

Newsletter of the *European Society of Criminology*

CRIMINOLOGY IN EUROPE



New Series: European Criminology or Criminologies of Europe?

Gerben Bruinsma

EPISTEMOLOGICAL QUESTIONS IN CRIMINOLOGY WE CANNOT IGNORE*

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A few weeks ago, four well-known scientists were guests on a popular, early evening Dutch entertainment television program to show the audience their personal favorite, universally valid formula from their discipline (physics, mathematics, astronomy and econometrics) and to explain why they liked that formula very much. I will not even try to repeat these formulas but I must admit that for just a split second a feeling of jealousy overtook me. We do not possess such formulas in criminology; we do not claim overtly to have universal theories or knowledge anyway. My momentary feeling of jealousy is of course ridiculous and very naïve knowing the complexity of our discipline. Who in our discipline sincerely believes that one universal theory

(in an elegant formula) is valid everywhere and at all times as physicists do? But denying one grand theory does not imply that we are convinced that our stock of knowledge is completely contextualised. Our textbooks, introductions or overviews in criminology, rather, suggest that our stock of knowledge is universal. After a while I began to ask myself, 'but what do we really know in our discipline?' And, 'how do we know what we know in criminology?'

These core epistemological questions fit very well within the theme of next ESC meeting in Porto: "*Criminology as unitas multiplex: theoretical, epistemological and methodological developments*". I suppose that the many presentations on theoretical and methodological developments will outnumber the few papers on the epistemological foundations of criminology and possible developments therein. Whether a strong protagonist of evidence-based policy research or of critical criminology, a dedicated academic researcher should question at least once in a while the quality level of our stock of knowledge and evaluate whether that knowledge justifies conclusions, policy advice or criticisms of the criminal justice system practice. Perhaps there are more universal claims than we can justify with our research. Let me raise briefly a few issues.

* I like to thank Lieven Pauwels and Frank Weerman for their comments on an earlier version and Holly Smallbone for improving my English.

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Criminology is a complicated ‘object’ discipline. We are studying people’s deviant behavior they wish to hide from the external world. Criminologists are not allowed to ask individuals to commit a crime, or to ask judges to randomly sentence offenders to several kinds of punishments, in order to objectively observe and study behavior. We have no CERN laboratory of 3.5 billion Euros at our disposal as physicists have to observe the existence of the Higgs particle. We are forced to rely on ‘second-hand’ observations. This inevitable fact is responsible for one of the serious epistemological problems of our discipline. That is, the core measurement of the ‘object of criminology’: crime, delinquency and deviant behavior.² Direct behavioral observation is only possible in very rare circumstances. For this reason, criminologists rely heavily on police data or on self-report data of past behavior as supplied by the individual. In the seventies of last century, police data were severely criticised as being unreliable, systematically biased, and ‘shaped’ through the interests of the criminal justice system or those having political and economic power. Using these data in criminological research was fundamentally criticised because criminologists were therefore misguided or trapped by the governmental framing of crime and deviancy. These criticisms are seldom heard nowadays. The majority of criminologists use police registrations of offenses and offenders to study criminal careers, crime places, or the effectiveness of different sentence types. Researchers embrace police files to study organised crime or corporate crime (case-wise or at a national level), phenomena that could otherwise hardly be studied empirically. We must, however, acknowledge that most of our theories and policy recommendations are based on filtered data from law enforcement agencies. In practice, a large number of criminologists are sitting daily for (too) many hours behind their laptops, computers or iPads, analysing official data and ‘constructing relations between concepts’ that are published in journals or books. These concepts are about the lives or careers of individuals, and how characteristics have causal or statistical relations with the frequency of their offending. But this does not mean that we should ignore or neglect the fact that our conclusions might be biased, and that as a consequence we add, time after time, biased knowledge to biased knowledge.

