

Towards a Mixed Economy of Youth Justice

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Abstract

The concept of a 'mixed economy of justice' involves the idea that welfare is delivered by a range of agencies working in partnership. The United Kingdom 1998 Crime and Disorder Act introduced multi-agency approaches requiring criminal justice agencies to work together with local authorities and communities, following a 'mixed economy of justice' model. This presentation introduces the author's new study on how mixed economies work within youth justice in the United Kingdom. It points out that there are historical precedents to these partnerships and provides an overview of recent developments in the field. The presentation then concludes that contemporary partnerships around youth justice present a much higher level of commodification and that voluntary action now works more on the principle of investment than altruism. A criminal justice 'industry' is now in place. Is it possible, however, to 'buy social justice'? And how far has the development of a multi-agency criminal justice 'industry' assisted the realisation of child rights in the United Kingdom? If it has not, how can it be made to do so and by whom? These essential questions aim to be addressed by the author's new project.

1. My background in youth justice

I started my academic career as a historian of UK youth crime, working on the history of girls' offending in Britain¹ and comparative history of European youth justice strategies.² Within this, I examined the evolution of aspects of child rights from the 19th century onwards. I then moved into sociology and began to work more in criminology and public policy whilst retaining a focus on broad historical developments, gender, youth, and comparative studies.

At present, I am designing a new project on 'the mixed economy of justice' with particular reference to British and possibly more international youth justice. This new initiative will be shaped in different ways by all the work outlined above. Today, I'll outline some of the broader themes that I hope this new study will raise in relation to youth justice and child rights.

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¹ P. Cox, *Gender, Justice and Welfare: Bad Girls in Britain, 1900-1950* (Basingstoke: Palgrave, 2003).

² P. Cox and H. Shoreeds, *Becoming Delinquent: British and European Youth, 1650-1950* (Dartmouth: Ashgate, 2002).

1.1 Defining terms

First, I would like to discuss the term ‘mixed economy of justice’.³ Anyone working on contemporary public policy will be familiar with this broad concept – the idea that welfare is now delivered (in the post-welfare state) by a range of agencies, often working in partnership, some involved in selling (or ‘providing’) services, some involved in buying (or ‘purchasing’) services, with all these exchanges taking place within a contract-based, target-based audit culture in which service users are increasingly regarded as customers. Esping-Anderson’s influential comparative analysis of welfare compares the ways in which different kinds of Western ‘welfare regimes’ combine these elements.⁴ Social policy scholars such as Jane Lewis have used the term ‘mixed economy of welfare’ to denote the role of different ‘providers’ of welfare, with a focus on four major providers: the family, the voluntary sector, the state sector, and the private sector.⁵

In my new project, I want to explore how mixed economies work within youth justice. I plan to examine the ways in which youth justice partnerships have developed over time. I will take a longer historical view than many criminologists, but build on valuable work already conducted on multi-agency working by, for example, Adam Crawford⁶ and Gordon Hughes.⁷ Within this, I want to focus on the increasingly pivotal role of the private and voluntary sectors in ‘delivering justice’, as well as arrangements involving statutory partners which have been more extensively studied by criminologists. I would also like to offer a critical response to the argument recently proposed by Christopher McCrudden⁸ that it is both possible and desirable to ‘buy social justice’ through governments’ procuring power. The shift to multi-agency working has opened the door to a range of new providers and the creation of a burgeoning criminal justice ‘industry’. A question we ought to consider here is how far has the development of this industry assisted the realisation of child rights in the UK? And if it has not, how can it be made to do so? What has the move to multi-agency working meant for UK youth justice?

