

Prevention is Better than Cure: A case for social justice rather than criminal justice for young offenders in Ireland.

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The following research project explores Ireland's current approach to young offenders that are involved in the juvenile criminal system, examining its merit and its ability to prevent and intervene in the criminal career of young offenders. An exploration of the risk factors that can be predictive of a young person's offending shall be looked at to signify that deeper issues within society that play a role in the young person's life and behaviour. 'Crime cannot be viewed as a social problem in isolation from deeper social and economic issues' (IPRT et al 2010a), perhaps indicating the need for a more holistic approach, rather than focusing solely on the individual's behaviour. Through the exploration of risk factors, a case for a welfare-based approach rather than a criminal justice approach when dealing with young people shall be illuminated. Consequently offering the argument that the most effective and efficient way in preventing youth crime is through tackling socioeconomic issues and implementing a welfare-based approach that works towards social justice for young offenders. Therefore, presenting a case for the introduction of a system that is proactive rather than reactive in its approach to preventing and tackling youth crime.

Literature Review

In order to limit researcher predisposition, an in depth literature review was under taken using different sources to locate relevant and topical information relating to the juvenile crime in Ireland and other jurisdictions . Secondary information was obtained from journals, books, government reports and other relevant publications.

Current juvenile justice system

It is only in the last two decades that significant changes have been implemented in policies and legislation that deal with young people who offend in Ireland. Prior to the implementation of the Children Act 2001, it was the Children Act 1908 that governed the repercussions for young people who offended (Lalor & Share 2013, p.352). It was with Ireland's ratification to the UN's Convention on the Rights of the Child that Ireland instigated change in its legislation regarding young offenders. The UNCRC required Ireland to: 'develop measures for dealing with children without resorting to judicial proceedings, providing that human rights and safeguards are fully respected' (Kilkelly 2006, p. xviii).

The Children Act 2001 allowed for the introduction of alternative approaches to youth justice to avoid young people's early involvement in the mainstream criminal system. This was achieved through the introduction of the Garda Diversion Programme (IYJS n.d.). The Garda Diversion Programme offers a young offender the opportunity to be cautioned in lieu of prosecution and imposes consequences for the offence committed (Kilkelly 2011, p.134-135), therefore holding young people accountable for their offending behaviour whilst also protecting the public (Kelly et al. 2012, p.4). In reviewing the juvenile justice system the government recognised that there was a need for reform, this lead to the establishment of the Irish Youth Justice Service (Share & Lalor 2013, p.355). The IYJS's aim is to reduce youth crime and improve youth justice services and is doing this through developing strategies and providing funding to the services involved (IYJS n.d. & Kelly et al. 2012, p.8).

The core principle of the current youth justice system is diversion away from crime (Garda Community Relations Bureau 2015) hence the success and ability of the youth justice

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system shall be examined. Recent statistics indicate that the number of youth offending cases are decreasing year on year (Garda Community Relations Bureau 2015) with credit for this given to the work of diversion programmes through preventing reoffending (Webb 2014). In a study of young offenders (Corr 2014), it was indicated that diversion projects gave structure to the young offender's day and encouraged social inclusion amongst their peers. It also enabled them to address their limited education and qualifications through accessing the resources made available to them through these programmes. Diversion programmes are not only acting as a preventative but also as a means of education and inclusion (Corr 2014).

Diversion programmes may also provide an access point to professional support. Youth workers suggest that diversion programmes permits them the opportunity to empower young offenders to change their destructive behaviours. Even more radically, it permits them to empower the young offenders to develop an understanding of the oppressing factors in their lives, hence encouraging them to strive towards changing the structure of society surrounding them (Scanlon et al. 2011, p.12). Diversion is noted as a means of reducing recidivism as research has shown that those who are court processed incur a higher risk of reoffending (Petitclerc et al. 2013).

However, the juvenile justice system does not come without its critiques. Young offenders indicated that due to the unlikelihood of the authorities catching them offending and the light sanctions that would be imposed if they did get caught as their reasoning for not being undeterred from committing crime (Corr 2014, p.15). The juvenile justice system may also create isolation for the young offenders from other young people within society who have not offended- 'Rather than promoting equality and inclusiveness, specialised projects may reinforce the targeted group's sense of difference and separateness' (Scanlon et al. 2011, p.4) due to clustering young offenders together and not involving those who don't offend.

A critique regarding the merit of diversion programmes is that they possess the ability to stigmatise and label the young offenders by the general public and by the Gardaí. Young offenders noted that they felt they were under constant scrutiny by the Gardaí due to their previous offending behaviour, which in some cases provoked them to commit further crime (Corr 2014, p.16). The diversion programme has the potential to cause stigma by making young people 'at risk' of reoffending or even those that pose risk factors, 'known' to Gardaí therefore making them feel stigmatized. Stevenson et al. (2014, p.455) further elaborates on the consequences of stigma acknowledging that it can cause disruption between those who are stigmatised and the authorities as it can lower levels of co-operation and trust.

