision is Loïc Wacquant (2009: 1) who maps the dissemination of what he terms a “new punitive common sense”, incubated in the US through a network of “Reagan-era conservative think tanks” – none more influential/culpable than the Manhattan Institute – before being “exported to Western Europe and the rest of the world”. Fundamentally, Wacquant argues that the West is witnessing the transmogrification from “social state” to “penal state”; the “downsizing of the welfare sector” and the “upsizing of the penal sector” characterised, ultimately, by the “iron fist” of a diversifying, expanding and increasingly intrusive penal apparatus. This, “generalized technique for managing rampant social insecurity” (p. 167) means that the spaces created by processes of economic deregulation and welfare retrenchment are filled by an architecture of neoliberal penalty and the aggressive advance of punitiveness. According to Wacquant, five overlapping processes are at play: “vertical expansion” (swelling prison populations); “horizontal expansion” (the proliferation and diversification of technologies of regulation, control and surveillance); simultaneous yet contradictory modes of system expansion and contraction (penal and welfare, respectively); the burgeoning privatisation of the justice industry; and, finally, a policy of “carceral affirmative action” (the manifest racialisation of punishment and penal confinement).

### **Beyond binary visions**

At face value, both the utopian and dystopian visions provide seductive conceptual typologies or “totalising narratives” (Goldson and Muncie 2012) for



comprehending pan-European (even global) trends in youth justice. Paradoxically – given their analytical incongruity – both are plausible but, ultimately, each is singularly inadequate. Despite the conceivability of the alternative contrasting visions, therefore, neither provides a defensible comprehensive account of the complexity, contradictory nature and profound incoherence of transnational youth justice in Europe and/or beyond. On one hand, despite the near universal adoption of the human rights standards considered above – together with the United Nations Convention on the Rights of the Child (United Nations 1989) amongst the most widely adopted human rights instrument in the world – the “potentialities” for such standards to drive and sustain progressive youth justice reform are compromised by a repeated series of operational and implementational “limitations” (Goldson and Kilkelly 2013. See also Goldson and Muncie 2012). On the other hand, although there are “many worrying developments” concerning “punitiveness in Europe” (Snacken and Dumortier 2012), there is also evidence to imply that the “new punitive common sense” (Wacquant 2009: 1) is being resisted. As Wacquant (2009: 173) concedes, while processes of diffusion and policy transfer are evident globally, “neoliberalism is from its inception a multi-sited, polycentric, and geographically uneven formation”. In other words, there are sites of resistance where “neoliberalism has been thwarted ... and the push towards penalization has been blunted or diverted” (ibid: 172-3. See also Goldson and Muncie 2006; Lappi-Seppälä 2012; Muncie and Goldson 2006; Pratt 2008a; 2008b; Pratt and Eriksson 2012). In sum, there is reason to question the utopian vision just as “there are real grounds for optimism that dystopian analyses have been overplayed” (Downes 2012: 32). To put it another way, the utopian-dystopian binary is intrinsically flawed, necessitating more nuanced analyses in order to fully grasp contemporary trends in youth justice in Europe and gauge its future direction.

The extent to which national jurisdictions err towards the utopian vision, the dystopian vision or, more likely, broker hybridised models of youth justice, is contingent upon their specific historical, political, socio-economic, cultural, judicial and organisational traditions. International comparative analyses thus reveal patterns of both convergence and divergence between different nation states. Just as important, however, are intra-national analyses. Indeed, in many important respects, the national is an inadequate unit of comparative analysis in that it can conceal, or at least obfuscate, local and/or regional differences within otherwise discrete territorial jurisdictions and/or nation-states. Indeed, in many countries in Europe and beyond, it is difficult to prioritise national developments above widely divergent regional differences, most evident in sentencing disparities (“justice by geography”). In short, once it is recognised that variations within nation-state borders may be as great, or even greater, than some differences between them, then taking the national (let alone the European or the global) as the basic unit for understanding youth justice policy shifts becomes highly problematic (Goldson and Hughes 2010; Goldson and Muncie 2006; Muncie 2005; Muncie and Goldson 2006).

The significance of professional values, principles and discretion and youth justice practitioner culture is crucially important in this context. Even highly centralised state agencies and national bodies are – at least in part – “power-dependent” on regional and local bodies for the operationalisation of policy. Practitioners may comply and implement national policy or resist and subvert it. It follows that this relational, power-dependent process, can generate both the advancement of specific youth justice strategies (for example, punitivism) and



the dilution – even negation – of others (for example, human rights-compliant practice), or the reverse, whereby punitivism is resisted and human rights approaches are promulgated.

