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International Journal of Law, Crime and Justice  
43 (2015) 273–291

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International  
Journal of Law,  
Crime and Justice

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# The same the whole world over? A review essay on youth offending from the 1980s and youth justice in contemporary China

Anqi Shen\*, Steve Hall<sup>1</sup>

*School of Social Sciences, Business and Law, Teesside University, Middlesbrough, TS1 3BA, UK*

Available online 31 October 2014

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## Abstract

This article contextualises the pattern and nature of youth offending in contemporary China and explores the philosophical bases, policy and practices of Chinese youth justice. It concludes that in many important ways youth offending in China echoes that of the Western industrialised countries, despite China's unique environments. Chinese youth justice does not differ formally from that of the Western nations. The challenges posed in understanding and tackling youth offending in China today demand the suspension of assumptions, a move beyond simplistic forms of cultural pluralism and the extension of sophisticated criminological research and theorisation into specific aspects of the subject.

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*Keywords:* China; Youth; Crime; Delinquency; Youth justice; Comparative analysis

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## 1. Introduction

The rapid development of the Chinese economy over the past three decades has brought with it what appears to be an increase in crime (Zhang, 2008). The upsurge of youth offending in

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\* Corresponding author. School of Social Sciences, Business and Law, Teesside University, Borough Road, Middlesbrough, TS1 3BA, UK. Tel.: +44 1642 342397; fax: +44 1642 342399.

*E-mail addresses:* [anqi.shen@tees.ac.uk](mailto:anqi.shen@tees.ac.uk) (A. Shen), [steve.hall@tees.ac.uk](mailto:steve.hall@tees.ac.uk) (S. Hall).

<sup>1</sup>Tel.: +44 1642 384437; fax: +44 1642 342399.

particular is thought by some social scientists to be a consequence of rapid shifts in the economic system and its social conditions (Curran and Cook, 1993; Bakken, 1993). This seems to add weight to the claim made by Durkheimians, Left Realists and some Critical Criminologists that these economic shifts, combined with widening social inequality, can disrupt fragile socio-cultural systems and produce the conditions for increases in crime, especially the types associated with youth disaffection and migration into criminal markets (Winlow, 2001; Lea, 2002; Reiner, 2007; Currie, 2010).

Our discussion starts from 1980 for two major reasons. First, we are investigating youth crime and youth justice from a comparative perspective that compares China and the West. China joined the Western-dominated capitalist world when Deng Xiaoping initiated the 'opening up' policy in 1978. Whilst benefiting from capitalism's ability to boost economic growth, China has also inherited the system's social problems. The second reason concerns the 'data problem' that impedes research on crime in China. Official crime data were largely unavailable until the 1980s. Since then, although official statistics are released from time to time, they are unsystematic, incomplete (Jiang, 2013; Zhang et al., 2007) and 'questionable' (He, 2013: 147) in terms of accuracy, consistency and reliability (Curran, 2013). Official statistics are not disaggregated by gender, age and specific crime types (Shen and Winlow, 2013), therefore they cannot be relied on to represent or predict with any rigour trends and patterns of youth offending.

However, in the past few decades there have been some positive developments. 'Investigator-initiated' criminological research has enabled a rich seam of unofficial crime data to be mined. Efforts made by western researchers – overseas Chinese scholars in particular – have improved the construction of crime statistics to the extent that they will be more useful for future studies (He, 2013; Zhang, 2013). This method has indeed provided a useful alternative to official crime statistics (Pyrooz and Decker, 2013). There is now a body of literature presenting the data-sets collected by these researchers. Such data have enabled scholars to reach a cautious conclusion that over the past 15 years youth delinquency has been rising along with China's modernisation (Zhang, 2008). This claim will be further clarified in this article by using a more recent data set.

Furthermore, consulting open sources to gain information from published materials, such as academic publications in the Chinese language, news reports and official documentation available in public domain has helped to enhance this method of studying crime-related matters in China (see for example Shen et al., 2010, 2012; Davies and Shen, 2010). However, caution must be exercised because the figures cited from open sources are sometimes overlapped, inconsistent and vaguely defined in their original sources (Shen and Winlow, 2013). Unsurprisingly, we have found that the statistics indicating youth offending in the same period are frequently inconsistent, largely because they were collected by different agencies for various purposes, a similar situation to that which made US crime statistics in the nineteenth and early twentieth centuries unreliable (see Hall and McLean, 2009). Youth crime trends are indicated by the numbers of offences recorded by the police, arrest and clear up rates, or the numbers of administrative sanctions, prosecutions, convictions or imprisonments. Methodological problems are not unique to China. Estimating levels and rates of crime is difficult for all jurisdictions, largely because of myriad well-known problems relating to official statistics. However, the data problem does not prevent western social scientists from paying attention to post-1980 youth crime in China and the official responses to it. This is because contemporary China, with its geographic vastness, cultural diversity and complex changes caused by the economic transition, offers exciting opportunities for researchers (Liu, 2009).

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