1 Similar arguments apply to undesirable behavior of criminal justice officers.

The self-report method still raises serious concerns about its use for two well-known reasons: the reliability and validity of reporting behavior of individuals and the limited applicability of this instrument. For criminologists, it is rather difficult to check whether respondents lie, hide or exaggerate their criminal behavior, which consequently jeopardises the empirical tests of theories. One way to test this is to make a comparison with filtered police data, or with reports by significant others on the criminal behavior of these individuals. But these persons may also lie, hide or exaggerate the criminal behavior of the respondents. The application of self-report data is also limited to specific respondents who are willing to answer questionnaires sincerely and with care, and thus not all potential offenders. It seems that only children and young adolescents report reliably and validly minor (insignificant) offenses to the researcher. In general, the instruments are unsuitable to study the criminal behavior of adults, in particular that of the ‘real’ criminals, such as powerful business offenders, fraudulent bankers or organised criminals.

This brings me to another, closely related epistemological topic. Most of our crime theories as described in textbooks have been tested on children and young adolescents and very few times on individuals who are difficult to reach. General conclusions about our causal theories are based on samples of: *‘Adolescents sitting in a classroom, silently completing a questionnaire as they would any other test, could tell us all we needed to know about our theories’* (Cullen, 2011, p. 300). We have limited ourselves to a small, not very criminal social segment in society that is easier and cheaper to approach because of the large numbers available. Many of us are reluctant *‘... to talk to active criminals, to study offenders in groups, or to wander around inner-city neighborhoods wondering whether these contexts were criminogenic’* (Cullen, 2011, p. 300). Our stock of knowledge is thus perhaps less universal and representative than we assume in our discipline.

Moreover, we can cast further doubt on these adolescent samples for other reasons. In developmental psychology, a discussion has been going on for a number of years about the validity of used samples in that discipline. More than 95% of all psychological research has been among children in the US and Europe (Arnett, 2008). The discussion on the representativeness of developmental psychological knowledge was later further elaborated with other systematic empirical evidence by Henrich, Heine en Norenzyan (2010). They wrote in a

ground-breaking article: ‘*Behavioral scientists routinely publish broad claims about human psychology and behavior in the world’s top journals based on samples drawn entirely from Western, Educated, Industrialized, Rich, and Democratic (WEIRD) societies. Researchers—often implicitly—assume that either there is little variation across human populations, or that these “standard subjects” are as representative of the species as any other population. Are these assumptions justified?*’ (2010, p. 61). Would it be that much different in criminology? To be honest, I haven’t studied this question empirically, but my impression is that criminology suffers from the same sample biases as developmental psychology. Our past president, Michael Tonry, wrote in the ESC newsletter that US criminology is dominating the discipline and that European criminology must raise its own recognisable voice in the field. I will not repeat his words, but we cannot deny that most of our contemporary theories stem from US criminologists and most of the empirical tests of these theories are carried out by US criminologists using samples of US adolescents and published in US journals. Europeans and Australians contribute also but less to that stock of knowledge. Do we know studies of Asian, African or South-American studies (except rare examples) that contributed to our stock of knowledge? Does criminology have theory-testing results from countries like Romania or Bulgaria, to mention a few European countries? Have our crime causation theories been critically tested in other countries? And if yes, have we included these results in criminology? What do we do with possible counterfactual results? Perhaps we are too easy to incorporate US confirmations as universally valid for world criminology.

Please do not get the impression that these are the words of a sour cynic who considers all studies worthless and that ‘we know nothing’. On the contrary, for many years, and with great pleasure, I carried out research on organised crime based on police files and drew conclu-

sions. I also ‘used’ various schools to question ‘WEIRD’ juveniles about their frequency of committing crimes and measured characteristics to draw conclusions about US theories of crime. My contribution is not criticising the individual criminologist who has to make decisions to carry out relevant studies. Everybody knows that not only scientific methodology, theory or method play a role in designing research, but also practicalities such as feasibility and financial resources. My message is aimed more at an open discussion on consequences of collective processes in our discipline, jeopardising perhaps the stock of knowledge we have built in almost 200 years. I write ‘perhaps’ because I do not know the consequences. More systematic and critical studies are needed on the epistemological foundation of our knowledge. These types of studies are very rare in criminology. The approaching ESC meeting in Porto is partly dedicated to this topic and the discussions can be the precursors of a new research agenda that brings more balance in our beloved discipline: a discipline, it must be said, without elegant universal formula.

Gerben Bruinsma is President of the ESC, Senior Researcher of the NSCR and Professor of Environmental Criminology, VU University, both in Amsterdam

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FROM THE NEXT ISSUE

- > *Susanne Karstedt and Dario Melossi on European criminology*
- > Porto welcomes the ESC



Csaba Györy

NEW SERIES: EUROPEAN CRIMINOLOGY OR CRIMINOLOGIES OF EUROPE?