The year of 2008 is the 10th anniversary of the UK’s 1998 Crime and Disorder Act – one of the first major acts of the New Labour government elected in 1997 (though influenced by earlier Conservative legislation such as the 1994 Criminal Justice and Public Disorder Act). The 1998 act signalled a new era within criminal justice strategy. Crime and anti-social behaviour were to be tackled through new tactics of responsabilisation, community safety, target-driven practice, and, as mentioned above, multi-agency approaches which required criminal justice agencies to work together with local authorities and communities through newly created bodies such as the

³ M. Gill. and R. I. Mawby, *Volunteers in the Criminal Justice System: A Comparative Study of Probation, Police and Victim Support* (Milton Keynes: Open University, 1990), and Pam Cox, ‘Review of Alana Barton, *Fragile Moralities and Dangerous Sexualities: Two Centuries of Semi-Penal Institutionalisation for Women*’, (2006) *The Howard Journal of Criminal Justice* 45(5), pp.554-565.

⁴ G. Esping-Anderson, *The Three Worlds of Welfare Capitalism* (Cambridge: Polity Press, 1990).

⁵ J. Lewis, *The Voluntary Sector, the State and Social Work in Britain: The Charity Organisation Society/Family Welfare Association since 1869* (Aldershot: Edward Elgar, 1995).

⁶ A. Crawford, *Crime Prevention and Community Safety* (Harlow: Longman, 1998) and A. Crawford, ‘Crime Prevention and Community Safety’ in M. Maguire, R. Morgan and R. Reiner (ed.), *Oxford Handbook of Criminology* (Oxford: Oxford University Press, 2007).

⁷ G. Hughes, *The Politics of Crime and Community* (Basingstoke: Palgrave, 2007).

⁸ C. McCrudden, *Buying Social Justice: Equality, Government Procurement and Social Change* (Oxford: Oxford University Press, 2007).

Crime and Reduction Disorder Partnerships. These kinds of measures have been read by many criminologists as evidence of a wider shift to actuarialism, pragmatism and neo-liberalism within criminal justice and a move away from state-sponsored penal welfarism.⁹

What has the move to multi-agency working meant for UK youth justice in practice? If we divide ‘youth justice’ into five areas – prevention, prosecution, community punishments, custodial punishments, and rehabilitation – we’ll see that most multi-agency work takes place in three of these – prevention, custodial punishment, and rehabilitation. What forms do these now take and how effective are they in helping to realise child rights?

Before looking at these areas in more detail, it is important to note that there is a strong historical precedent for partnerships in all three (as well as in community punishment). From the 19th century onwards, charities and voluntary groups played a significant part in juvenile crime prevention through national networks of moral rescue work, street counselling, youth clubs, and residential shelters. Many of these groups were tied to Protestant, Catholic, and Jewish faith groups and many continue with youth justice work today, if under new titles and new management regimes. The Church of England Incorporated Society for Waifs and Strays, for example, started in 1885 and now operates as the Children’s Society. Religious charities managed, staffed, and part-funded most of what would now be called ‘the juvenile justice secure estate’ (institutions variously known as reformatories, industrial schools, and approved schools) for at least a century between the 1850s and the 1950s, with the Home Office providing inspections, guidelines, and core funding. Employers were also closely involved with these institutions and channelled girls into domestic service or laundry work and boys into the military or agricultural work.

More secular organisations were also involved, though they focused their efforts on campaigns, lobbying, and law reform, rather than service provision; the National Society for the Prevention of Cruelty to Children (NSPCC), Save the Children, and the Howard League all have long histories and remain powerful agencies in contemporary youth justice debates. The police themselves had partnerships of sorts with their own charitable organisations, such as the Metropolitan Police Home for Girls and Women which operated in London in the 1920s and 1930s.¹⁰

One aim of my new project is to compare the motivations and rationales informing this kind of historical civic activity in the youth justice field with those informing more recent kinds of corporate action in the same field. In many ways, the contemporary partnership principle tries to reconstruct a ‘world we have lost’ or, at least, a world we might *believe* we have lost: a pre-welfare world in which community members respected and took responsibility for each other. In this context, an analysis of historical criminal justice partnerships would be very illuminating. My earlier work on this area suggests that it will be useful to consider the following: charity work as religious and cultural capital for those involved; the ‘net-widening’ effects of some of their ‘preventive’ work; problems of transparency, accountability, and child rights; the reasons

⁹ See, for example, D. Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (Oxford: Clarendon Press, 2001).