Another issue with the juvenile justice system is that it does little to target the socio-economic issues surrounding the young person. Its main focus is on the offending behaviour of the young person rather than the broader outside factors that have led them to offending. The Garda Community Relations Bureau (2015, p.23) note that: The project works with the child and sets an individual plan of intervention for him/her which seeks to assist the child in examining their decision making process focusing on the decisions that led them to offend and on the need for change. This indicates that although a plan is developed for the young person to access supports, it does not specifically target intervening in the environment or people impacting on them (Kelly et al. 2012, p.11). The main focus still lies with the individual and their offending behaviour within these programmes. Although there is merit in targeting the young person, the surrounding systems need to be targeted to alleviate risk factors for the young person. These risk factors shall be discussed in the following section.

Risk Factors

The literature highlights that there are risk factors associated with youth crime. 'A risk factor is defined as a variable that predicts a high probability of offending' (Farrington et al. 2016), however it is noted that risk factors do not cause crime but increase the young person's risk

of becoming involved in crime (Kelly et al. 2012, p. 11-12). Poverty, family and community are considered as some of the risk factors that can impact on the likelihood of a young person offending (Garda Community Relations Bureau 2015, p.8). These risk factors resonate with Bronfenbrenner's ecological systems theory (1979) which suggests that the contexts surrounding a person influence their development (Cummings et al. 2016, p.47). A number of young offenders have expressed that their experience of consistent poverty, parental conflict and a disadvantaged community has contributed to their offending (IPRT 2012, p.6 & 16) therefore supporting Bronfenbrenner's theory that: 'Individuals do not live in a vacuum, rather they exist within complex systems ... set within a wider social structure' (Baldwin & Walker 2005,2009, p.213).

Poverty

It is noted that crime has an association with poverty, both at the family level and neighbourhood level (McAra & McVie 2016, p.72). Recent figures show that almost one in five children in Ireland are living below the poverty line (Barry 2016) which is a cause for serious concern as Bright & Jonson-Reid (2015, p.1358) state: 'Children who live in poor communities have been found to have higher rates of delinquency...'. In addition to this Kingston & Webber (2015) note that poverty may predict the resources made available and therefore impact on young people's opportunities which may influence their likelihood to become involved in criminal behaviour. Kellman Fritz (2015, p.54) supports this acknowledging that in neighbourhoods stricken with poverty there is more opportunity for young people to indulge in criminal activity and a lack of adequate resources to meet their needs consequently leaving young people to their own devices. Young offenders further supported the link between crime and poverty explaining that: 'crime enabled them to fund leisure or to create enjoyable or 'exciting' ways to spend time with friends' (Corr 2014, p.10).

Young offenders also revealed that the financial difficulties that they and their families faced promoted their criminal behaviour as a means of helping their parents and as a way of obtaining possessions they desired but could not afford (Barnert et al. 2015, p.1366). Young offenders believed that the income they obtained through crime gave them a status within society and afforded them things that others had. Crime allowed them to create an image (Corr 2014), one that distanced them from poverty. Other young offenders mentioned that their involvement in crime was to supplement their income for times when they were unemployed, however this consequently led them to question their desire to conform to 'normal' jobs and receive a lesser income for a more time and energy consuming job (Corr 2014). The link between poverty and crime within a young person's life gives merit to the Strain Theory which maintains that those at the bottom of the social structure are more susceptible to criminal behaviour as they view it as a way to achieve socially valued goals (Baldock et al. 2012, p.379).

Family

It is documented within the literature that parents have an indirect effect on the likelihood of young people offending. Seymour (2013, p.50) recognised that the level of supervision parents provide to their children can play a significant role in the likelihood of their child offending, the lower the supervision, the more opportunity for young people to engage in truancy and establish relationships with delinquent peers. Lack of supervision leads parents to be unaware of their children's activities therefore giving them free reign (ibid). On the other side of this Seymour (2013) notes that: 'Responsive parenting practices that monitor, respond and impose consequences for anti-social behaviour are important components in developing self-control' (p.50). This signifies that parents could also act as a protective factor in diverting their children away from offending behaviour.

