

Young people today: news media, policy and youth justice

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Abstract: The new sociology of childhood sees children as competent social agents with important contributions to make. And yet the phase of childhood is fraught with tensions and contradictions. Public policies are required, not only to protect children, but also to control them and regulate their behaviour. Since 1998, the UK judiciary has used Anti-Social Behaviour Orders (ASBOs), civil orders originally introduced to police neighbour disputes, to curb children's anti-social behaviour (including the wearing of 'hooded' tops in public places). Thus, for children and young people in the UK, youth justice has become increasingly punitive. At the same time, social policies have focused more on children's inclusion and participation. In this interplay of conflict and contradictions, the role the media play is critical in contributing, to a large extent, to the moral panic about childhood and youth. In this article, we consider how the practice of "naming and shaming" children as 'anti social' belies a deeply moral response to the nature of contemporary childhood. We conclude by considering a rights-based approach to children and young people and how this might help address and redress the deeply moralised politics of childhood representations in the media.

Introduction

This article addresses the perceptions and representations of children and young people by highlighting and illustrating the interplay between UK press reporting, policy and youth justice. It is not our intention to focus on these three areas as separate analytical entities. Rather, our approach addresses the contradictions between these areas, adopting a “children’s rights” approach to welfare, youth justice and media representation. Nor do we propose a single theoretical resolution to the conflict that children experience as a result of these tripartite influences, but offer some practical strategies and solutions to this conflict based on the rights of children and young people.

Our emphasis is on national press reporting on children and young people, in part because of drawbacks in generalising similarities in media coverage. As Lalani and London (2006) point out, “the media, by definition, covers a range of different and varying processes, which serve different functions and appeal to different audiences, and includes a wide range of formats” (Lalani and London, 2006, p 3). We also focus on the press because in ““selling” stories, rapidly, succinctly and in an interesting way” (ibid), the press “mediates between policy and public agendas, constructs the public agenda and seeks to influence policy agendas” (Cricher, 2002, p 530). We illustrate this mediating role and show how, in the case of so-called “anti-social” children and young people, news values and moral values have entwined.

In the UK news media context, moral concerns are never far from the surface of press reporting on children and young people. This is most apparent in the orchestration of “moral panics” about children (see Jenkins, 1992; Jewkes, 2004), which has in turn generated concerns that children and young people in Britain on the whole are misrepresented in those sections of the press seeking to influence not only public opinion but also political and policy agendas (Critcher, 2003). Thus, stereotyping and duality (see Franklin, 2002) override a genuine participation agenda such as found in welfare and policy contexts, where children’s participation is seen as key. However, it is also recognised that the voices of children themselves are either missing or under-represented in research, policy and practice (Hill et al, 2004). Nonetheless, in these areas strategies are identified to promote children’s participation in the political process.

In an international context it is much more difficult to generalise about media coverage. Considering the media in a global sense is often unhelpful and confuses the difference between formats and genres (Henderson, 1996). International news media coverage of children and young people inevitably vary across formats. However, while some news coverage of childhood and youth in different cultural settings reflect the negativity and/or duality evident in British news coverage, examples from other countries paints a different picture.

A content analysis of media coverage of children in four national daily Turkish newspapers, revealed a familiar victim-oriented theme: ‘Children in

the news are represented as victims of violence and crime; followed by accidents and tragedies' (British Council, 2008, p 2). Conversely, In a pan-African context, research has shown that the media have helped shape and change moral attitudes towards, for example, children and young people and their social inclusion. Furthermore, 'in countries that have suffered conflict the media can play a critical role in promoting peace, national unity and responsible government' (Department for International Development, 2005, p 15).

New Labour's moral agenda

Since New Labour came to power in 1997 youth crime has remained high on the UK political agenda. Labour's main publicity emphasis has been on addressing the politics of behaviour: low-level street crime, prolific repeat offending of violence, and anti-social behaviour (Squires, 2005). And while the Conservatives have responded by placing the politics of anti-social children at the heart of their attempts to "understand a little more, and condemn a little less"¹ (Allen, 2006, p 13), the *realpolitik* of the Blair years has seen various forms of governance (including child safety orders, local child curfews, parenting orders and Anti-Social Behaviour Orders) over young people's apparent uncivil and irresponsible behaviour (Wintour, 2004).

New Labour's prioritising of youth governance has been most recently expressed in the context of Tony Blair's commitment to a "moral renewal" programme for "ordinary, decent, law-abiding folk ... who play by the rules" (Blair quoted in Scraton, 2006, p 75). The latter phrase, used by Blair in a

2005 speech on the future of youth justice, signalled that the political and academic left and right had misunderstood criminal justice (as either a structural problem or as individual wickedness), when what mattered was “to make protection of the public the priority ‘measured’ not by the theory of the textbook but by the reality of the street and community in which real people live real lives” (Blair quoted in Scraton, 2006, p 75).