In sum, whatever the seduction of binary visions and totalising narratives, youth justice systems assume multitudinous and widely varying forms and it is simply not possible to identify a globally unifying thrust or European norm. Rather, comparative analyses, theorisation and empirical investigation must engage at international, national and sub-national levels in order to comprehend the means by which youth justice laws, policies and practices are formed, applied, fragmented and differentially inflected through a complex of historical, political, socio-economic, cultural, judicial, organisational and individual filters (Goldson and Hughes 2010; Goldson and Muncie 2012).

### → Conclusion: humane pragmatism – youth justice in 2020?

The crisis conditions that characterise the contemporary socio-economic landscape in Europe pose, and will continue to pose, formidable challenges. A crucial juncture has been reached and Snacken and Dumortier (2012: 17) reflect: “‘Europe’ as an institutional structure and the separate European countries are currently facing fundamental choices as to the kind of society they want to build for the future”. What this will mean for youth justice in 2020 is far from certain. Fundamentally different scenarios are imaginable. Europe has a strong affinity to human rights that may well serve to temper any inclination towards anxiety-induced penal populism. Alternatively, a consolidating sense of heightened insecurity may just as readily spill over and produce the crude politicisation of youth justice and a march to harsh punitiveness. Furthermore, Europe is not a monolithic or homogeneous entity and the challenges currently confronting its constituent nation states are unevenly experienced and distributed. It may well be, for example, that some countries (in the south and east) will endure more intense and prolonged adverse conditions than others (in the north and west), giving rise to a spectrum of differentiated responses. But there are also grounds for believing that – despite crisis conditions – what we might call “humane pragmatism” will ultimately prevail. Three points – each underpinned by empirical research – are particularly noteworthy by way of conclusion.

The first point returns us to the question of political legitimacy – as touched upon earlier – and this is closely related to notions of social cohesion and trust. Based upon detailed and complex comparative analyses of 25 countries, Tapio Lappi-Seppälä (2012: 53) contends:

Trust is relevant also for social cohesion and (informal) social control. Generalised trust and trust in people is an indicator of social bonds and social solidarity ... There is a link from trust solidarity and social cohesion to effective informal social control. Finally, trust in institutions and legitimacy is also conducive to norm compliance and behaviour ... And the crucial condition for this to happen is that people perceive the system is fair and legitimate. A system which seeks to uphold norm compliance through trust and legitimacy, rather than fear and deterrence, should be able to manage with less severe sanctions, as the results also indicate ... Associated with norm compliance based on legitimacy, this decreases the need to resort to formal social control and to the penal system.

Lappi-Seppälä's observations might be combined with the conclusions reached by David Downes (2012: 33) following the completion of four major comparative studies:

A substantial welfare state is increasingly a principal, if not the main, protection against the resort to mass imprisonment ... the case for retaining and strengthening the bases of social democratic political economy should be all too evident.

In other words, a "substantial welfare state" and the "bases of social democratic political economy" comprise core ingredients for sustaining "social cohesion", "trust", "legitimacy" and "informal social control". This not only carries profound intrinsic value in accordance with the "penal moderation based on human rights and social inclusion ... cherished by many Europeans" (Snacken 2012: 257), but it also offers crucial pragmatic returns for politicians seeking to retain integrity, trust and legitimacy at a time of economic crisis. The maintenance of the welfare state may well pose fiscal challenges during an era of "austerity" but the alternative – a reliance on harsh penal systems to retain social order(ing), "governing through crime" (Simon 2007) – not only imposes equally (if not more) substantial fiscal costs, it also threatens to undermine political legitimacy.

The second point connects both with the fiscal and human costs induced by the over-zealous mobilisation of youth justice interventions. Informed by their detailed longitudinal research on pathways into and out of offending for a cohort of 4 300 children and young people in Edinburgh, Scotland – and drawing more broadly on a growing body of international studies – Lesley McAra and Susan McVie (2007: 337, 340) contend that:

Doing less rather than more in individual cases may mitigate the potential for damage that system contact brings ... targeted early intervention strategies ... are likely to widen the net ... Greater numbers of children will be identified as at risk and early involvement will result in constant recycling into the system ... As we have shown, forms of diversion ... without recourse to formal intervention ... are associated with desistance from serious offending. Such findings are supportive of a maximum diversion approach ... Accepting that, in some cases, doing less is better than doing more requires both courage and vision on the part of policy makers ... To the extent that systems appear to damage young people and inhibit their capacity to change, then they do not, and never will, deliver justice.