I remember my first presentation at the annual ASC meeting as a young PhD student. The sheer vastness of the conference was intimidating—the endless, windowless corridors surrounded by dozens of identical conference rooms; the crowds of people packed into each session and talking about criminology, as I was anxiously rushing between panels, desperate not to miss anything; the social events in hangar-sized spaces with thousands of people talking and drinking. American criminology seemed to exist on an industrial scale that absolutely frightened me. At the time, I felt that nothing could possibly be said about anything having even remotely to do with criminology that was not first said in that endless row of rooms.

Many conferences later, I have a very different view. I know that a large part of what is being discussed at the ASC conference—although it is high-quality research—consists largely of similar, if not identical, advanced quantitative secondary analyses or of applying dominant theories to a geographically and demographically confined research projects, without much of a comparative, even intra-US comparative, perspective. Such a description, of course, does not do justice to American criminology. Many innovative ideas and research projects have come out of American criminology, ranging from neuropsychological approaches to research on local communities and crime to white-collar crime and critical criminology, and European criminologists still look to their American counterparts for inspiration. But it is certainly true that the production of scientific knowledge on an industrial scale does not necessarily bring out innovative research on the same scale.

There is another characteristic of American criminology—or so it appeared to me at the ASC annual meetings—which the image of a long row of rooms along an endless corridor represents rather well: its compartmentalised nature. There are several demarcated areas, subfields of research with little interaction or meaningful communication between them. I have been to panels which were paralysed by seemingly endless debates between those who thought qualitative research was fiction writing and those who held the view that statistical research was a trick of neoliberalism. This dialogue, along with other similar discussions, seems to

repeat every year as if on a loop. This description, too, is certainly oversimplified. New initiatives emerge along the well-known debates, and there are many projects which move beyond such a compartmentalised logic. Yet one cannot escape the impression that this might still generally be the case in much of American criminological scholarship.

The self-reflection of some American criminologists seems to corroborate this rather random observation. In his essay in this Newsletter, the then president of the American Society of Criminology, Rob Sampson, described his discipline as quantitative, positivistic, conservative and more applied and policy-oriented than European criminology, which he considers to be theoretical, qualitative, and more “critical of the state”.

Michael Tonry, who shares his time between Europe and the US, and served as the president of both the ASC and the ESC, has also elaborated on these differences in earlier issues of this Newsletter (here and here). Among others, emphasised three primary characteristics of American criminology that, he claims, sets it apart from its European counterpart: 1) insularity and “obscurantism”, as opposed to the international outlook of European criminology, which constantly reflects upon American scholarship without much reciprocity; 2) the “balkanised” nature of American criminology, which has been broken up into sub-fields, such as research on causation or on criminal justice, without paying much attention to the making of criminal law and criminal policy; and 3) the technical, applied and predominantly quantitative approach that dominates American criminology as opposed to the more normative stance, affinity towards social justice and broader social and political context that generally characterises European criminology.

Both Rob Sampson and Michael Tonry discuss European criminology as something that is, in one way or another, equivalent to its American counterpart. But *does it exist* in the first place, as American criminology exists? And *should* it exist?

It might seem a bit audacious, or at least out of place, to ask such questions in a publication entitled *Criminology in Europe*, which is, further, the newsletter of the European Society of Criminology. But these questions

are far from straightforward. One might argue that there is no European criminology as such, only, for example, British, German, Dutch, Hungarian variants.

What makes criminology “European”, or “American” or “German” for that matter? Geography? Language? Some sort of common cultural heritage? Disciplinary boundaries being drawn in a similar way? Themes, issues, paradigms, and discourses? Something which architects call a self-supporting structure, an autonomous, interconnected network of institutions (such as the institutional setting of criminological education and research, institutionalised fora for scientific reflection, etc.)?

Judging by randomly picked features listed above, it is easier to identify national or regional criminologies than a pan-European one. Language and shared common cultural heritage certainly count: Scandinavian criminology, for example, is very integrated, not only in terms of topics and discourses, but also in its research and educational infrastructure. The same might also be said for German-speaking countries, like Germany, Austria and Switzerland.