The attachment that young people have with their parents may also impact on their likeliness to engage in crime. The literature states that young people who have strong bonds and positive attachments are less likely to become involved in undesirable behaviour due to the fear of jeopardising their relationships (Ryan et al. 2013, p.455). Parents that do not have positive attachments with their children, perhaps neglecting them and their needs, increase their child's likelihood to engage in crime (Jolliffe 2016, p.33), with a significant proportion of neglected young people represented in the juvenile justice system (Ryan et al. 2013, p.460). This is supported in Barnert et al. (2015, p.1366-1369) study as the young offenders described their craving for attention, discipline and control from their neglectful parents, as this would have indicated to them that their parents cared. Interestingly in other jurisdictions parents can be held accountable for their child's offending behaviour, as their child's actions are seen as a consequence to them neglecting their parental duties to provide adequate discipline and moral education to their children (Le Sage & De Ruyter 2008). However this is heavily criticised as it does not acknowledge the broader outside factors or instances whereby sometimes a child is just difficult (White 2010). Furthermore it is important to note that some of the parents of young offenders may have been exposed to disadvantage and neglect in their own upbringing, therefore resulting in their inability to parent positively (O'Mahony 2001). This signifies that in some cases parents just need support to improve their parenting skills, resulting in a better attachment being formed with their child so that they may be able to deter their child from offending (Bright & Jonson-Reid 2015).

Neighbourhood

The neighbourhood in which a young person is exposed to, is associated as a risk factor to becoming involved in crime. Research has found evidence that: ... exposure to a high share of criminals living in one's neighbourhood may have important consequences for other long-term outcomes of young men, either through their own criminal behaviour, their contact with delinquent youth in general, or other mechanisms (Damm & Dustmann 2014, p.1829-1830). This suggests that young people may become involved in crime as it is the social norm in their environment, therefore emulating the behaviour they are exposed to by the people in their communities (Hewstone et al. 2012, p.239). Young offenders within Barnert et al. (2015, p.1370) study viewed their communities as a trap that would lead them to a life of crime and expressed their need for safer and caring environment. This supports Damm & Dustmann (2014, p.1830) stance that young people's criminal conviction probabilities increased if crime was the social norm in the community. A recent study in Ireland, *Lifting the Lid on Greentown*, highlighted that young people were associates of criminal gangs in their locality and were involved in a significant amount of crime (Department of Children and Youth Affairs 2016). In this area, young criminal involvement was five times that of the national average (O'Brien 2017). The findings of the study suggested that the networks operating within 'Greentown' held strong influence over children, a stronger influence than that of any agency trying to intervene (Department of Children and Youth Affairs 2016). Stevenson et al. (2014) elaborates further on this suggesting that people within these types of communities have distrust of services and authorities as they feel stigmatised and labelled by society resulting in them adapting to their perceived negative identities and wearing this identity as a badge of honour. Therefore this suggests that any intervention that does not change the neighbourhood drastically or that does not remove the child from the neighbourhood will likely fail.

The above mentioned criminogenic factors possess the capability to lead a young person to offending, therefore highlighting that an approach which tackles these factors has the potential to significantly reduce crime. It is suggested by the Irish Penal Reform Trust et al. (2010) that social justice is the approach needed.

Social Justice as an Approach to Prevention and Intervention

Ireland has a relatively punitive approach to young offenders- prosecution is the norm for those for whom diversion is neither appropriate nor successful- and thus is closer than many states to the 'justice' approach (Kilkelly 2006, p.xvii). The core values of a justice approach are accountability and responsibility, whereas a welfare approach focuses on the needs of a young person and attempts to address the underlying causes. In a welfare approach, young offenders are referred to social services and child protection agencies rather than the authorities (Kilkelly 2006). It is suggested that within Ireland the only attempt to take a welfare-based approach is through family conferencing, which is only activated when a child has come before the children's courts (Judge 2015, p.151).

Recent statistics show that almost one in every ten crimes committed is by a person under the age of 18 (McCartaigh 2016). This highlights that crime is still prevalent amongst the youth in Ireland. Ireland's current approach of intervention and diversion has merit but it is still a concerning issue. The Irish Penal Reform Trust (2010b) has signified that the government needs to take a more constructive approach that may help tackle crime before it occurs and reoccurs. The IPRT (2010b) has recommended an approach that aims to ensure equal access to welfare services to those in need should be adapted primarily. This is not a new concept and is evident in the work of T.H. Marshall (1949) who recognised the need for social rights for citizens to alleviate the social inequalities (Considine & Dukelow 2009, p.101). These measures can have a positive effect in breaking cycles of poverty and the likelihood to offend. However, Elliot (2011) presents the suspicion that punitive approaches are still in place due to society and the government not wanting to accept shared responsibility for the inequalities within society that have negatively impacted on the outcomes of these young people. Furthermore, Elliot (2011) recognises that in society accepting collective responsibility, more resources will be allocated to meet the young person's welfare needs therefore resulting in a reduction in youth crime.

