

Legislation movements in the 20th century



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Submission: Introduction When examining the issue of juvenile crime today, we see a very punitive system that stresses on “ clamping down” on juvenile crime. Whereas criminologists and others practitioners in the youth justice system have opposed this punitive approach, it is erroneous to view the juvenile court system as merely punitive in its tone and approaches.

However, as this paper will reveal, the origins of this approach is founded in the idealistic effort to solve social problems by addressing the deprivations of youths so as to prevent them from getting involved in criminal activities and encourage them to take up constructive work. A few important pieces of legislation that shaped the treatment of juvenile offenders The commitment of the government to cut down on juvenile delinquently proceeded after the First World War. The Home Office was impressed by those changes and hence enacted the Children Act in 1908 (Whitehead and Statham 2006).

Later the Home Office formed branch of children in 1919. This extended their services from merely inspection of industrial and reformatory schools to involve juvenile courts management, determining place of detention and probation. Whitehead and Statham (2006) explain that the Branch of children also monitored employment of children and prevented harassment of children. The subsequent reforms of 1908 Act were carried out by the Children’s Branch. The Child Study Movement and mainly the formation of Child Guidance Clinics guided magistrates to be referring young people who were involved in criminal cases for psychological tests because it emerged that poverty was not the main cause of delinquency (Logan, 2005). In 1927,

Emmanuel Miller formed the first Child Guidance Clinic in East London that was financed by Health Organization of Jewish (Logan, 2005). As noted by Logan (2005) the juvenile courts were advised to partner with child guidance clinics so as to prevent future occurrences. Some magistrates such as Basil Henriques, Sir Hall Clark William and others in juvenile court keenly looked at the causes of juvenile cases and means in which young people and children were to be rehabilitated (Lerman, 1984). This was not a unison agreement because some magistrates did not want young offenders to be reclaimed. As pointed out by Lerman (1984) the pro-corporal penalty stands out the powerful way of punishing the offenders. This bill became Children and Young Persons Act in 1933. It focused at reinstating necessities of beating. This was operational until in 1948 when children Act prohibited this practice but men were still judged by birching. Corporal punishment was viewed as the best way of instilling character in the young people in schools, families and forces despite psychological evidence indicating the contrary (Lerman, 1984). Conclusion In conclusion, the juvenile justice system went through important philosophical transformation in the 20th century. Though many other people in the system clung to traditional ideas that focused much on corporal punishment, the idea that young people who were involved in criminal activities ought to be reclaimed and rehabilitated gained a lot of support by the enactment of Children Act passed in 1948, which kept the 1933 Act and increased provision for children cared by the state. Thus, delinquency was viewed as part of social prevailing conditions and the solution of this problem was viewed as depending on reforming social structures and changing the manner in which courts and the society treated young offenders. References: Lerman, P., (1984): Policing juveniles in London <https://assignbuster.com/legislationmovements-in-the-20th-century/>

shifts in guiding discretion: *British Journal of Criminology*. 24, 168-84; 175-6

Logan, A., (2005): *A suitable person for suitable cases: the gendering of*

juvenile courts in England: London Whitehead, P and Statham, R., (2006):

The History of Probation: Politics, Power and Cultural Change 1876-2005:

Crayford