Blair’s well-publicised Christian belief has perhaps guided his legal and moral fervour for revitalising *de-moralised* communities. As Blair put it in a recent speech on the future of nation vis-à-vis youth justice: “Our anti-social behaviour legislation ... deliberately echoes some of our moral categories – shame, for example, that were once enforced informally” (Scraton, 2006, p 78). But while “shame” certainly has something of the “Catholic” about it, New Labour Home Secretaries were intent on mobilising a Victorian rhetoric of “tough love” and “compassion with a hard edge” toward some young people’s anti-social behaviour to court populist favour.

For example, during his tenure as Labour Home Secretary, John Reid (2006-2007), was apparently minded to make young offenders sentenced to community punishment be put in army-style uniforms so they could be *seen* repaying wronged communities. Travis (2006, p 7) quotes from a leaked Home Office email: “the home secretary is very interested in exploring ways of increasing visibility of offenders doing unpaid work in the community such as by wearing uniforms: “Unpaid work would have to be portrayed as penance and contrition, and for them to be seen as genuinely paying back to the

community". Reid's British-style "chain gang" played well in the tabloid press, which is possibly what the "leak" was intended to achieve.

But while New Labour's youth justice policies have become increasingly punitive² and underpinned by an emphasis on morality and children's and young people's responsibility, social care policies centre on children's welfare, their rights and, increasingly, on children's citizenship and agency. And it is children and young people themselves who get caught up in the tensions between criminal justice and social care responses --- between protection and punishment interventions --- and it is this conflict that must go some way to accounting not only for how they are perceived and treated by government and a supposedly increasingly youth-fearful public (see Margo et al, 2006), but how they are represented in the media (and in some way this conflict must, in turn, contribute something to the debate on children's behaviour).

Ignorant, dependent and in need of discipline

The swings and shifts in approaches to children and young people and perceptions of childhood itself are not new. From the 18th Century to late modernity the status of childhood has transformed from children being seen but not heard to being heard but, in modern day criminal justice responses at least, not actually listened to --- something that more recent ideas about participation and inclusion on social care agendas, in policy, practice and in research has begun to address (see deMause, 1976; Hendrick, 1997; Heywood, 2001; Davis and Edwards, 2004).

Historically, children and young people have been subject to any number of conflicting measures aimed at once at addressing their needs and, at the same time, constraining and controlling their behaviour. Thus, from the early child saving and protection movements of the 18th and 19th Centuries to the penal populism of the 1990s, children and young people have been the casualties of a duality that sees them as simultaneously “innocent, ignorant, dependent, vulnerable, generally incompetent and in need of protection and discipline” (Hendrick, 1992, p 2). In late modernity the ways in which children and young people are represented are critical in understanding how childhood in the 21st century is conceptualized and politicized.

The role the media play in this conceptualization is key, nowhere more so than in the area of youth justice and the response of criminal justice agencies to children’s anti social behaviour. As we have said, though initially introduced to control “unruly neighbours”, evidence shows that ASBOs are targeted more broadly and ambiguously at youthful (mis)behaviour, which has included wearing hooded clothing and playing street football (Goodchild, 2006). Indeed, one of the most controversial aspects of ASBOs is that it can be imposed on anyone *thought likely* to cause alarm, distress or harassment. This has been termed a “criminalization of nuisance” (Ashworth quoted in Muncie, 2006, p 783) because ASBOs are used to censure young people’s *perceived* anti-social behaviour.

According to Orr (2005), between 1999 and 2004, more than 2,000

ASBOs (from around 10,000 orders) had been issued against children, with some 13 year-olds receiving orders lasting up to 10 years. But there are some fundamental problems with ASBOs, not least definitional ambiguity, which allow youthful behaviour to be criminalized and judgments about what constitutes anti-social behaviour to be interpreted variously (Orr, *ibid.*). The conferring of ASBOs on children and young people have also facilitated a symbiotic relationship between New Labour policy makers and the media, as well as reinforced the polarity between social care policy and youth justice, which is sometimes reflected in vindictive press reporting.