There are findings that support the IPRT's (2010b) approach to prevention. Research has demonstrated that those who are involved with social services at a young age are less likely to become involved in the juvenile justice system (Goodkind et al. 2013, p.251). Furthermore, it is documented that those with welfare issues have a higher predisposition to entering the criminal system (IPRT 2010a). Therefore in tackling the inequalities in these areas of welfare, there should be a reduction in crime amongst young people through minimising the risk factors associated. Arthur (2010, p.229) states that investment and commitment to protecting the welfare of young people will reap more positive outcomes and that in protecting the welfare of young offenders it will tackle the root causes of their behaviour rather than criminalising them.

In improving the welfare services available to young people it will act as an access point for services to identify those who are exposed to criminogenic risks and allow for early intervention (Scanlon et al. 2011). Those who are in close contact with the children can state their concerns and develop interventions to prevent the child from offending (Murphy 2010, p.8), signifying a more systematic approach. Furthermore, there is evidence to support social justice as a means of benefiting society and the government. A social justice approach has been promoted as a more cost effective approach than that of the current approach (Department of Children and Youth Affairs 2014, p.3). The concept of justice reinvestment is taking momentum in order jurisdictions as a cost effective means in tackling reoffending (Brown et al. 2016). This concept redirects funds spent on prisons to address the risks associated with crime, so instead of incarcerating people that would have been considered low to medium security offenders, the money is redirected to services to address systematic disadvantage (Smart Justice 2015).

An approach incorporating social justice at its core should succeed but it would be naive not to recognise that it would take time. In the meantime, Ireland needs to take action to improve its approach in the prevention of recidivism for young people who have offended and it has been signified that a welfare approach has the means to do this (Goldson 2011). The success of a welfare approach has been well documented in Scotland. Scotland's strong welfare approach aims to deal with young people who offend and its primary focus is on the child's well-being which has resulted in positive outcomes for them (McAra & McVie 2016, p.72; McVie 2011).

Scotland, similar to Ireland, diverts young offenders away from the criminal system, however Scotland works from a Whole System Approach. This approach works to support young offenders through multi-agency involvement to tackle the needs of the young offenders (Scottish Government 2016) and this has resulted in Scotland having a major reduction in crime (Murray et al. 2015). Scotland has based its approach on evidence that highlighted that many young people who offend have suffered from a disadvantaged life. This signifies that Scotland wants to tackle the inequalities within society that have contributed to young people's offending behaviour (Arthur 2010, p.229). Arthur (2010) further states: 'Young offenders are victims of deprived and depriving families and should be seen as under-socialised individuals in need of help and assistance' (p.229).

A welfare approach based on achieving social justice as a way of crime prevention Presents itself within the literature to be a viable and successful approach that should be worked towards, to improve the lives of young people and society as a whole. It is imperative that Ireland recognises this within its policies to avoid digressing and returning to punitive approaches. As punitive approaches have been proven time and time again to be unsuccessful in preventing and tackling crime (Rogowski 2014; Gavin 2014) which is due to their lack of focus to power relations and cultural frameworks (Jacobs and Flanagan 2013). It is time for the citizens of Ireland to develop a social contract with the State with the objective being social justice for all.

A social contract sets out the expectations, the rights, and the responsibilities of all parts of society- individuals, institutions and government. It means that everyone contributes to the common good – economically, social or culturally- on the assumption that the State will provide a minimum standard of living, essential social services and infrastructure and the protection of basic rights (Social Justice Ireland 2017).

Hypothesis

The researcher developed a theory from accessing literature, that social justice is a viable approach to tackling and preventing youth crime and aims to prove or disprove this theory in conducting the research. In recognition of the criminal culture that displays itself consistently in today's society, the researcher wanted to explore the opinions of the professionals involved with young offenders, to gain their perspective on the adequacy of Ireland's current approach in preventing and tackling the youth crime.

Methodology

In order to ascertain the information needed to prove or disprove the researcher's hypothesis primary, qualitative research was undertaken in the form of interviews. Byrne (2012, p.209) notes that qualitative interviews allows access to participants attitudes, understandings, experiences and opinions. However due to ethical approval being needed from the ethics committee of Dundalk Institute of Technology to conduct research on vulnerable people (young offenders and those considered 'at risk'), the researcher decided to select interview participants that were directly involved with young offenders and those considered to be 'at

risk', in place of those considered to be vulnerable. Therefore, this allowed the researcher to gain the participants perspectives on their hypothesis.

Participants

The researcher used purposive, non- probability sampling to acquire participants for the qualitative research. Purposive sampling works where the researcher already knows something about the specific people or events and deliberately selects particular ones because they are seen as instances that are likely to produce the most valuable data (Denscombe 2010, p.35). The researcher chose two professionals that work directly with young offenders or those considered to be 'at risk' of offending. The two professionals, who work in different sectors within the juvenile justice system, were selected so the researcher could ascertain the different perspectives and opinions of the professionals at the varying levels of the system. Denscombe (2010, p.35) notes that purposive sampling can be used to gain the best information about a research topic as the people selected are most likely to have the experience and knowledge to offer information and insight to the research being undertaken, hence the reasoning for the researcher choosing the participants.

