



Risk-focused Assessment and the Conceptualisation of Youth- A Comparative Study in Youth Justice in Japan and England

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+ Why?



- Broadening from western approaches to crime and criminal justice.
- Consideration of cultural dimensions in relation to the concept of 'deviancy' and any given societal understanding of collectivism versus individualism (Bui, 2014).
- 'it is important to remember that any identity/ies an individual holds and believes to be significant in the lived experience should be consider for analysis' (Potter, 2015)...in appropriate cultural context.
- Especially with young people, who's identity is 'in development' (Yokayama, 2015).



Research Methods

Japan	England & Wales
Qualitative Multi-Method Approach:	Qualitative Multi-Method Approach:
5 Interviews with Family Court Probation Officers.	14 Interviews with YOT practitioners
2 Meetings with UNAFEI	2 Focus Groups with YOT Staff
Thematic Analysis of Ministry of Justice Exhibition Material on Juvenile Justice (2016)	Thematic Analysis of 273 Assets & over 3000 case diary entries & Over 4 months of semi-ethnographic research.
Snowball Sample.	Critical Case Sampling

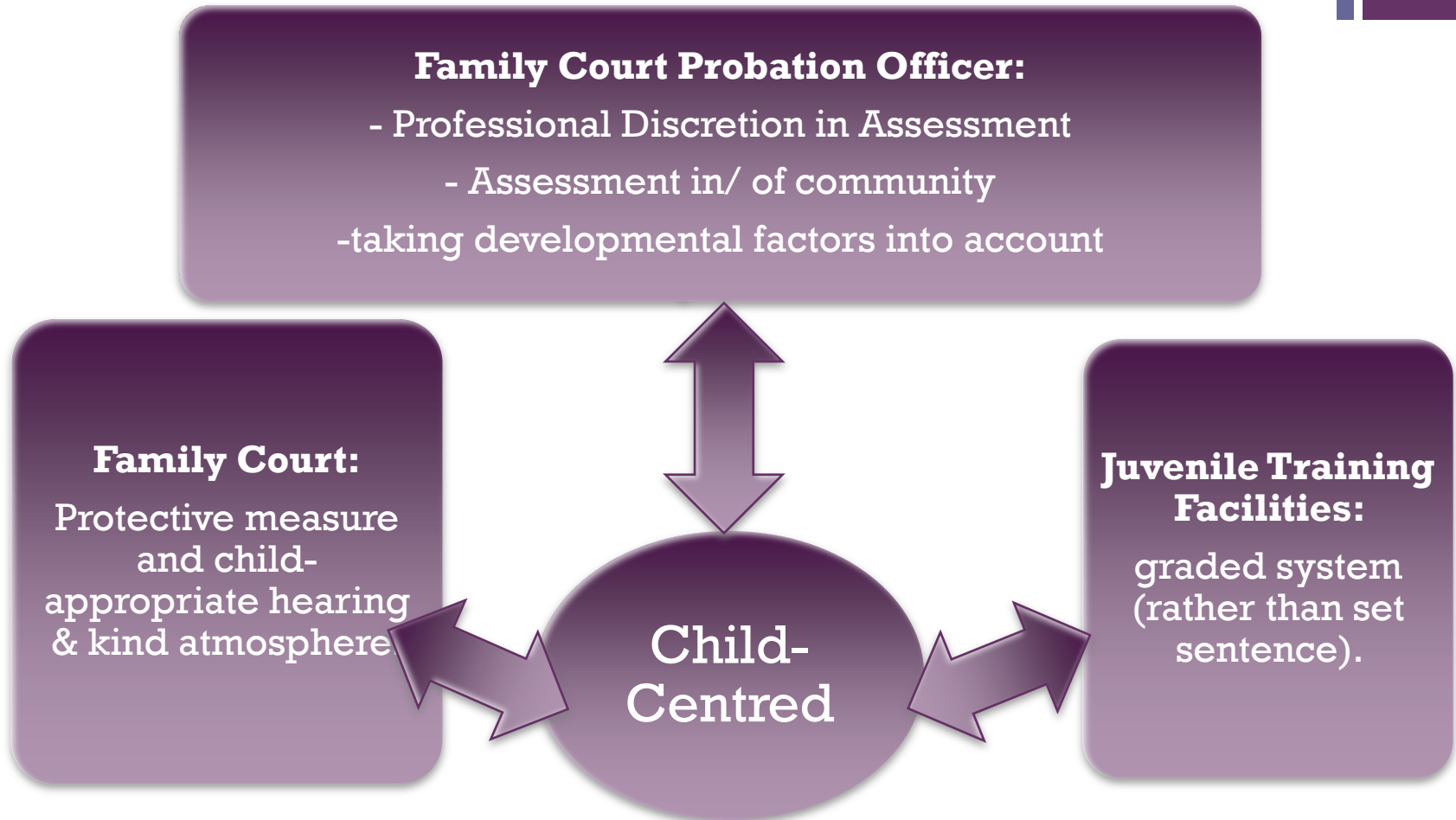


Family Court Probation Officer



■ *‘we understand that children and young people do not solely hold responsibility for their offending behaviour, and we consider all factors to ensure the best treatment for the juvenile. This includes taking into account their specific needs, the stage of their development, and the influences and responsibilities of their community to design the best possible intervention plan’ (FGP2)*