¹⁰ For more on all these organisations, see Cox, *Gender, Justice and Welfare*. See fn.1.

why state agencies took responsibility for more of this work in the 20th century.

2. Juvenile crime prevention and multi-agency working

In terms of contemporary juvenile crime prevention, two major initiatives have involved new partnership arrangements: Youth Inclusion Programmes (YIPs) and Youth Inclusion and Support Panels (YISPs).

Youth Inclusion Programmes (YIPs) were first set up in 2000 and operate in connection with Youth Offending Teams (YOTs). YIPs are described by the Youth Justice Board (itself created in 1998) as ‘tailor-made programmes for 8- to 17-year-olds, who are identified [by local statutory agencies] as being at high risk of involvement in offending or anti-social behaviour’, though are also ‘open to other young people in [a] local area’.¹¹ YIPs operate in 110 of the most deprived or high crime estates in England and Wales. A typical YIP

gives young people somewhere safe to go where they can learn new skills, take part in activities with others and get help with their education and careers guidance. Positive role models – the workers and volunteer mentors – help to change young people’s attitudes to education and crime.¹²

An overall aim is ‘to increase access to mainstream and specialist services, especially in relation to education, training and employment, for the young people involved’¹³ and to work with parents and families to prevent the young people becoming caught up in the criminal justice system. In some areas, Community Merit Awards are given as further incentives. YIPs are funded by more than one source. They receive a grant from their YOT (taken from the YOT annual grant from the Youth Justice Board) but are ‘required to find matched funding from local agencies to add to this’.¹⁴ In many areas, programmes also ‘obtain resources from other organisations (such as New Deal for Communities), which share similar aims ‘in relation to crime and anti-social behaviour.’¹⁵

Youth Inclusion and Support Panels (YISPs) work ‘to prevent anti-social behaviour and offending by 8[-] to 13-year-olds who are considered to be at high risk of offending’.¹⁶ They were set up in 2003 by the Youth Justice Board as a means of helping that body to meet its own target of establishing crime reduction schemes in all YOT areas in England and Wales. The Youth Justice Board and the Children’s Fund now fund 122 YISPs, with 13 of these receiving additional support in order to allow them to develop as best practice models. A YISP is typically made up of representatives of different statutory agencies (such as police, health, schools, and

¹¹ Youth Justice Board (YJB), ‘Youth Inclusion Programme (YIP)’, available at <http://www.yjb.gov.uk/en-gb/yjs/Prevention/YIP/>. Last access 25 October 2010.

¹² YJB, ‘Youth Inclusion Programme (YIP)’. See fn.11.

¹³ YJB, ‘Youth Inclusion Programme (YIP)’. See fn.11.

¹⁴ YJB, ‘Youth Inclusion Programme (YIP)’. See fn.11.

¹⁵ YJB, ‘Youth Inclusion Programme (YIP)’. See fn.11.

¹⁶ YJB, ‘Youth Inclusion and Support Panels (YISPs)’, available at <http://www.yjb.gov.uk/en-gb/yjs/Prevention/YISP/>. Last access 25 October 2010.

social services). Its main aim is to ‘ensure that children and their families, at the earliest possible opportunity, can access mainstream public services.’¹⁷

What difference have these strategies made? A report published in 2003,¹⁸ evaluating the first three years of YIPs, found that ‘arrest rates for the 50 young people considered to be most at risk of crime in each YIP had been reduced by 65%’, ‘of those who had offended before joining the programme, 73% were arrested for fewer offences after engaging with a YIP’, and that ‘of those who had not offended previously but who were at risk, 74% did not go on to be arrested after engaging with a YIP’.¹⁹ This impressive-sounding preventive track record is surely offset by more punitive and net-widening effects of other New Labour initiatives, such as Anti-Social Behaviour Orders (ASBOs), which have brought high numbers of juveniles into the justice system in ways that have arguably compromised child rights and that have certainly gained much more media and academic notoriety. Such initiatives have been part of a conscious effort to close the ‘justice gap’ as the Home Office have put it²⁰ by responding to victims’ needs and bringing more offenders to justice. Any consideration of the impact of YIPs and YISPs on child rights has to be considered against these contradictory issues.