Data Collection

Semi-structured interviews were undertaken as the primary method of qualitative research. The researcher chose semi-structured interviews as it allowed the researcher to create predetermined questions, whilst also allowing them the freedom to probe into the answers of the participants to gain clarification or further insight (Berg & Lune 2012, p.112). Semi-structured interviews also allowed the researcher to change the sequence of the questions in response to the participants' answers (Bryman 2008, p.438). However the researcher opted to abide by the original sequence of questioning as deviating from the question order could cause issues to arise such as questions being omitted or influencing the replies of the respondents (Bryman 2008, p.203). The researcher did ask additional question in order to probe into some the replies they received. A series of open questions were used to allow the participants to communicate their own answers (Bryman 2010, p.231). Denscombe (2010, p.165) notes that open questions are 'more likely to reflect the full richness and complexity of the views held by the respondents', which the researcher wanted from conducting the interviews. The researcher followed guidelines for formulating effective questions, outlined by Kumar (2014, p.186-188), to obtain a better quality of information from the responses received from the participants. An opportunity was given to both the participants at the end of the interviews to add any other further information that they believed to be relevant. This gave them the freedom to discuss topics that may not have presented during the interviews, therefore limiting the risk of research bias whilst also not limiting the participants' thoughts on the area of youth crime and social justice.

Data Analysis

The researcher processed the data from the interviews through identifying the main themes that emerged from the transcripts; this is recognised as content analysis. The process carried out in content analysis involved four main steps. Firstly the researcher identified themes from thoroughly examining the transcripts from the interviews and understanding the significance in the answers that were received. The next step to this process was assigning codes to the data to identify the main themes (Kumar 2014, p.318). Prior to commencing this step the researcher used their theoretical sensitivity (Rivas 2012, p.368). In using their insight of the research topic the researcher began applying open codes to chunks of data to gain an essence of the data (Rivas 2012, p.370). The researcher then applied axial coding to the open codes which involved identifying the relationship between the open codes and classifying them into

larger categories (Berg & Lune 2012, p.367), which incorporated the next step of the process. The final step of the process was to integrate the information obtained from the interviews into the text of the research project. This was done through using a mix of summarising and verbatim responses in the findings and discussions part of this project (Kumar 2014, p318).

Ethics

The researcher was aware that there are many ethical issues to take into consideration when undertaking research and adhered to the principles of conduct that were considered correct (Kumar 2014, p.282). The researcher considered ethical issues that related to the research participants and to the researcher prior to conducting the interviews. The following guidelines were abided by in conducting research that involved the participants. The researcher obtained informed consent from the participants. In order to ensure that the participants could give their informed consent, the researcher debriefed them on the nature of the project with reference to the purpose and reason for the project, but also the purpose and reason as to their invitation to participate. The possible risks that could be involved in participating in the study were explained whilst the benefits were also highlighted. The purpose of this information was to protect the participants from harm. Another way the participants were safeguarding from harm was through informing them that they could change their mind about participating in the interview at any stage without giving a reason. However the researcher was aware that the interview could possibly be stopped due to emotional distress being caused and that it was their responsibility to prioritise the participants' well-being before they departed ways (Myers 2013 p.27; Giles 2002 cited in O'Brien 2011, p.291).

The researcher also explained that any information given in the interview would only be used for the purpose of the project with anonymity given to them. The participants were also informed that the information received would be securely stored in password protected files and would be deleted once the project was complete to ensure confidentiality. The researcher was aware that the participants may not be comfortable answering all the questions within the interview as they could feel that their privacy was being invaded. The researcher notified them that they were under no obligation to answer every question and that the choice was theirs. The researcher delivered this information face to face with the participants and through giving an information leaflet to them prior to the commencement of the interview. The participants were asked to sign a consent form once the researcher was satisfied that they understood the information that had been given to them (Myers 2013 p.27; Giles 2002 cited in O'Brien 2011, p.291).

The researcher considered the ethical issue of ensuring that their own bias relating to the research topic did not impact on the research being undertaken. The researcher achieved this by not omitting information that did not fit with their way of thinking and through accessing information through a variety of different sources. The participants were chosen due to their professional background in the area of juvenile justice rather than the researcher having prior knowledge of their stance in relation to the topic area as this would have been deemed as an ethical issue (Kumar 2014, p.287).

Limitations

The main limitation to the research conducted related to the participants chosen to partake in the research. Ideally the researcher would have liked the chance to interview the young people involved in the juvenile justice system but understood the ethical issue that would arise in doing so. The researcher also acknowledged their lack of experience in interviewing as a limitation as this was their first time conducting interviews and perhaps with more experience would be able to strengthen their interviewing skills.