Disciplinary boundaries and affiliations are also drawn and interpreted differently in various European countries. The critical analysis of criminal policymaking can be considered sociology or political science in one country, and criminology in another. Likewise, developmental and life-course criminology is thought of as psychology in one country and criminology in another. Policing is considered to be the subject of administrative law research or organisational studies in one place and criminology in another. The list goes on and on. This is not simply a question of some elaborate definitional game that scientists’ like to play: it demarcates discursive spaces and guides the dissemination of knowledge. Researchers of policing who consider themselves organisational scholars read literature from organisational studies and go to these conferences, not to criminological ones. Consequently, it will also be harder for criminology scholars to learn about what they do.

Education and training also differ widely. British criminologists are far more likely to hail from a social science background and end up teaching social science students, while in other countries, like Germany and Hungary, most criminology positions are at law schools. Consequently, in the latter case, it is still hard, if not impossible, to obtain tenure in criminology without a law degree, a bar exam, some scientific output in jurisprudence, and teaching assignments in criminal law. Criminology scholars coming from a social science background, on the other hand, usually are in the same

countries considered to be specialists with a too narrow of an interest for general social science professorial positions.

What, then, is the quality that makes European criminology an ontologically separate entity, rather than a mere aggregate of widely differing criminologies? Do we see ourselves the same ways as the Americans see us? Do we need European criminology as a distinct intellectual enterprise at all? And if yes, what is what can distinguish it from its American counterparts? Distinct topics and sub-disciplines? A distinct way we think and speak about crime and crime control?

There is another reason why asking these questions is timely. Criminology on the European continent is changing. The changes are mostly positive. Now, for example, there are hardly any countries without an MA program in criminology. There are even international PhD programs devoted solely to criminology. Graduates of these programs enter a more institutionalised discipline, with a broad selection of journals to publish in, and research scholarships and other funding opportunities to apply to. They also move more freely between those national and regional criminologies than what was the norm a generation ago. This might be partly due to difficulties in obtaining tenure, but it can be largely attributed to the growing number of opportunities at the European level. Textbooks (some coordinated by ESC working groups) with a distinctively European perspective are now readily available both on general topics, such as criminology or criminal policy, and on more specialised ones, such as white collar crime and life-course criminology.

The ESC is also changing: It is growing. Now attendees of annual meetings surpass the 1000 participant mark. This might be because of several factors, such as the growing number of criminology graduates and the increasing connectedness of Central, Eastern and South-Eastern European criminologies to “mainstream” European criminology. It is also becoming more diverse. Critical criminologists, for example, who, for a long time preferred their own separate fora, taking a growing role in the intellectual life of the ESC; some working groups are now running large-scale, externally funded research projects.

This growing diversification, combined with the growing size, however, also harbours potential dangers. One of these is fragmentation: small self-contained discursive spaces could emerge with no real reflection on other topics, and researchers of separate fields might stop interacting with each other. ESC conferences could be



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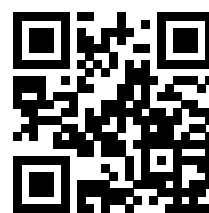
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Graham Ellison – Policing & police reform; community safety; sex trafficking & prostitution

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Anne-Marie McAlinden – Child sexual abuse; sex offenders; restorative justice

Kieran McEvoy – Restorative justice; truth recovery; transitional justice

Marny Requa – Truth recovery; human rights; transitional justice

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spent hurrying down endless corridors so as not to miss the many panels where our research interests are discussed, while ignoring everything else. Criminology in Europe could become just as compartmentalised as its American counterpart. But isn't fragmentation and the ensuing specialisation of scientific discourses a natural consequence of the transformation criminology is currently undergoing on the European continent? And is it necessarily a development we should work to avoid?