A case in point concerns the manner in which two 11-year-old boys, Robert Heneghan and Shaun Holt, were “named and shamed”. In April 2004, the *Blackpool Gazette* published mug shot-type photographs of the boys headlined: ‘Ban for the Imps of Satan’. Ascribing the Mark of the Beast (as it were) to young boys makes sense only in the representational context in which the boys’ mug shots underline their criminality. The headline “Imps of Satan” later accompanied the boys’ photographs in a national newspaper (*Daily Mail*, 4 May 2004, p 31). The paper summarized their “Satanic” activity akin to a police charge sheet: “Theft. Violence. Intimidation. For six months these 11-year-old boys brought terror to their community. Now they’ve been ‘named and shamed’. But will it make any difference?” The question that is posed does not imply that an answer is forthcoming, however; it underlines that punishment (“they’ve been named and shamed”) has been administered.

A punitive response to anti-social children is at the heart of the 1998

Crime and Disorder Act. The Act introduced ASBOs amongst a raft of other new court orders including for the first time in the UK the use of “curfews”. The latter constituted not only a new punitive community safety order aimed primarily at children and young people but also, because of the ambiguity of the terms of reference, has led to a great deal of uncertainty about what constitutes anti social behaviour as such. The Home Office (1997) proposed that ASBOs should be given to named individuals over ten years of age who “acted in an anti social manner ... that could or was likely to cause harassment, alarm or distress to one or more persons not of the same household”.

Such ambiguity encourages the criminalization of children and young people and in particular allows local authorities and enforcement agencies to criminalize any youthful behaviour (By the late 1990s, all local authorities in the UK were given the statutory duty to prevent offending by young people (Squires, 2006)). Consider the following excerpt from a notice issued to all parents of children at a Nottinghamshire school by the local police: “Anti social behaviour can mean different things to different people ... Offences can range from groups of youths hanging around on street corners smoking cigarettes to Criminal Activity such as criminal damage, theft and drug abuse”. The notice goes on to describe a rise in violent attacks and assaults in the area, 50% of which are committed by “young people”, and warns: “We don’t want to criminalise your children’s behaviour but unless things improve there is a risk of them being arrested and sent to court.”

Smoking cigarettes does not (as yet) constitute an offence, but this example shows the definitional ambiguity of “anti social behaviour” and the license it gives to various and inconsistent interpretation (in one case from 2004 a 13 year-old boy with autism was given an ASBO after neighbours complained about the noise the boy was making on his trampoline). This can lead not only to punitive action against (increasingly younger) children but also to public fear and suspicion which has resulted in reported cases of children assaulted in their communities - including in schools - after being publicly named as ASBO recipients (Goodchild, 2006).

Of course, neither fear of young people nor introduction of novel and different methods of trying to control them is new (Pearson, 1983), but the role the media play in generating consistently negative representations of children and young people --- in this case by colluding with government in purposefully naming and shaming young people whose behaviour is deemed anti social --- is key in generating anxieties.

Naming and shaming: politics and the media

New Labour’s “tough love” approach to young offending, given especial significance in the introduction of ASBOs for children and young people, has helped create a mutually compatible relationship between the government and the media. Political antennas are highly attuned to the tabloid agenda that suggests politicians are “soft on crime”. New Labour’s desire to make punishment of offenders visible in the community thus shares affinity with a rhetoric of contemporary punitive populism reinforced by the popular press

and other agencies (Evans 2003) and fits well with a popular press now heavily focused on criticising youth crime and anti social behaviour (transformed into a more broad sweeping negativity about children and young people to a great extent by the landmark Bulger case, which we will discuss later) and that also prefers and gives primacy to picture-led stories (Franklin, 2002).

It was the Home Office's 2006 Respect initiative, promoting what it called a "modern culture of respect", that identified local newspapers as key to publicising names and identities of individuals served with ASBOs. The purpose of publicising ASBO recipients is, according to the Home Office (2006), "to help enforce the order (and thereby the prevention of disorder or crime) not to punish or embarrass the individual" (Home Office, 2006). However, politicians across all the main political parties use the issue of anti-social behaviour as a flag of convenience to publicise their own punitive policy solutions to curbing young people's criminal/anti-social excesses (what Ashley (2006) acerbically terms "low tabloid politics"). This means that it is not possible to limit ASBO-related publicity to local newspapers.

A notable example is *The Sun's* "Shop a Yob" campaign (2004-2005), which has continued intermittently as "ASBO Watch: Shop A Menace" (2005-present). In its latter guise, the paper reproduced 48 photographs of adults, young people, and children as young as 11 years old. We can only speculate that the Sun's ASBO Watch campaign gained impetus in 2005 following the Home Office's deployment of eight so-called "ASBO ambassadors", i.e.

apparent experts on how ASBOs might be used by councils and police forces, to make English and Welsh regions “job resistant” as part of their statutory efforts to police anti-social behaviour (Squires, 2006, pp 144-45).