Findings and Discussions

Theme One: The influence of the young offender's community

According to the interviewees, the community can be of significance to the young person's involvement in crime. The culture within a community has the potential to entice a young person into a world of crime. Interviewee 2 notes that young people look for role models and that if these role models within the community are involved in criminal activity than that is the role model that young people in that community want to imitate:

‘A lot of these gangsters are glorified within their community ... and young males in particular need someone to bond with, they need an alpha and they look to these as alphas’.

Furthermore, the culture of criminality within the area gave some young people a sense of identity through becoming involved in offending behaviour and it is noted by interviewee 2 that it is

‘what is normal to them’.

Both participants believed it was crucial to invest in the communities where youth offending was a problem, in order to tackle and prevent crime. Interviewee 1 believed that investment was needed in the area of social resources and remarked:

‘They need to start maybe looking at putting in other stuff for young people and getting them more focused on other things that would keep them away from the likes of drugs and drink and then crime’.

However, interviewee 2 was more concerned with investing more resources into law enforcement, in order to prevent members of the community grooming young people into a life of crime. Interviewee 2 had strong beliefs that older males in communities had strong influence over young people and believed that they should be the ones that are targeted by law enforcement:

‘... I think Ireland's approach to tackling youth crime should be the adults exploiting the youths and make adults in the community accountable because young people ... are running drugs for older men and then get involved in more crime like drinking, drugs, theft, etc.. It's that spiralling but it's an adult that is behind that’.

An interesting perspective held by Interviewee 1 related to the influence that a community can have on a young person's employability, consequently pushing them towards a life of crime:

‘... low opportunities in certain areas, people's addresses can be a big thing, if you have the wrong address, if the area is known to be a bad area and that's your address, an employer might look at that and straight away on your address alone, you might not get your foot in the door so I think more needs to be done for those communities’.

Discussion One

It is indicated within the primary research that the culture of a community in which one resides can have detrimental effects on the young person's perception and involvement in crime. This is in agreement with Damm & Dustmann (2014) who signified that the community in which a person is exposed to can shape the path of a young person's criminal career as it is their perception of the social norm. This crucial point also arose in the findings of the research where it was highlighted by the participant that crime is what is normal to them. This therefore gives merit to the IPRT's (2010) suggested welfare approach to tackling

crime. Perhaps if social services became involved in the young person's life before they reached the age where an interest was sparked in the ongoing activities of the people in their communities, this could prevent crime by means of intervention. This would coincide with Goodkind et al (2013) statement that intervention when a person is young in age has shown a less likelihood that they will become involved in the criminal justice system. The young person's association with their communities can create stigma for the young person. Interviewee 2 noted that young people that involve themselves in criminal activity can be isolated by their peers, leaving them secluded and vulnerable to older adults involved in criminal activity. The issue lies in the fact that older adults entice young people into their activity ensuring them that nothing serious will happen to them legally due to them being under the age of 18 which can distort their perspectives on crime. This corresponds to the findings of Corr's (2014) study which signified that young offenders were not deterred from crime due to the light sanctions that could be imposed and the unlikelihood of them actually being caught.

Theme Two: Victims of welfare issues

Both interviewees specifically referred to the welfare issues within a young person's life that are recognised as contributing factors in the young person's likelihood to offending. Welfare issues including poverty were encountered by young people in the view of interviewee 1. From their professional experience, it was their stance that poverty accounted for the majority of youth crime, estimating it at approximately 90%. This participant expressed dismay at Ireland's approach to tackling welfare inequalities that were existent in the lives of young people and believed that there was an urgent need for services to tackle these welfare issues in order to prevent young people becoming involved in crime and from recidivism:

‘... if something was put in place from a young age ... I feel that they could make better choices and look for help in a more positive way’.

In the opinion of interviewee 2 approximately 70% of the young offenders that they work with have committed a crime due to welfare issues. This participant acknowledged that young people involved in crime are really having a tough time within their lives and just want to be like everyone else, however the participant recognised that in a lot of cases their involvement in illegal activity led to them being isolated from their peer group which further inducted them into criminal activity and pushed them towards those involved in crime.

Participant 2 further notes that the levels of poverty that young people are facing are at an all-time high and that this contributes to young people committing crime to achieve the material things that their peers have:

‘There is a lot of poverty at the minute ... like some of the housing estates you go into now, you're like ‘gosh, it's rough’ ... the haves and the have nots are very much out there now and new technology and brand names are massive now so we have become a very brand focused society so that is a broader outside factor that means a young person will steal more, you know commit theft’.