+ Results and Findings



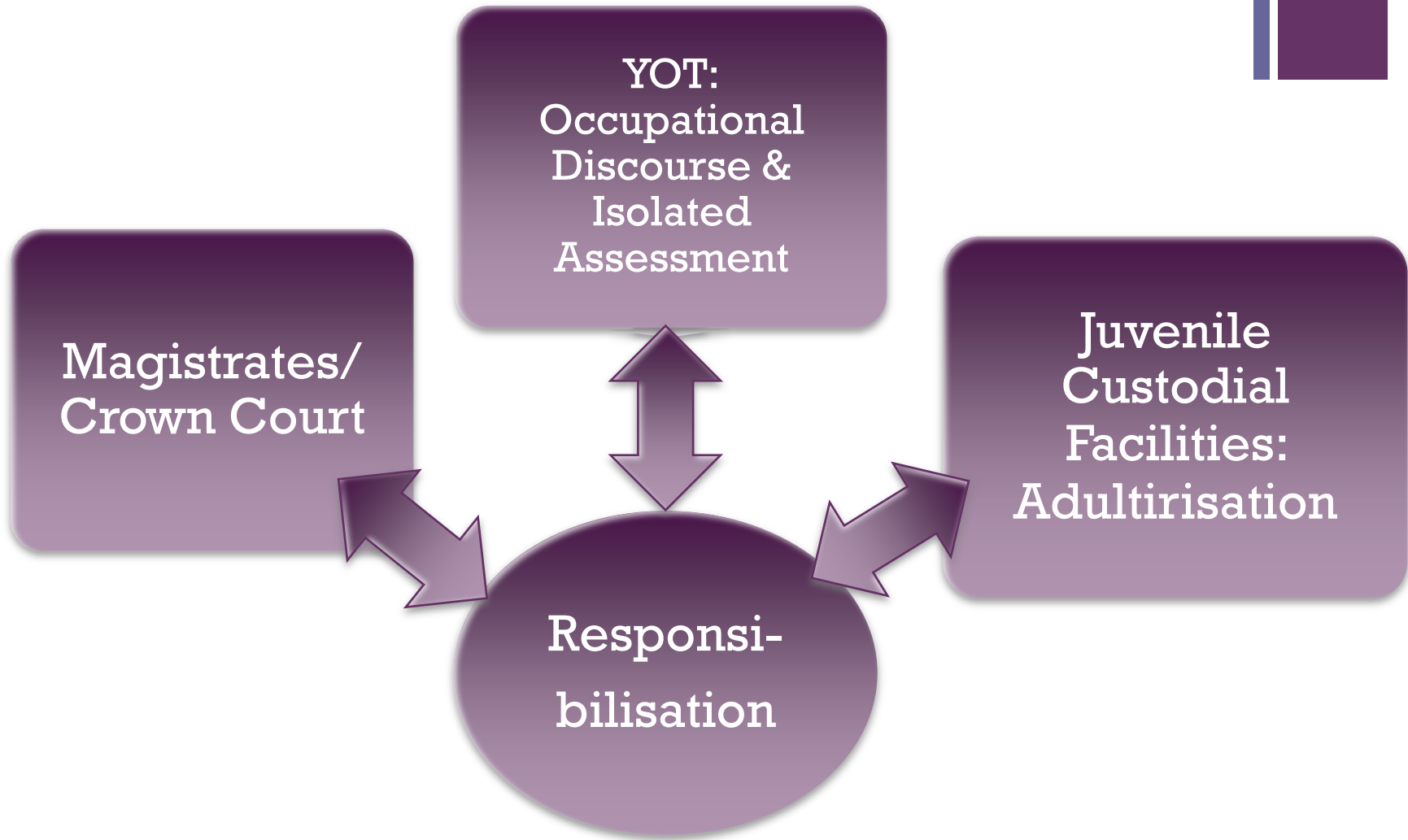


Youth Offending Team Manager



I think its limited [...] I do believe having looked at a number of assessment tools that they are limited and any assessment tool is limited by its very nature...the criticism that I would have of the Asset is that it pays absolutely no attention to equality and diversity whatsoever.[...] And then they are all tick boxes, it never, ever actually invites, encourages, it's not in the planning, it's not in anywhere asks you to do anything with what you have learned about that, so I think that's a limitation.

+ Results and Findings





England and Wales	Japan
Age of Criminal Responsibility 10	Age of Criminal Responsibility 14
While focus on rehabilitation in Policy, practice is punitive (adulturisation of young people)	Focus on rehabilitation& Education in Policy and Practice
Crime & Disorder Act of 1998 marks significant change in Youth Justice Policy & Youth Justice Board was established	33 amendments since 1946, but only 4 significant changes (shift to under 14s from 2008)
<p>The Crime and Disorder Act 1998, some argue, presented a major shift in Youth Justice Policy and Practice to:</p> <ul style="list-style-type: none">(1) Shortened periods between offence and prosecution.(2) Sharp rise in custodial sentences (until around 2011).(3) Responsibilisation of young people.	<p>Major changes in Japanese Youth Justice in 2000, 2007, 2008, 2014 following high profile cases, resulting in main changes;</p> <ul style="list-style-type: none">(1) Lowering age from 16 to 14 for prosecution in adult courts.(2) Detention for up to 8 weeks for during trial period.(3) Victim's access rights enhanced.(4) More punitive than previously, resulting in more cases in adult courts.
Assessment and interventions focus on 'structural factors', but interventions rely on 'agency'.	Assessment and interventions focus on responsibility of community and protective measures