Moreover, the legal terrain in which ASBOs are issued, i.e. magistrates courts, does *not* allow for automatic reporting restrictions since ASBOs are a civil not criminal measure, at least until a breach of an ASBO has occurred. The Home Office’s presumption is that local authorities can and should use local press not only to publicise details and photographs of ASBO recipients but for localized enforcement purposes. Thus, the symbiosis between the government and the media is extended to criminal justice agencies not least because the government wants to criminalize young offenders at increasingly younger ages (evidenced in the steep rise in custodial sentences and supervision by Youth Offending Teams, see Pitts, 2005) but also wants to be seen to be acting on their “tough love” objectives.

This promotional strategy also has its roots embedded in “community safety” initiatives, whereby communities police young offenders themselves (see Brown, 1998). Squires and Stephen note how the “respectable fears” of those whom the Home Office (1997) refers to as “law abiding people” are reinforced by particular kinds of public communication about young people:

This [anti-social behaviour enforcement] can be further reinforced when local authorities distribute leaflets depicting the photographs of young people to whom ASBOs have been issued, along with the conditions

imposed by the court, soliciting the assistance of residents in monitoring the compliance of the young people concerned. This is justified in terms of aiding the enforcement process, but it also serves to forcefully 'name and shame' certain individuals, regardless of the consequences (Squires and Stephen, 2005, p 523).

In the context of anti-social behaviour, naming and shaming "certain individuals, regardless of the consequences" is also a pragmatic "whatever works" response to practical problems of policing anti-social communities. (It suggests why in 2006 Bridlington police in Britain's south coast region deployed an 8-foot advertising pillar in the town's centre to publicly shame local recipients of ASBOs.)

Naming and shaming also enables moral commentators including politicians to align themselves with that staple of political subject matter, "the decent law-abiding majority". And the media seem all too keen to participate and promote this morality. Labour Home Secretary, Charles Clarke was reported in one tabloid newspaper as saying: I'm fed up with the yobs damaging our towns and cities, thinking they're untouchable. From today councils and police securing ASBOs will be urged to make them known to protect the community. Yobs will see their names in the papers and their pictures will stare out from posters in shop windows (*Daily Mirror* 2 March, 2005, p 4). Clarke was voicing the Blair mantra about the need to be "tough on crime as well as tough on the causes of crime" of course, albeit delivered in his self-styled persona as Labour's "tough, no nonsense" Home Secretary.

Interestingly, it was the Chair of the Youth Justice Board, Rod Morgan, who called on politicians and the media to stop referring to children as “yobs”. In an interview Morgan argued that Britain risked demonising a generation of young people who, while representing the country’s aspirations for the future were, at the same time, condemned as “thugs in hooded tops” (*The Observer* May 22, 2005). Morgan has since resigned in part due to frustration about government refusal to tackle the youth custody problem which, he argued, has seen a 90% rise in recent years. The particularly insidious aspect of naming and shaming of ASBO recipients is that it not only demonises young people but does so at ever younger ages --- as young as ten years-old.

Because of legal considerations involved in publicizing names and domiciles of children issued with ASBOs, guidance for local authorities issued by the Home Office’s Anti-Social Behaviour Unit (now part of the Respect initiative) makes it clear that there is no differentiation between children and adults in the Crime and Disorder Act, which is a return to a situation pertaining in the Victorian era, where the law made no distinction between adult and juvenile offending. And while the Act does indicate that due consideration should be given to any vulnerability it also says that “Age alone is insufficient to justify reporting restrictions” and that, “the approach to publicity (for children) should be the same as for adults” (quoted in Hibbert, 2004).

Notably, this guidance is for local authorities and has no jurisdiction over media reporting of person subject to ASBOs regardless of age. This accounts for why we have stories that criminalize children:

He is only ten. But Lewis Green is already a seasoned criminal who smokes cannabis, swills lager and terrorizes his neighbourhood. The boy has a shameful list of offences to his name, along with a cannabis, cigarette and alcohol habit which he has funded by stealing from his own family. He has threatened children with a knife, vandalized a community centre and been convicted of burglary (*Daily Mail*, 13 March 2007, p 31).

It is important to try and understand why media representations of children and young people have become so dissenting, and the reasons why the press colludes in naming and shaming them for their so-called anti social behaviour. A number of explanations present themselves that relate to the close interplay between the political and policy arenas, and the press and journalistic practice.

As Schlesinger and Tumber (1994, p 272) have pointed out, the media are a “constitutive and constituent part” of social problem definition and policy-making. In their application of this role, the British press has not been afraid to arouse feelings or emotions that define the *moral value* of policy. In the context of reporting on ASBOs, the naming of ten-year-old Lewis Green confers on him a criminal identity, which is given legitimation by Home Office

encouragement to “name and shame” anti-social children and young people. The fusion of news values with moral values evident in this and other cases that we refer to, benefits journalists and moral-minded politicians, but arguably has little or no benefit to ‘morally tainted’ children.