The YIP or YISP success story presented by the Youth Justice Board is also qualified by recent studies undertaken as part of the Economic and Social Research Council network, ‘Pathways into and out of Crime for Young People: Risk, Resilience and Diversity’. Boeck, Fleming, and Kemshall show how youth crime is bound up with questions of risk and social capital.²¹ They conclude that:

Young people from the youth offending teams and youth inclusion projects express a more hopeless and fatalistic approach to their lives and to risk. These young people are in a state of what we call "risk stagnation", unable or unwilling to take the risk to leave their present situation, immediate network and locale. These young people are typified by strong bonds to a limited group, a restricted sense of belonging, and a fatalistic outlook in life. For these young people, leaving their present high risk and crime lifestyles is itself a risk, and one they are ill equipped to take.²²

The message here is that multi-agency working is no magic bullet for deeper questions relating to economic and social rights and equality of opportunity.

In addition to the YIP and YISP statutory schemes, there are increasing numbers of other kinds of youth crime prevention or youth community safety projects involving the private and voluntary sectors. For example, the Prudential 4 Youth programme aims to engage young people

¹⁷ YJB, ‘Youth Inclusion and Support Panels (YISPs)’. See fn.16.

¹⁸ M. H. Burrows, *Evaluation of the Youth Inclusion Programme, End of phase one report*, available at <http://www.yjb.gov.uk/Publications/Resources/Downloads/YIP-Evaluation03.pdf>. Last access 25 October 2010.

¹⁹ YJB, ‘Youth Inclusion Programme (YIP)’. See fn.11.

²⁰ Home Office 2002a, cited in P. Squires and D. Stephen, *Rougher Justice: Anti-Social Behaviour and Young People* (Devon and Portland: Willan Publishing, 2005), p.3.

²¹ T. Boeck, J. Fleming and H. Kemshall, ‘The Context of Risk Decisions: Does Social Capital Make a Difference?’, (2006) *Forum: Qualitative Social Research* (7)1. Available at <http://www.qualitative-research.net/index.php/fqs/article/view/55>. Last access 06 October 2010.

²² Boeck, Fleming and Kemshall, ‘The Context of Risk Decisions’. See fn.21.

as active citizens (under the slogan ‘community safety through active citizenship and social enterprise’).²³ More specifically, it sets out to tackle youth crime in shopping centres, including a recent project in Colchester’s own Culver Square. Prudential 4 Youth has been operating since 1993, and is a partnership between Prudential plc, the insurance and financial services company; PRUPIM, a real estate investment manager linked to Prudential plc (with a particular interest in the smooth running of shopping centres), and Crime Concern, a national charity campaigning for crime reduction and providing a number of offender management services.²⁴

It could be argued that projects like this help to realise children’s rights by promoting children’s voices and therefore ‘child-centred community development’ in the Western context. However, it seems that the PRUPIM agenda was paramount here. Children taking part in the Colchester Culver Square project, for example, were invited to work with actors to produce a play about anti-social behaviour but with the overall aim of cutting the underage drinking and anti-social antics that were disrupting local shoppers and retailers. They did not seem to have been asked to suggest issues and concerns of their own for debate.