Such research communicates a powerful counter-intuitive message: early intervention via youth justice systems is counter-productive when measured in terms of crime prevention and community safety. It also exposes children and young people to the prospect of unnecessary "damage". Ultimately, an over-reliance on youth justice interventions is counter-productive, costly and damaging. The humane and pragmatic approach, therefore, requires policy makers to seek non-criminalising solutions in their responses to youthful transgressions.

The third point concerns the "dangerous", "unnecessary", "wasteful" and "inadequate" nature of youth imprisonment. Mendel (2011: *passim* 5-25) summarises an enormous body of research evidence in noting that the practices of youth imprisonment are:

*Dangerous:* Juvenile corrections institutions subject confined youth to intolerable levels of violence, abuse, and other forms of maltreatment.

*Ineffective:* The outcomes of correctional confinement are poor. Recidivism rates are uniformly high, and incarceration in juvenile facilities depresses youths' future success in education and employment.

*Unnecessary:* A substantial percentage of youth confined in youth corrections facilities pose minimal risk to public safety.

*Wasteful:* Most states are spending vast sums of taxpayer money and devoting the bulk of their juvenile justice budgets to correctional institutions and other facility placements when non-residential programming options deliver equal or better results for a fraction of the cost.

*Inadequate:* Despite their exorbitant daily costs, most juvenile correctional facilities are ill-prepared to address the needs of many confined youth. Often, they fail to provide even the minimum services appropriate for the care and rehabilitation of youth in confinement.

So, what will be the shape and nature of youth justice in Europe in 2020? If politicians and policy makers heed the messages from research, they will combine humanity with pragmatism in constructing an approach underpinned by a substantial welfare state that commands trust and enjoys legitimacy, that limits intervention and maximises diversion and, ultimately, that avoids the calamitous practices of youth imprisonment.

### → Bibliography

Bailleau F. and Cartuyvels Y. (eds) (2002), "La justice pénale des mineurs en Europe", *Déviance et Société*, 26(3), special issue.

Bailleau F. and Cartuyvels Y. (eds) (2010), *The criminalisation of youth: juvenile justice in Europe, Turkey and Canada*, VUBPress (Brussels University Press), Brussels.

Bailleau F., Cartuyvels Y. and de Fraene D. (2010), "The criminalisation of youth and current trends: the sentencing game", in Bailleau F. and Cartuyvels Y. (eds) *The criminalisation of youth: juvenile justice in Europe, Turkey and Canada*, VUBPress (Brussels University Press), Brussels.

Chang H.-J. (2012), "The root of Europe's riots", *The Guardian*, 28 September 2012, available at <http://www.guardian.co.uk/commentisfree/2012/sep/28/europe-riots-root-imf-austerity>, accessed 20 January 2013.

Council of Europe (2009), *European rules for juvenile offenders subject to sanctions or measures*, Council of Europe Publishing, Strasbourg.

Council of Europe (2010), *Guidelines of the Committee of Ministers of the Council of Europe on Child-friendly Justice*, Adopted by the Committee of Ministers on 17 November 2010 at the 1098th meeting of the Ministers' Deputies, Council of Europe, Strasbourg.

Downes D. (2012), "Political economy, welfare and punishment in comparative perspective", in Snacken S. and Dumortier E. (eds), *Resisting punitiveness in Europe? Welfare, human rights and democracy*, Routledge, London.

European Commission (2012), *EU Youth Report, Commission Staff Working Document: Status of the situation of young people in the European Union*, SWD(2012) 257, European Commission, Brussels.

European Commission (2013) *Eurostat*, available at <http://epp.eurostat.ec.europa.eu/portal/page/portal/eurostat/home>, accessed 20 January 2013.

Garland D. (2001), *The culture of control: crime and social order in contemporary society*, Oxford University Press, Oxford.

Goldson B. (2002), "New punitiveness: the politics of child incarceration", in Muncie J., Hughes G. and McLaughlin E. (eds), *Youth justice: critical readings*, Sage, London.

Goldson B. (2009), "Child incarceration: institutional abuse, the violent state and the politics of impunity", in Scraton P. and McCulloch J. (eds), *The violence of incarceration*, Routledge, London.

Goldson B. (2013, in press), *Comparative analytical review of National Youth Reports submitted by Member States on the implementation of the first work cycle of the EU Youth Strategy 2010-2012: social inclusion*, European Commission, Brussels.

Goldson B. and Hughes G. (2010), "Sociological criminology and youth justice: Comparative policy analysis and academic intervention", *Criminology and Criminal Justice*, 10(2), pp. 211-230.

Goldson B. and Kilkelly U. (2013), "International human rights standards and child imprisonment: Potentialities and limitations", *The International Journal of Children's Rights* 21(1): 345-371.

