Discussing impact of juvenile justice interventions on poverty, vulnerability and emancipation of young adults: a Belgian perspective

Jenneke Christiaens
Recent Belgian research shed light on how youngsters experience their contacts with the youth justice system. Interviewed youngsters have ‘mixed feelings’ about their judge. Their perception of ‘justice’ is not unequivocally positive. This is related to the lack of participation they experience during court sessions and later, during the execution of the judicial measures (Nuytiens and Geluyckens, 2015). They feel that although they have a right to be heard, professionals are not really listening (Françoise and Christiaens, 2015). They claim that the educators and social workers are focusing too much on control and sanctioning, rather than on their needs (Van Audenhove and Vanderlaenen, 2015). Youngsters placed in institutions report about the difficulty of ‘wearing the stigma’ and being recognised everywhere and always as ‘youth justice children’ (Luyten et al., 2015). This is important in the identity construction (cf. desistance literature). Adults with a youth justice history point at the recurring questioning of their past about their past, when looking for a job or when becoming a parent.

Bizarrely enough, youngsters once placed in institutions have an overall feeling that they are ‘on their own’ which, makes them feel strong (I can do this), but also lonely. There is of course the loss or reduced contact with parents, family members and friends. They also blame the constraints on making friends within the institution and the lack of continuity in their relationships with caring (professional) adults. On the other hand, they recall and invoke important significant others, such as the cook or the cleaning lady (Luyten et al., 2015).

Youngsters point out the lack of unconditional acceptance (by professional caretakers) they experience throughout their youth justice pathway. At the end of their youth justice pathway (18 years) they are confronted with the abrupt ending of all social support the youth justice system was providing for. They experience this moment as a blunt “Now, you’re on your own” (Nuytiens and Geluyckens, 2015; Luyten et al., 2015). It is an ambiguous moment, because they lived towards this moment of emancipation and adulthood, bringing (finally) ‘freedom’ from social control into their lives. At the same time, when looking back, they remember this moment as a very problematic (Nuytiens, 2011).

Indeed, they then are immediately confronted with the problem of access to (adult) welfare rights. They discover that leading the ‘good life’ in a complex and unequal world is not what they were prepared for. Due to a reduced social network, the lack of mutually enhancing relationships and psychological capital, their vulnerability quickly results in a ‘reproduction’ of their family living conditions (poverty) (Nuytiens, 2011). Hence, young adults growing out of youth justice experience to be trapped into a transition towards adult justice.

It is precisely during this transition period toward adulthood that the complexity of the impact of youth justice measures becomes visible, beyond what works, beyond a narrow focus upon recidivism. Coming into contact with the youth justice system, has an iatrogenic effect, which is partly due to the stigmatisation experienced in the development of young people’s identity and their recognition (Barry, 2015). But it is also a result of the youth justice (re-educational) practices themselves.

The Belgian youth justice system is described as an example of a welfare oriented system: Belgian minors under the age of 18 are not punished but re-educated. Hence, the problem that lies at the heart of the youth justice system must be understood as an ‘educational paradox’ (De Vos et al., 2015). Re-education is embedded in a perspective of social control in order to produce ‘good’ behaviour. Structural problems, such as poverty, become qualified as individual problems. On top of that youngsters are responsible for getting or doing better. The same goes for more punitive or less welfare oriented youth justice systems. Unsurprisingly, impact research thus exposes that everyday youth justice re-educational practices are not focusing on empowerment and emancipation. Youth justice youngsters lack a perspective upon (their) adulthood; they are not equipped and prepared for adult life in a complex and unequal world. So in the end, youngsters become not better, but vulnerable (again). All in all, the impact of the youth justice system appears not to be so much a problem of the individual offender. Rather it is a structural (political) problem that demands a reframing of ‘doing youth justice’ by acknowledging social conflicts as a source for a pedagogy of empowerment and emancipation.

Jenneke Christiaens is professor in criminology at the Vrije Universiteit Brussel, in Belgium. Her main research topics are juvenile justice practices, youth delinquency and (youth) crime, public space and the city.
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EDITED BY
HAZEL CROALL, GERRY MOONEY AND MARY MUNRO

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