3. Juvenile custody and multi-agency working

The 1994 Criminal Justice and Public Disorder Act introduced a new kind of sentence – a Secure Training Order which allowed quite young offenders to be sent to Secure Training Centres (STCs).²⁵ As Ann Hagell and others observed,

The STCs were interesting because they were a new type of disposal for 12-14 year olds, but (...) also (...) because of the way in which they [were] funded and run. It was intended that the STCs were to be run by private companies.²⁶

This was a further step in the privatisation of parts of the UK criminal justice estate, a process which began in 1991 when the Home Office contracted out the management of HMP Wolds. By 2006 there were 12 contracted prisons in England, Scotland, and Wales involving companies such as UK Detention Services and Serco. Two STCs – Medway and Rainsbrook – are managed by the company Rebound ECD (Education, Care and Development).²⁷ This company is a subsidiary of Global Solutions Ltd (formerly known as Group 4), which has various procurement operations in the UK, South Africa, and Australia.²⁸ Since 1998 it has had a contract from the Home Office ‘setting out the range of services to be provided and incorporating a series of

²³ See <http://www.prudential.co.uk/prudential-plc/cr/crnews/cr2006/2006-05-08/>. Last access 06 October 2010.

²⁴ In 2008, Crime Concern merged with Rainer to form a new organisation called Catch22. For more information, see <http://www.catch-22.org.uk>. Last access 25 October 2010.

²⁵ See B. Goldson, ‘New Punitiveness: The politics of child incarceration’ in J. Muncie, G. Hughes and E. McLaughlin (ed.), *Youth Justice: Critical Readings* (London: Sage Publications, 2002).

²⁶ A. Hagell, N. Hazel and C. Shaw, *Evaluation of Medway Secure Training Centre* (London: Home Office Policy Research Bureau, 2000), p.v. Available at <http://www.homeoffice.gov.uk/rds/pdfs/occ-medway.pdf>. Last access 06 October 2010.

²⁷ Rebound ECD, available at <http://www.reboundecd.com/>. Last access 06 October 2010.

²⁸ See the website of Corporate Watch, available at <http://www.corporatewatch.org/?lid=1839>. Last access 25 October 2010.

penalties for breaches of contract.’²⁹ Rebound ECD ‘provides the core services and subcontracts other services, resulting in a second tier of contracts and relationships’.³⁰

STCs have come under fire from children’s rights groups from their inception. In 1998, Rebound ECD’s operation at Medway was criticised on staff experience. Hagell and her colleagues, who conducted an early Home Office evaluation of the new set-up, commented that

[i]t was clear from our interviews in the first six months that many staff members who had direct contact with the trainees were inexperienced, had received inappropriate training, had little support and were not well supervised or led. While there was undoubtedly lots of potential within the staff group, and many talented and dedicated people based at Medway, there were not many who were experts at looking after very difficult 12-14-year-olds.³¹

In June 1998 the institution was subject to a ‘riot’ (according to the press) or ‘an outbreak of violent disorder’.³² Many commentators link these kinds of incidents to the private sector’s inherent ‘unsuitability’ for this task – a view vehemently opposed by supporters of private sector involvement who argue that privately-run penal facilities have more innovative, flexible, and effective recruitment and staff development strategies.³³ An aim of this project will be to examine this claim more critically and perhaps to compare private sector management styles with those of the charities managing similar institutions in the UK for at least a century prior to this.

STCs remain controversial. Last year, the Children’s Rights Alliance for England (an alliance of over 380 voluntary and statutory organisations committed to the full implementation of the United Nations Convention on the Rights of the Child) and the NSPCC raised strong concerns about the compatibility of Secure Training Centre Amendment Rules (2007) with international human rights standards. They argued, in written evidence for the Parliamentary Joint Committee on Human Rights, that the Rules ‘give rise to serious concerns about child safety in secure training centres and should be annulled’, that they ‘extend the circumstances in which physical restraint can be used, placing greater discretion in the hands of staff’, and had been

introduced without any public consultation, in the context of serious public concern about child injuries and deaths in [privately run] STCs [including one at Rainsbrook] following the disclosure in a recent inquest of systematic failures by the Youth Justice Board to protect children’.³⁴

²⁹ Rebound ECD. See fn.27.