The increasing emphasis on the criminalized child in the media finds resonance with Reiner’s (2007) theorisation about “crime news as hegemony in action” and “crime news as cultural conflict” (Newburn, 2007, p 85). The first, Newburn argues, centralises crimes of the powerless rather than the powerful and is largely “sympathetic to the justice system rather than to the offender”. The second, he goes on to argue, is a “product of interaction between a number of factors, including political priorities and the practice of journalism and everyday pressures”. Leishman, and Mason (2003) point to journalists’ institutionalized relations with sources, including the police and cognate organisations. They note how the pressured nature of police work and news gathering/reporting has evolved as a mutually beneficial arrangement in which both parties’ interests are served by collaboration.

In this context, we note how the willingness of the police and other agencies including local authorities to name and shame children and young people with ASBOs fits neatly into categorisations of children as essentially powerless, and unsympathetic as offenders. Thus, in the majority of news stories about children’s criminal and anti social behaviour, we are given little information about their backgrounds or apparent reasons for their anti social behaviour and whether or not this might be connected to the impacts of

multiple disadvantage (including physical and mental health problems³) and social exclusion, for example. Nor do we hear from children themselves as social agents in media discourses – as “miscreants” or ASBO recipients their voices as children and young people are largely missing from criminalised narratives (see Madge, 2006; MORI, 2002). This also has as much to do with journalistic practice as it does with hegemony or cultural conflict (a point to which we will return later).

While it is perhaps true, as Newburn argues, that the existence of media effects is no longer contested, the question about how these effects might work remains largely unanswered. It is clear that the media’s sustained focus on criminal representations of children and young people seems to have attributes of a media generated moral panic (Cricher, 2003). And moral panic about the nature of childhood (usually its decline into disorder) are often considered to be at the core of mediatised politics, i.e. they are seen to have direct influence on policy orientation and formulation, and particularly so in the case of youth justice policy which Franklin (2002) refers to as “legislation by tabloid”. However, Mazzoleni and Schulz (1999) argue that the majority of political institutions maintain policy control and function despite the intrusion and impact of the “media driven republic”. They further suggest:

The best description of the current situation is mediatisation where political institutions increasingly are dependent on and shaped by mass media but nevertheless remain in control of political processes and functions (p 247).

Nevertheless, as Newburn argues, it is more likely that children and young people become the subject of moral concern (both in terms of public perception and media representation) and thus it is they who “become the folk devils” (2007, p 95) and in turn, government has to be seen to be doing something about it.

The media agenda on childhood has shifted in recent years, influenced by the landmark Bulger case when the tragedy of children murdering children became a powerful media discourse about the “dangerous child”. The killing of two-year old James Bulger in 1993 by ten year-olds Robert Thompson and John Venables set in train intense soul searching about the nature and meaning of contemporary childhood. Focus on the Bulger killers’ inherent wickedness shifted the template of media reporting from a preferred image of children as “little innocents” to that of “immoral monsters” (Franklin, 2002). This was underpinned by circulation of Thompson’s and Venables’ police mug shots taken shortly after being charged with murder.

The mug shots subsequently became a conduit for post-conviction vengeance and rage toward the country’s youngest ever convicted murderers.⁴ One newspaper sited the mug shots on its front-page and asked: “How Do You Feel Now, You Little Bastards?” (*Daily Star* 25 November 1993). A *Daily Mail* headline contextualized the killing in terms of “The Evil and the Innocent”, while *The Sun*, always keen to be the arbiter of the nation’s morality, collected a 300,000-strong petition that the “Bulger killers must rot in

jail for life". Such then was the moral outrage provoked by 10-year-old killers that the event "initiated a reconsideration of the social construction of 10 year olds as "demons" rather than "innocents" (Muncie, 1999, p 3).

But as the writer Blake Morrison (1998) points out in *As If*, a poignant book-length examination of moral ambiguities in the *mistreatment* of Thompson and Venables (culminating in their trial in an adult court before a jury *not* of their peers), there is hypocrisy in an adult society – with its own insatiable desire for violence, brutality and war - heaping such invective on the heads of two ten year-old murderers. Jewkes (2004, p 93) makes a similar point by noting "the political and media hysteria surrounding the killing of James Bulger ... demonstrate ... the paradoxical sentiments with which we view children". This hysteria has intensified in the context of children demonised for anti-social behaviour. And this paradox is reflected also in the contradictory messages and approaches to children and young people from within social care policy and practice and youth justice.