ASSET (occupational discourse of YJ)	Holistic and no set 'discourse' for assessment
Youth Courts Still employ inaccessible language and procedures	Family Courts with focus on informality (non-confrontational and kind')

+ Returning to the why

- In England and Wales a number of issues have recently been identified with the YJS: Namely the lack of awareness of a young person's vulnerability & its ineffectiveness (<http://www.yjlc.uk/taylor-review-of-youth-justice-system-published>) as well as the over-representation of ethnic minorities in the YJS (<http://www.bbc.com/news/uk-41191311>).
- QUESTIONS:
- If the Japanese Youth Justice System is built on US and British systems (post-war), how can we understand its more child-centered approach?
- Is a more punitive approach of Japanese Youth Justice therefore inevitable as a universal trend or developed in its own culturally appropriate context of responsibility of communities?
- How can we learn from Japanese Youth Justice to reduce youth offending?
- How can we integrate 'culturally appropriate approaches' to explain some of the issues in Youth Justice in England and Wales?
- How can we ensure that issues with ASSET approaches are not simply replicated in other countries?



Selected References & Contact Details

- Baumgartner, E. (2014), Boys will be boys, or will they? A study of youth offending team practitioners' constrictions of masculinity of the young men with whom they work, Durham University, unpublished Thesis:
<http://etheses.dur.ac.uk/10607/>
- Bui, L. (2014), Examining the relationship between parenting, risk-taking and delinquency in Japan: Context and empirical applicability, Asian Criminology, 9, 171-189.
- Supreme Court of Japan, Guide to Family Court of Japan, (Accessed on September 11th, 2017), http://www.courts.go.jp/english/vcms_lf/2015guide-to-the-family-court-of-japan.pdf

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