Interviewee 2 gave recognition to the concept of social justice as a means to tackling crime, in cases where welfare was a contributory factor. They made reference to cases where young offenders entered detention centres and were appreciative of their welfare needs being met:

‘... it is sad that some kids go in there and are happy to be there ... that's massively welfare related’.

Discussion Two

The primary research has shown that welfare issues have a strong connection with youth criminal activity which supports the IPRT's (2010) claim that crime stems from other profound social and economic issues. McAra & McVie (2016) have clearly stated that poverty has a significant association with youth offending which was further confirmed by the participants of the primary research. There was agreement from the participants with Kingston & Webber's (2015) assertion that the lack of resources in an area impacted on their opportunities and directed them to becoming involved in crime as a way of gaining an income and elevate themselves out of their worlds of poverty. Interviewee 2 specified that the current social inequalities in Ireland illuminate the variance of those who have and those who have not which can be an indicator to young people becoming involved in crime to source an income and create a more desirable status through breaking out of the chains of poverty. This correlates to Corr's (2014) and Barnert et al. (2015) studies that signified young people become involved in crime in order to afford them material possessions that others had whilst also giving them a status within society, which concurs with the previously mentioned Strain Theory (Baldock et al. 2012). In addition to this, the stigma and labels that are placed upon those who do not have by those in society that do, can further propel young people into crime. This concurs with Stevenson et al. (2014) stance that people can adapt to their perceived negative identities which can result in the creation of a larger sense of difference and separateness and result in criminal behaviour. Results from the research implied that there is an urgent need for more resources to be allocated to those who are experiencing welfare issues as a way to alleviate crime which supports the IPRT's (2010a) recommendation that an approach that tackles inequalities in welfare issues such as health, education and social services will therefore aid in breaking cycles of poverty resulting in a lesser likelihood of youth offending. The participants further strengthened Arthur's (2010) stance that more positive outcomes will be achieved through investment and commitment in the protection of young people's welfare as this will target the root causes of their behaviour which in this instance is welfare issues, particularly poverty.

Theme Three: Parenting

Parenting of the young offenders was signified by the participants as having an impact on the young person's involvement in crime. The participants had the viewpoint that due to parents being neglectful, it gave young offenders the opportunity to partake in crime. Furthermore, due to the lack of a positive relationship between the parents and their children, it was their professional opinion that this resulted in the parents not being a deterrent in their child's negative behaviour. Interviewee 2 spoke of the difficulty they faced in trying to deter young people from crime when the existing infrastructure within the home was quite criminalised. They felt that they were not able to meet the young offender's needs in that environment and that situations like that call for an intervention from child protection services which is not within their scope. This corresponded with Interviewee 1's opinion that bad parenting is a risk factor to a young person becoming involved in crime. Additionally it was their opinion that parents need to be held more accountable for the actions of their children as they believe that it is the parents that have the strongest influence over them and they should be exercising their duties as a parent:

‘... if there is repeat offending the parent should be looked at and there'll be this debate that you can't blame the parents but someone has to police them so you're the adult, you're the parent. This here, 'Oh I'm powerless' is not good enough. If your 2 year old was going to put their finger in a socket, would you let them? No so why would you let a 14 year old do something that is equally as dangerous like substances going into their body, it's going to harm them so why is it not afforded the same level of responsibility and accountability ... If you're a parent of a teenager, you can't shrug your shoulders and the issue is you've always shrugged your shoulders, they never learnt the boundaries ...’.

However interviewee 1 did recognise that some parents do want to deter their children from offending but that they lack the necessary skill set to advocate for their children within the welfare system. In order to try and combat this type of situation, they explained that they try to instil good parenting practices in terms of boundaries and supervision and implementing consequences when their children cross the line. This point was correlated by interviewee 1 also:

‘Family support would go a long way. A lot of the young people that I’ve worked with ... their parents have struggled to cope with them’.

Discussion Three

The literature specified that parents possess the ability to both deter and encourage their children’s likelihood of offending. Seymour (2013) recognised that when inadequate supervision is provided to children it provides them with the opportunity to engage in negative behaviours that can lead to their involvement in criminal activities. This therefore provides children with free reign as the parents are unaware of the activities their child is involved in. Both participants were in agreement that supervision is an important role for parents to undertake in preventing and tackling offending behaviour. Furthermore Jolliffe (2016) implied that parents who do not establish positive attachments with their children, perhaps through neglecting them and their needs, increased their children’s likelihood of becoming involved in crime, with a significant representation of neglected children in the juvenile system. It was the opinion of Interviewee 2 that parents need to be held more accountable for their children’s behaviour and if this were to happen it may highlight that the care being provided to the child is not sufficient in meeting the child’s need and that action needs to be taken in supporting the parents or finding a placement for the child that would meet these needs. Le Sage & De Ruyter (2008) have highlighted that in some countries this is the protocol but White (2010) has acknowledged the downside to this being that the broader outside factors are still not taken into consideration, therefor attaching the blame on the parents and on the individual child. Ryan et al. (2013) signified that when a child has a secure attachment to their parents it decreases their likelihood to offend as they do not want to jeopardise the relationship, which could eliminate the risk factor associated with youth offending. On the other side of this the literature noted that the parents of young offenders themselves may have been exposed to neglect in their own upbringing which correlates with the participants view that some parents are not equipped with positive parenting skills and that in these cases support needs to be offered to help them develop these.