Children at risk: children as risk

As we have said, youth justice responses to children and young people have, since the 1990s, become increasingly punitive and include both new legal approaches and new erosions of children's welfare and agency. The refusal of the government to raise the age of criminal responsibility (which in England and Wales stands at 10 years⁵ – one of the lowest ages in Europe) despite pressures from the EU to do so, is just one example. Interestingly, the European Court of Human Rights also ruled that Thompson and Venables,

the two boys who were aged 11 when convicted in adult Crown Court of the murder of James Bulger, were too young to understand the proceedings in which they were convicted of murder and had therefore not received a fair trial as required by Article 6 of the European Convention on Human Rights.

Furthermore, it was the 1998 Crime and Disorder Act that saw the abolition of *doli incapax* which had been enshrined in law since the 14th Century and which protected children from the full force of the law up to the age of 14. The removal of the protection of *doli incapax* meant that children aged from 10-14 were deemed to understand the difference between serious crime and naughtiness, thus exposing them to the full criminal process at an earlier age than in most European countries. As Bandalli (2000, p 86) argues:

The approach now to all children over the age of ten years is one of holding them unequivocally responsible and accountable for choices made and harm caused, and there is no longer a filter to assess levels of responsibility which recognises immaturity or less understanding as an intrinsic consequence of non-adulthood.

Importantly, unlike in the protectionist approach enshrined in the child welfare movement and reflected in health and social care policy and practice in the UK, the best interests of the child and children's rights are not paramount or given primacy in youth justice (see Monaghan, 2005). A protectionist approach to children's welfare considers the impact of social, psychological, developmental and economic factors contextualised in a range

of policies that focus on children's and young people's needs and rights. The same is not true in terms of youth justice responses, nor in terms of how, more recently, the media have (mis)represented and (mis)conceptualised childhood and youth. Issues such as multiple disadvantage, social exclusion and poverty are largely overlooked in media reporting on criminalised youth.

This was reflected more recently in the media responses to David Cameron's appeal to understand the causes of anti social behaviour among young people, popularised in the press as "Hoodies". In his speech to the Centre for Social Justice in July 2006, Cameron argued that fear of youth crime and disorder was "a massive problem and it's getting worse", but that "short-term solutions: ASBOs, curfews and criminal justice" were too often prioritised when "there is a pretty obvious connection between one's circumstances and one's behaviour". Cameron's attempt to "understand a little more" was interpreted by the media as evidence of his "soft on crime" approach to young offending – one of the headlines in *The Observer* read: "Cameron Softens Crime Image in Hug a Hoodie Call" (July 9, 2006).

Even though at the time the Children's Society came out in support of Cameron on the issue of *troubled* young people (translated by the media as *troublesome* 'hoodies'), this also was overlooked by the media who, in their dual and conflicting reporting about youth issues reflect the polarity between youth justice and social care approaches. But it is children and young people themselves who get caught up in the conflict between the two and thus their agency, their voices, are denied. In epistemological terms, the new sociology

of childhood might see children as social actors with agency and autonomy (Wyness, 2006), but in youth justice responses and media representations of young people the opposite seems to be true.

While, as Newburn argues, “the attachment of children to a story gives it a prominence it might not otherwise have” (2007, p 86), this attachment is largely exclusive (of children’s views) rather than inclusive and participatory and is explained by omission of children’s rights in news reporting on youth issues and poor journalistic practice. Despite the fact that the UK signed and ratified the 1989 UN Convention on the Rights of the Child in 1991, pledging state support for children’s rights in policy and practice, the rights of children are largely overlooked in youth justice interventions and media reporting. This is true despite international guidelines on the rights of children in media reporting set out in the International Federation of Journalists (IFJ) Handbook (IFJ, 2002). These guidelines state that:

Journalists and media organisations shall strive to maintain the highest standards of ethical conduct in reporting children’s affairs and, in particular, they shall: avoid the use of stereotypes and sensational presentation to promote journalistic material involving children.

Some of the proposed reasons for this oversight and the neglect of children as social agents in media reporting are that journalists do not have the necessary skills to interview children, nor do they respect their views. As Elliot argues, “the more journalists value a piece of information the less they

value or protect the child” (1990, p 1). Smith Fullerton (2004) also argues that journalists do not take children, and indeed writing about them, seriously because they seem frivolous and difficult to interview.

The fact that children and young people are not seen as competent social agents by journalists, news editors and producers is reflected more broadly in the “disappearance” of childhood thesis revealed in the erosion of public spaces in which children can engage in childhood experiences and activities. Madge’s 2006 survey of children’s and young people activities found that that they lack affordable community spaces and places in which to play. She argues that the latter contribute to “the anti-social labels [young people] commonly attract” (p 141). Fear of young people in local communities - bolstered by local community safety action, the introduction of anti social behaviour procedures and negative media reporting - means that they are unwelcome in many areas of community life (the banning of football games in public spaces, selling off of sports and playing fields, the banning of young people from shopping centres are but a few examples) and thus the cycle of fear, misunderstanding and misrepresentation regenerates and is sustained.