³⁰ Hagell, Hazel and Shaw, *Evaluation of Medway Secure Training Centre*, p.v. See fn.26.

³¹ Hagell, Hazel and Shaw, *Evaluation of Medway Secure Training Centre*, p.45. See fn.26.

³² Medway staff, quoted in Hagell, Hazel and Shaw, *Evaluation of Medway Secure Training Centre*, p.30. See fn.26.

³³ See The Confederation of British Industry, *Protecting the public: Partnership in offender management, Transforming Criminal Justice Brief (2006)*. Available at <http://www.cbi.org.uk/pdf/transcriminaljust0706.pdf> 1-16. Last access 06 October 2010.

³⁴ CRAE and NSPCC, *The Use of Restraint in Secure Training Centres: Written evidence for the Parliamentary Joint Committee on Human Rights (2007)*. Available at http://www.nspcc.org.uk/Inform/policyandpublicaffairs/Westminster/nspcc_crae_jchrresponse_sirestraint_wdf51360.pdf. Last access 25 October 2010.

Notably, the Confederation of British Industry (CBI) takes a different view. Arguing for the further expansion of the ‘market in offender management’ (proposed by the 2003 Carter Report³⁵) as a way of further ‘protecting the public’, it uses Rebound ECD’s management of Rainsbrook STC as an example of high quality partnership practice: one that offers innovation, value for money, and good outcomes.³⁶ They make no mention of the restraint controversy or the deaths of young people in custody in their profile of this institution. Child rights do not seem to be high on this new agenda: certainly, realising child rights is not listed by the CBI as one of ‘improvements delivered’ by Rebound. This is not to say that rights are not addressed but that it is not clear how they are addressed. As McCrudden argues, governments can certainly use their procuring powers to buy services that promote positive social change,³⁷ but where does the definition, delivery, and monitoring of child rights fit here? How are multi-agency partnerships and contracted services held to account on this score? How do their agreed Key Performance Indicators (KPIs) deal with child rights specifically? Are they included in any way in the output-oriented contracting favoured by the CBI in these scenarios?

The CBI’s position here raises a further important concern: value for money. One of the major charges levelled against state-financed penal welfarism was that it wasted money. The Audit Commission’s 1996 report, *Misspent Youth*, provided a powerful justification for contracting, commissioning, procuring, and privatising. So how has the new mixed system fared in this respect? The CBI has a stark view:

Over the last 15 years considerable progress has been made in the way we manage offenders in the UK. There have been improvements in prison and probation. But we still face a major challenge – re-offending rates approach 60% within two years of release. The system has not been delivering.³⁸

They go on to argue that what is needed is more competition between criminal justice service providers and a further de-regulation of the offender management market. In effect this position advocates further expansion of the criminal justice industry – and not necessarily in the interests of closing the ‘justice gap’ as outlined above. A result is likely to be an overall increase in the private and public financial resources devoted to fighting crime and possible net-widening strategies which only bring more people, including young people, into the justice system. How far can Rebound ECD and Global Solutions’ shareholders afford to see a wholesale reduction in crime?

³⁵ P. Carter, *Managing Offenders, Reducing Crime—a New Approach*, Correctional Services Review (London: Prime Minister’s Strategy Unit, 2003).

³⁶ CBI, ‘Protecting the public: Partnership in offender management’, (2006) *Transforming Criminal Justice Brief*, p.10. Available at <http://www.cbi.org.uk/pdf/transcriminaljust0706.pdf>. Last access 25 October 2010.

³⁷ McCrudden, *Buying Social Justice*. See fn.8.

³⁸ CBI, ‘Protecting the public: Partnership in offender management’, p.1. See fn.36.