The other danger, as Gerben Bruinsma warns in his presidential message is sectarianism: his worry is that as the number of institutions devoted to criminological research and teaching grows, and more funding becomes

available for solely criminological research project, European criminology will end up being a political-ideological battlefield, where different schools and approaches fight for institutional power and financial resources. But again, is this a necessary consequence of growing size of criminology in Europe, and the ensuing process of specialisation? **I would like to invite your submission to this discussion!**

Csaba Györy is a researcher at the Max Planck Institute for Foreign and International Criminal law and a research fellow at the Institute of Legal Research, Hungarian Academy of Sciences and editor of the Newsletter of the ESC

▼ ESC WORKING GROUP REPORTS

Barry Goldson

ESC THEMATIC WORKING GROUP ON JUVENILE JUSTICE (ESC TWGJJ)

INTRODUCTION

The principal objectives of the ESC TWGJJ are to:

- provide an arena for information exchange, critical analysis and debate across the European research, policy and practice communities in the juvenile justice field;
- advance knowledge, understanding and research of juvenile justice issues across Europe and beyond.

To achieve the above the TWGJJ aims to:

- organise and host conferences, seminars and symposia
- disseminate information through its networks and via scholarly publications;
- explore and facilitate opportunities for collaborative research and publication projects;
- respond to policy consultations and/or requests for information.

THE EDINBURGH SYMPOSIUM

Over 12–13 March 2015, the Law School at the University of Edinburgh hosted a two-day ESC TWGJJ symposium. The symposium was chaired by Professor Barry Goldson (University of Liverpool, England) and Professor Jenneke Christiaens (Vrije Universiteit Brussel, Belgium) and attended by Dr Nicola Carr (Queen's University Belfast, Northern Ireland), Professor Els Dumortier (Vrije Universiteit Brussel, Belgium), Dr Eef Goodseals (Belgium); Dr Kristina Kanz (University of

Munster, Germany), Professor Lesley McAra (University of Edinburgh, Scotland), Professor Susan McVie (University of Edinburgh, Scotland), Dr Stefaan Pleysier (University KU Leuven, Belgium), Professor Johan Put (University KU Leuven, Belgium), Dr Anna Souhami (University of Edinburgh, Scotland) and Dr Jolande Uit Beijerse (De Erasmus Universiteit, Netherlands).

The symposium was underpinned by two principal objectives: first, to provide an opportunity to reflect upon current trends in juvenile justice systems, laws, policies and practices across Europe ('The State We're In'), and, second, to begin to map a series of future activities for the ESC TWGJJ over the next year or so.

THE STATE WE'RE IN

Discussion at the symposium was inevitably wide-ranging and key topics included: changing youth cultures and shifting patterns of juvenile crime (including cyber crime); extended and extending child-youth-adult transitions; melting borders between juvenile and adult justice systems; international human (children's) rights standards and procedural justice; formal and informal modes of justice; practitioner consciousness in 'doing justice'; the impact of 'radicalisation' discourses on juvenile justice and juvenile justice within conditions of austerity.

In order to develop and extend the conversation further 'The State We're In' will comprise an underpinning



theme for three inter-related TWGJJ roundtable sessions at the ESC conference in Porto in September 2015.

Roundtable (1): The State We're In

Chaired by Professor Jenneke Christiaens, the first roundtable will enable participants to analyse recent reforms, trends and changes in contemporary juvenile justice systems in Europe. To begin, designated members of the TWGJJ will make short presentations focusing on their particular jurisdictions as a means of opening up a critical exploration of wider patterns and trends in European juvenile justice: (1) Scotland—Professor Susan McVie ; (2) Belgium—Dr Stefaan Pleyzier and Professor Johann Put ; (3) England—Professor Barry Goldson; (4) Germany—Dr Kristina Kanz; (5) Netherlands—Dr Jolande uit Beijerse; (6) Northern Ireland—Dr Nicola Carr. The focus will be on system patterns and trends, changes in practices and policies and how such transformations might be understood. Are we witnessing a punitive turn? Is there a crime drop? Are patterns of social reaction changing? What

are the principal points of convergence and divergence across Europe?

Roundtable (2): Explaining the State We're In

Chaired by Professor Lesley McAra, the second roundtable will build upon the opening session by theorising the underpinning drivers of change in juvenile justice across Europe. A number of questions will be considered. What impact have transformations in youth cultures and extended developmental transitions had on the nature and function of juvenile justice institutions? To what extent and in what way has the economic downturn and austerity shaped policy and practice in relation to young people in conflict with the law? Can the rights of all children and young people be protected in contexts where cosmopolitan imperatives come up against the impulses of security and surveillance, and where the borders between juvenile and adult systems of justice become increasingly blurred? What are the methodological challenges of comparative research and can we use our theorisation of change to forge a new paradigm for juvenile justice?