While it is clear that children’s rights are not at the forefront of youth justice or media reporting, which allows journalists largely to ignore their own guidance on children’s rights, it is not the case that news stories about children are always unequivocally dissenting. The “angels” also feature alongside the “demons” (albeit the latter tend to predominate). However, increasingly we see that even when focusing on the ‘angelic’ or suffering child

narrative, stories are set against the backdrop of a moral decline in childhood and youth. Take the following example from the *Daily Mail* (7 October, 2005), which featured a photograph and double page spread inside focusing on the paper's Carer of the Year Award recipient, a girl of 14 who cares for her mother and autistic sister. Note the moralistic concluding remarks:

Meet Kirstie, the Mail's Carer of the Year. She looks after her disabled mother and autistic sister and, oh yes, she's just 14 ... Six o'clock in the morning and Kirstie King is already hard at work. As her mother Ann shuffles painfully downstairs on crutches, Kirstie is at her elbow steering her excruciatingly slowly to her favourite chair. Ann is only 49, but has such severe arthritis that she is almost immobile ... In an age when thousands of teenagers are mired in binge-drinking, drugs and casual sex, Kirstie's quiet courage is humbling.

Public representations: shaming and framing the amoral child

Writers on youth justice have recently begun to debate the reasons why British children are now amongst the most criminalised in the Western world (see Allen, 2006 and the various responses to his thesis in Davis and MacMahon, 2006) and we have explored some of these reasons in this article, a number of which find their origins in the historical duality of childhood interventions (the at risk: as risk; protection-punishment paradigms) and the inherent conflicts in the ways in which children and young people are conceptualised and represented. However, in the particular case of young people's anti social behaviour, it is clear that the government and the media

continue to cling to old ideas about (im)morality and shame in respect of childhood and youth. Thus the *shaming* of children and young people for so-called anti-social behaviour hinges on their public representation as amoral youngsters.

A recent case concerns newspaper coverage of 10-year old Anthony Bird. In April 2007, no less than four national newspapers reported details of his anti social behaviour that led him to being given an ASBO. The *Daily Mirror* (27 April, 2007) for example, placed Bird's mugshot-style photograph prominently on its front page. Its headline was "ASBOY", while a second article headlined: "He's Been A Bad One Since He Was Three". It continues: "ASBO tearaway Anthony Bird has been a menace to his neighbourhood since he was three. The 10 year-old looks as innocent as they come. But behind the angelic face lurks a boozed-up little yob who has terrorised residents and shopkeepers *without shame*" (p 5, our emphasis).

Both the *Daily Mirror* and *Daily Mail* (27 April 2007, p 37) reported the boy's apparent apology made to the court after his crimes were disclosed. In the former paper, "He bleated: I'm sorry" while the latter reported that "He Whimpered Sorry In Court". There is no doubt that this is the punitive language of (adult) retribution; "bleating" and "whimpering sorry" are what children do when they are caught (i.e. the implication is that he is sorry only for having been caught). In this context, naming and shaming the ten-year-old is an act of vengeance for being "without shame" as well as confirmation of his lack of *genuine* remorse for anti-social behaviour.

The *Daily Mirror's* phrase “without shame” is morally loaded, indeed it mobilises a quasi-religious meaning in juxtaposition with Bird’s “angelic face”. In this context, shame, once a commanding concept in the Victorian era, is revived to underscore the social impact of naming and shaming, i.e. Bird’s shame is predicated on his inability to feel *guilt* for what he has done – and which ironically reaffirms his childishness. This supports our earlier point that contradictory messages about children abound in media discourse; in this case in the same newspaper article.

That there is a quasi-religious tone in the *Daily Mirror's* reporting of Bird’s shamelessness is not surprising. Shame is the emotion articulated in the Garden of Eden story in which Adam and Eve eat the apple from the Tree of Knowledge and immediately feel the shame of self-knowledge (nakedness) and their capacity for evil. We note the biblical story in relation to another *Daily Mirror* front-page headline, “Saved By My ASBO” (2 March, 2005). The story (part of the paper’s current “Reclaim our Streets” campaign) is subtitled: “Mum’s thanks as Blair’s plans new blitz on yobs”. A story of ASBO-related social redemption is then revealed:

A wildchild who terrorised her town told last night how an ASBO saved her from a spiral of crime. Laura Pearson, 17, spoke out as Tony Blair’s government unveiled plans to shame in public Britain’s worst yobs ... the young mother said: “The ASBO system gets a lot of stick, but in my

case it worked. I want to put the past behind me. I'm a mum now, not part of a wrecking crew.