4. Juvenile rehabilitation and multi-agency working

As outlined above, voluntary agencies and certain kinds of employers have a long historical involvement in projects to rehabilitate young offenders, especially those who have been in custody. Reformatory and industrial schools, managed by religious charities, often had direct links to domestic service networks for girls and military service networks for boys. The appeal of these kinds of jobs was that they provided safe and affordable housing for vulnerable young people while allowing them to be kept under another form of surveillance to prevent re-offending.

Today, new voluntary agencies and social enterprises are active in both fields. The Princes Trust, for example, works with young offenders and ex-offenders; in 2005-6 more than 3,500 participants of their programmes were from these groups.³⁹ Others are involved in providing supported housing and hostels. NACRO Community Enterprises (National Association for the Care and Resettlement of Offenders), for example, has a network of properties across the country. Clear Springs, a relatively new social enterprise, has contracts from the Ministry of Justice to provide bail hostels and other kinds of accommodation.⁴⁰ These properties and services are coordinated within a 2003 government initiative, The Supporting People programme, which provides housing related support ‘to help prevent problems that can often lead to hospitalisation, institutional care, custody or homelessness’.⁴¹ With its origins in a mid-1990s judicial review of housing benefit, it has separated a person’s housing costs from their social and personal care costs and overhauled the way housing-related support is funded, commissioned, and monitored across England and Wales. The programme offers, among other things, a searchable directory of properties and support agencies which shows, for example, where vacancies might be available for 16- to 25-year-olds with particular difficulties.⁴²

There are some obvious differences between historical and contemporary models – the nature of the young labour market, the de-linking of employment and housing, and the use of ‘incentivisation’ among providers, to name just three. However there are also many similarities in that the challenge, then and now, is to define and provide appropriate education, training, skills, job openings, and safe accommodation for a group of young people who, then as now, are typically multiply disadvantaged well before they enter the justice system. All this raises the issue of young people’s access to economic and social rights. It would be interesting to track trends in key areas: availability and location of supported accommodation; entitlement; referral and exclusion mechanisms; periods of time over which support is offered and by whom; how any profits are generated and re-circulated; and (re)offending rates of those involved.

³⁹ The Prince’s Trust, *The Cost of Exclusion: Counting the Cost of Youth Disadvantage in the UK* (2007), p.39. Available at <http://www.princes-trust.org.uk/PDF/Princes%20Trust%20Research%20Cost%20of%20Exclusion%20apr07.pdf>. Last access 25 October 2010.

⁴⁰ See Clear Springs website, available at www.clearsprings.co.uk/supported_housing/supported_housing.asp. Last access 6 October 2010.

⁴¹ Supporting People (2008) <http://www.spdirectory.org.uk/DirectoryServices/>.

⁴² Supporting People (2008) See fn.41. The information provided in footnotes 39 to 42 was correct at the time of presentation at the UKIERI Conference. Due to governmental changes in the UK, updated information on new policies must be sought.

5. Conclusion: Buying social justice?

One of the most striking differences between historical and contemporary partnerships around youth justice is the level of commodification involved. Voluntary action now works more on the principle of investment than altruism or gift-giving. Justice services are now bought and sold, contracted, and commissioned. Companies are engaging in justice projects as part of their corporate social responsibility agenda. A criminal justice ‘industry’ is clearly now in place and is growing fast, facilitated by the shift to multi-agency working which has opened the door to new providers.

In the wider project, I would like to try to consider what difference all this makes. Is it possible to ‘buy social justice’? How do we regulate justice that is commodified and marketised rather than rooted in civil society? What place might older debates about the moral economy – used so powerfully by social historians of crime such as EP Thompson and John Langbein – have in any new work on the mixed economy of justice? How far does the new criminal justice industry offer ‘better value for money’ than earlier more socialised and less commodified mechanisms? A core question, as I outlined at the beginning, might be this: how far has the development of a multi-agency criminal justice ‘industry’ assisted the realisation of child rights in the UK? And if it has not, how can it be made to do so and by whom?