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Young people and the law

International approaches to care, corrections and intervention

Prato, Tuscany, Italy **21–23 September 2015**

Young people need to be a clear priority within forensic and social services. The interaction between young people and various legal, mental health and social welfare systems can often be fraught, and decisions made early in life can have repercussions into adulthood.

This international conference brings together legal and clinical practitioners, policy contributors, and researchers to examine the vulnerabilities of young people, and the role of the agencies responding to them, with an emphasis on how preventative or early intervention approaches may improve outcomes for young people, as well as the community. The conference will give particular attention to the following themes that are relevant for children, adolescents, and young adults:

- **Youth justice, including early intervention for young offenders**
- **The protection of young people under the law**
- **Mental health related offending**
- **Disadvantaged groups, including indigenous young people, young people with disabilities**
- **Diversionary schemes for young people**
- **Young people and family violence.**

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KEYNOTE SPEAKERS

Professor Dame Sue Bailey

Chair, Children & Young People's Mental Health Coalition

Judge Tony FitzGerald

Auckland District and Youth Court

Karyn McCluskey

Director, Scottish Violence Reduction Unit

Dr Randy Otto

Associate Professor, University of South Florida



Centre for Forensic Behavioural Science

DEADLINE FOR ABSTRACTS > 15 MAY 2015

Roundtable (3): Transforming the State We're In
Chaired by Professor Barry Goldson, the third roundtable will focus on the future directions that juvenile justice law, policy and practice might take in Europe and will assess the transformative capacities of academic research and intervention. What are the key challenges and how might they be met? What are the 'public' functions of academic research and how might the academy forge more effective relationships with the policy and practice communities? What might future research agendas encompass and how might they be progressed?

THE PORTO CONFERENCE AND BEYOND

In addition to the three roundtables outlined above, members of the TWGJJ are planning to co-ordinate a number of themed panel sessions at September's ESC conference in Porto. Panels currently being developed include: 'Children's rights and procedural justice'; 'The impact of juvenile justice interventions' and 'The right to be heard in juvenile justice: A comparative perspective on Youth Court practices in Europe'.

Beyond Porto, the International Criminological Research Unit (ICRU) at the University of Liverpool, England, in collaboration with the ESC TWGJJ and the BSC Youth Criminology/Youth Justice Network (YJ/YJN), is planning a conference with the working title 'Juvenile Justice in Europe: Past, Present, Future' to be held in Liverpool in May or June 2016. Further details will be announced in due course.

You can make contact with the Co-Chairs of the TWGJJ at:

Professor Barry Goldson at: b.goldson@liv.ac.uk
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THE MAX PLANCK PARTNER GROUP FOR BALKAN CRIMINOLOGY PRESENTS

Crime and Criminology in the Balkans

One-Week International Intensive Course, Dubrovnik/Croatia, 5-9 October 2015

The course, held at the Inter University Centre since 2014, provides participants with in-depth and up-to-date knowledge about the state of crime research in the Balkans. The main focus is on criminological methodology, phenomenology, and etiology. In addition, participants can take advantage of excellent networking opportunities with colleagues from the region and beyond. They will also have the possibility to present their Ph.D./Master/Diploma thesis before internationally renowned experts.



The course is organized by the

MAX PLANCK PARTNER GROUP FOR BALKAN CRIMINOLOGY

It is accredited by the Zagreb Faculty of Law and offers 4 ECTS credits. Completion requires regular attendance and the delivery of a participant presentation in oral and written form. The program includes keynote lectures, student presentations, soft skills training, and extensive exchange and discussion. In addition, a Dubrovnik city tour is offered.

For the program and further practical information please visit www.balkan-criminology.eu or contact the course manager Ms. Reana Bezić at: r.bezic@balkan-criminology.eu.

The course fee is **150 €**. It includes enrolment, participation in the lectures and student materials. For early registration by 15 June, a reduced **early bird fee of 100 €** is available.

Participants are expected to make their own travel and accommodation arrangements and to cover these costs by themselves. Non-financial assistance in this regard will of course be provided. In addition to the course fee, all participants are required to pay a separate 40 € fee to the IUC Dubrovnik upon arrival.



BALKAN
CRIMINOLOGY