Theme Four: Improvement is needed in Ireland’s approach to tackling crime

The responses from the participants indicated their dissatisfaction with Ireland’s current approach to tackling youth crime. Both participants recognised that many of the young people involved in the juvenile system were due to broader outside factors rather than that of a personal choice. The broader outside factors pointed out by the participants mainly related to welfare issues. An acknowledgement was made by Interviewee 1 that Ireland has made advances in changing their approach to dealing with young offenders but criticised the change for being slow to progress. Also this participant referred to the approach that they would like to see within the current juvenile justice system:

‘I would like to see a more welfare based approach. We get young people into our campus, we work with them while they are there and then they leave. We try to do as much as we possibly can in the current situation but I would like to see more aftercare work done ...’.

Interviewee 2 expressed the same opinion explaining that the current system can be too rigid and cumbersome at times and that the systems surrounding the young person are not always adequate in meeting their needs which they found to be quite frustrating:

‘... Ireland’s approach at present is poor, it’s not taking a holistic approach’.

Interestingly, Interviewee 2 also critiqued Ireland’s current approach to tackling crime as being too soft and failing to have a significant impact on those who do not present with welfare issues and therefore recommended that each case needs to be assessed on an individual basis to decide on the best course of action:

‘... welfare is not always the response to everything, so I think the best way to prevent crime is on an individual need basis, so it could be providing their welfare or it could be really really spelling out the boundaries socially-you’ve transgressed them and these are the consequences’.

Discussion Four

There is an evident relationship between the participants’ perspective and the literature for a more adequate approach to tackling youth crime in Ireland. The participants were of the opinion that a welfare based approach needs to be taken in most cases of juvenile offending which Kilkelly (2006) has stated is an approach that refers young offenders to social services and child protection services. This type of approach concerns itself with the welfare of the child and the outside factors that may be impacting on the child’s negative behaviour, therefore taking a systematic view of the situation rather than focusing on the crime committed. This suggests that at a minimum both participants would like Ireland to follow Scotland’s approach to dealing with young offenders. Both participants expressed frustration in relation to the amount of work they can do with young offenders as the current system does little to tackle the welfare issues of the child involved which is in agreement with Kelly et al.’s work (2012). The importance of tackling the welfare issues existing in the young offenders’ lives was signified by both participants which would coincide with the IPRT (2010a) campaign for Ireland to take a social justice approach to tackling youth crime which could be considered a sister of the welfare approach. It is their belief that social justice for young offenders will not just benefit the young people but will have an overall positive outcome for society and be more cost effective in the long-term. The Department of Justice and Youth Affairs (2014) have confirmed that a system that invests in the welfare needs of a young offender will save, compared to the finances that would be needed if they were to become involved in the justice system. There is evidence presented in the work of Gavin (2014) and Rogowski (2014) that punitive approaches to juvenile crime do not work and can cause more harm which is resounded in the participants’ views that the community has the power to influence the young person’s offending behaviour. The participants showing support and acknowledging the need for social justice may add substance to Elliot (2011) perspective that the government has not taken this approach thus far as it does not want to accept responsibility for its failings.

In summary, the main findings of the primary research relate strongly to the literature, recognising that youth crime is the result, in most cases, of systems that have failed the young person. Therefore presenting a case that Ireland needs to take responsibility for the failings of the systems surrounding a young person and implement a welfare approach that seeks social justice.

Conclusion

The overall results from this research project indicate that the majority of youth become involved in crime due to the negative impact of the systems surrounding them. The risk

factors signified both by the literature and the participants are strongly linked to welfare issues relating to the young offender in the form of poverty, negative influence of community and poor family relationships. It is strongly suggested by the IPRT's policy documents (2010a, 201b, 2012) that many of these risk factors could be alleviated if the policies in Ireland were changed to tackle the inequalities rampant in Irish society. Ultimately the researcher's hypothesis was proven that there is a need for Ireland to take a welfare approach in dealing with young offenders, in order to tackle and prevent crime. Furthermore the theory that Ireland's policy makers need to do more to tackle the inequalities within society to ensure social justice for everyone is presents as a viable means to significantly prevent crime in the future.

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