While being “saved” carries a religious connotation vis-à-vis the return of the “wildchild” to the social body, we do not wish to over-egg an individual story of one apparent teenage salvation as emblematic of a seeping religious thematic in the mediated politics of ASBOs and youth crime policy. But it would not over-state our argument to suggest that being “without shame” is now so resurgent a moral motif in media narratives about anti-social children and young people that it is difficult to find a progressive counter-point in popular culture. The *Daily Mirror's* recycling of the born-again Christian notion of being “saved” (in this case by Blair's moral-political zeal for a ‘new blitz on yobs’) gives the paper scope for justifying the tough love message of New Labour's policy for bringing amoral children back into the fold.

Conclusion

Madge (2006) has argued: “The well-behaved, well-adjusted, ‘ordinary’ child may not be newsworthy, but this does not explain the undue attention paid to negative messages about youth. The challenge is to rectify the balance if these messages are not to infiltrate the public consciousness and thereby endure” (p 144). The fluid and contested meaning of “childhood” suggests that there may be ways of “rectifying the balance” and countering the deeply moralised politics of childhood representations in the media, as well as the retributive direction of youth justice that sees children and young

people made more accountable and responsible at increasingly younger ages.

The youth justice system - those practitioners within it as well as its policy makers - and journalists and news editors alike could all learn lessons from more recent government policy initiatives in child health and social care. For the first time in England children and young people have an advocate in the form of the Children's Commissioner, whose role it is to promote their needs, rights and best interests and get their voices heard and their views included on government policy agendas. Hence, the Children Act 2004 and, indeed the appointment of the Children's Commissioner himself, were informed by a drive to allow children a say in important decisions that affect their lives, particularly in health, social care and education. One area in which we have yet to see such inroads is youth justice. Nor have we seen any such emphasis on children's agency in media discourses and narratives on the "criminalised" child.

Promoting a rights based approach to children and young people (which would mean getting the principles of the UN Convention on the Rights of the Child enshrined in English law, see Monaghan, 2005) would facilitate new approaches to youth justice that would be more equitable but would also put greater pressure on the government to raise the age of criminal responsibility and prioritise the best interests of the child in criminal justice interventions. Arguably, it is only by addressing these structural and political shortcomings,

that we might see a change in the way children and young people themselves are represented and perceived, particularly in the media.

At the same time, journalists and news editors have a responsibility towards children and young people that is yet to be realised in news reporting on childhood and youth issues (which currently sees an emphasis on so called “yobbishness” and anti social behaviour). This responsibility extends to allowing children and young people much more agency in media discourses as well as acknowledging their rights. Given that international guidance is already in place on children’s rights in media reporting, it follows that any breach of these rights should incur formal penalties – although currently the guidance only suggests further “investigation” and “public debate” where the rights of children have been contravened.

Of course, these proposals to reconcile the current conflict in childhood and youth (between youth justice and social care interventions and media representations) only scratch the surface of the problem. Nevertheless, if children and young people are to be allowed any say in how they are perceived and treated and thus, any agency or autonomy, then it is necessary to address some of these tensions. Otherwise, as Prout argues, “children as a primary target of prevention [will be] caught in a system that can only respond to its own failure through a ratcheting up of control” (2005, p 465).

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Notes

¹ Used by David Cameron, the phrase is a rejection of John Major's "We must condemn a little more and understand a little less", made in the wake of the James Bulger killing by two 10-year-old boys, 1993. We discuss aspects of the Bulger case later in this article.

² For example, new policies have been introduced since the early 1990s, including the Sexual Offences Act, 1993, the Crime and Disorder Act, 1998, and the Youth Justice and Criminal Evidence Act, 1999, all of which penalize children at younger ages.

³ In February 2007, the British Institute for Brain Injured Children began a publicity campaign drawing attention to its own research that found that over a third of under-17s issued with ASBOs have a diagnosed psychiatric disorder or learning difficulty.

⁴ It is rare that police photographs of children find their way into the public domain, since photographs of minors have a status different from those of adults: “by definition minors are not legally empowered to assent to having their ‘likenesses’ taken” (Smith, 2003, p 2). In recent years this legal situation has changed. In 2004, London’s Brent Council received endorsement in the High Court that publicity was a *necessary* element of ASBO enforcement, and that photographs of ASBOs can be published in the press or the Internet for identification purposes.

⁵ In Scotland it is 8 years-of-age.