

# [Similarities and differences of youth justice systems](https://assignbuster.com/similarities-and-differences-of-youth-justice-systems/)

## Introduction

Different countries have their own different way of dealing with their young offenders. Youth offenses comprise a sensitive issue that ought to be handled with care. The youth justice system of any country is charged with the responsibility of dealing with young offenders. The paper is a review into the similarities and the differences of youth justice systems in England and Wales and Sweden in view of their youth justice systems.

Barth (1992) emphasizes that there are many reasons as to why the youth engage in criminal activities among them poor parenting and lack of proper education. Different societies respond to crime differently and the response to a particular crime varies as societies evolve changing its values over time. For instance, during the olden days, the words rehabilitation and the rights of the child were rarely talked about but in the modern day our societies have changed and incorporated such concepts and this have affected the way we punish the youth. Society’s definition of minor and major crimes has also changed over time (White, 2001). However, it is evident that as societies change over time and children who in the olden days were thought not in a position to commit crimes are now committing them. Justice systems have also evolved to cope with the changes in society. The youth justice system in light of the welfare of the child has come up with ways to deal with young offenders in a way that is different from the one that is used in dealing with adults and also a way that incorporates the welfare of the child. One factor is therefore clear that the youth justice system in England and Wales and Sweden have changed over time to keep abreast with the changes in crime activities involving the youths.

In regard to England and Wales and in view of social disclosure, the proceedings and the verdict of a case where a person who is considered a youth has committed a crime, may be reported by the media but the person’s identity is not to be openly disclosed to the public (Hill, Lockyer, & Stone, 2007). According to Hill, Lockyer, & Stone, (2007) in terms of social disclosure in England and Wales, the information is not reported to the public freely. Press members are restricted in terms of the information that they can report to the public. In addition, only selected members are allowed to the proceedings in which a minor is being judged. Only the members of the press, parents and guardian of the offender are allowed into the proceeding which shows that the justice system in England and Wales takes serous offence in disclosing criminal information regarding a minor. However, Sweden has a different approach to social disclosure involving young people’s offences. Young offenders in Sweden are not tried in a different court from their adult counterparts and therefore information relating to young people offenses is open to the general public.

One of the ways that the youth justice system in England and Wales is similar to that of Sweden is through the use of restorative judgment. According to White (2001) England and Wales youth justice system aims at identifying youths who are at risk of engaging in offenses. The principal aim of the youth justice system in England and Wales is to prevent the youths in indulging in activities that can result in crime and hence the existence of youth offending teams in England and Wales. For instance, it is believed that if the youths have plenty of activities to indulge in they rarely engage in criminal activities. The interventions created allow youths to be occupied and hence lack the time to indulge in criminal activities. Similarly Sweden’s youth justice system is committed to preventing crimes occurring among the youths (Sundeen, 2002). This is done through the use of social welfare committees who take responsibility of the offenders and are in charge of reforming the youth. However, reformation of youth offenders in Sweden is compulsory. In economic sense, it is easier to have interventions and programs that prevent the youth from indulging in criminal activities than to wait until it’s too late and youths have to be sentenced to life imprisonment (Sundeen, 2002).

Littlechild, (1997) suggests that decision making is crucial to all youths whether in Sweden or in England and Wales. Most of the times, it is argued that young people are not in a position to make decisions on their involvements in activities that are deemed as criminal activities by the law. In England and Wales, a young offender who is charged with a criminal offense is between the ages 10 years and 18 years while in Sweden, a young person who can be charged with a criminal offense is usually below the age of 15. At the age of 15 years and above, young offenders in Sweden are tried in the same courts as the adults. Drawing a sharp contrast in the two countries youth justice systems (Littlechild, 1997), the age at which a person is deemed an adult matters. Young offenders who are 18 years in England and Wales are tried in youth courts and therefore categorized as persons who are influenced by their age in decision making.

Muncie, Hughes, & McLaughing, (2002) points out that though the youth justice system in Sweden recognizes that young people are under a lot of pressure when making decisions, it does not offer any exceptions when trying young persons in courts between the ages of 15 years to 18 years. In England and Wales, a person who is 18 years and is being tried in a youth court has a better understanding of the youth justice system as compared to a person who is 18 years in Sweden and is being tried in a criminal court (Stephenson, Giller, & Brown, 2007). Young offenders in England and Wales are at a better position of understanding the law in regard to criminal offenses as opposed young offenders in Sweden at the age of between 15 years and 18 years and who are tried in criminal courts. However, youth justice systems in both states also plays the role of ensuring that youths understand the repercussion of their negative actions and behavior in the society.

Youth justice systems play a major role in legal referencing. It has helped in reprimanding the youths in both states though the approach to young persons offenders differs between the states. In Sweden, (Sundeen, 2002) the approach used in the youth justice system leans more towards the welfare of the young persons. The Swedish youth justice system focuses on the need of the young person and therefore instead of punishing the young offender, he or she is placed in the hands of the local authority which is in charge of the youth justice system. Even though young persons at the age of 15 to 17 years are tried in criminal courts, the courts place the responsibility of the young person in the compulsory social services in Sweden. In England and Wales, the youth justice system is oriented towards punishing the young offenders and making them pay for the mistakes they have done without the considering that the young person may have committed the crime due to various circumstances. It is argued that when a young offender is punished for his or her mistakes, he or she is likely to learn from the mistake because the punishment will serve him or her as a negative reinforcement associated with doing wrong.

Over the years, youth justice systems have spurred debates as to their effectiveness in reducing criminal activities among the youth. Major policies in both countries (Stephenson, Giller, & Brown, 2007) have become the subject of internal politics in the youth justice systems. For instance in England and Wales, there are some people who feel that when young offenders are taken to social welfare organizations, they interact with other young people who do not have a criminal background and might in turn learn the vices through socializing with the young offenders. Others feel that the youth justice systems are not instrumental in reducing criminal activities among the youth for instance in England and Wales while in Sweden, the youth justice system has done a commendable job. Therefore, in both countries, youth justice systems are subject to politics and scrutiny by even politicians.

In conclusion, matters relating to crimes by young offenders are very sensitive. Each state handles its young offenders in different ways. It is apparent that criminal activities among the young people do occur and no gender is an exceptional. White (2001) argues that both girls and boys are capable of committing a crime. The state has the mandate of ensuring the safety of her citizens and therefore cannot let the young offenders go free committing crimes and without punishment. On the other hand, the young offenders to the state are the future leaders of tomorrow and therefore, the state needs to take care of them. According to Stephenson, Giller, & Brown, (2007) interventions should focus on the needs of the youth and consequently help the young offender’s reform and avoid indulging in criminal activities. A good example is the way Sweden handles its young offenders through a compulsory welfare program. According to Barry (1994) in Sweden, the needs of the child are carefully assessed and the youth justice system is more interested in helping the child develop and learn from his or her mistakes than in punishing the young offender.