Goldson B. and Muncie J. (2006), "Rethinking youth justice: comparative analysis, international human rights and research evidence", *Youth Justice: An international journal*, 6(2), pp. 91-106.

Goldson B. and Muncie J. (2009), "Editors introduction", in B. Goldson and J. Muncie (eds), *Youth Crime and Juvenile Justice, Volume 2, Juvenile Corrections*, Sage, London.

Goldson B. and Muncie J. (2012) "Towards a global 'child friendly' juvenile justice?", *International Journal of Law, Crime and Justice* 40(1): 47-64.

International Labour Organization (2011a), *Global employment trends for youth: 2011 update*, International Labour Office, Geneva.

International Labour Organization (2011b), *Global employment trends 2011: the challenge of a jobs recovery*, International Labour Office, Geneva.

Lappi-Seppälä T. (2012), "Explaining national differences in the use of imprisonment", in Snacken S. and Dumortier E. (eds), *Resisting punitiveness in Europe? Welfare, human rights and democracy*, Routledge, London.

Mascherini M., Salvatore L., Meierkord A. and Jungblut J.-M. (2012), *NEETs. Young people not in employment, education or training: characteristics, costs and policy responses in Europe*, European Foundation for the Improvement of Living and Working Conditions (Eurofound), Dublin.

McAra L. and McVie S. (2007), "Youth justice? The impact of system contact on patterns of desistance from offending", *European Journal of Criminology*, 4(3), pp. 315-345.

Mendel R. (2011), *No place for kids: the case for reducing juvenile incarceration*, Annie E. Casey Foundation, Baltimore.

Muncie J. (1999), "Institutionalised intolerance: youth justice and the 1998 Crime and Disorder Act", *Critical Social Policy*, 19(2), pp. 147–175.

Muncie J. (2005), "The globalization of crime control – The case of youth and juvenile justice: Neo-liberalism, policy convergence and international conventions", *Theoretical Criminology*, 9(1), pp. 35-64.

Muncie J. (2008), "The punitive turn in juvenile justice: cultures of control and rights compliance in western Europe and the USA", *Youth Justice: An International Journal*, 8(2), pp. 107-121.

Muncie J. and Goldson B. (eds) (2006), *Comparative youth justice: critical issues*, Sage, London.

Pratt J. (2008a), "Scandinavian exceptionalism in an era of penal excess: Part I: the nature and roots of Scandinavian exceptionalism", *British Journal of Criminology*, 48(2), pp. 119-137.

Pratt J. (2008b), "Scandinavian exceptionalism in an era of penal excess: Part II: does Scandinavian exceptionalism have a future?" *British Journal of Criminology*, 48(3), pp. 275-292.

Pratt J., Brown D., Brown M., Hallsworth S. and Morrison W. (eds) (2005), *The new punitiveness: trends, theories, perspectives*, Willan, Cullompton.

Pratt J. and Eriksson A. (2012), *Contrasts in punishment: an explanation of Anglophone excess and Nordic exceptionalism*, Routledge, London.

Simon J. (2007), *Governing through crime: how the war on crime transformed American democracy and created a culture of fear*, Oxford University Press, New York.

Snacken S. (2012), "Conclusion: why and how to resist punitiveness in Europe", in Snacken S. and Dumortier E. (eds), *Resisting punitiveness in Europe? Welfare, human rights and democracy*, Routledge, London.

Snacken S. and Dumortier E. (2012), "Resisting punitiveness in Europe? An introduction", in Snacken S. and Dumortier E. (eds), *Resisting punitiveness in Europe? Welfare, human rights and democracy*, Routledge, London.

United Nations (2012), *United Nations World Youth Report 2011 – Youth employment: youth perspectives on the pursuit of decent work in changing times*, United Nations Department of Economic and Social Affairs, New York.

United Nations General Assembly (1985), *United Nations Standard Minimum Rules for the Administration of Juvenile Justice*, United Nations, New York.

United Nations General Assembly (1989), *United Nations Convention on the Rights of the Child*, United Nations, New York.

United Nations General Assembly (1990a), *United Nations Guidelines for the Prevention of Juvenile Delinquency*, United Nations, New York.

United Nations General Assembly (1990b), *United Nations Rules for the Protection of Juveniles Deprived of their Liberty*, United Nations, New York.

Wacquant L. (2008), *Urban outcasts: a comparative sociology of advanced marginality*, Polity Press, Cambridge.

Wacquant L. (2009), *Prisons of poverty*, University of Minnesota Press, Minneapolis.