

# CHILDREN OUT OF COURT

MARTIN ● FOX ● MURRAY

Since 1971 Scotland has had a unique system of juvenile justice, in which a central part is played by panels of lay volunteers. In what was perhaps the most detailed study of any juvenile justice system ever carried out, the authors examined the operation of the children's hearings system throughout Scotland. They gave particular attention to the factors associated with decision-making by the panels themselves and by the intake officials (reporters to children's panels) who make the initial decision as to whether children referred to them by the police or other agencies are "in need of compulsory measures of care". These enquiries involved both a detailed analysis of records and systematic observation and recording of the interaction of the hearings themselves. Resulting data have been examined to throw light on the quality of practice, including adherence to procedural requirements and the participation of children and parents in the proceedings. Samples of children and parents were personally interviewed to gain understanding of their sense of the fairness of the hearings, their feelings of personal involvement in the process, and of issues of stigma and labelling. Large scale questionnaire studies made it possible to identify the operational philosophies of panel members and of the social workers who serviced the hearings. Concluding chapters review the implications of this project for the theory and practice of juvenile justice in Britain and in the United States.

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CONTENTS

The Development of the Word 'Theology' <i>by</i> THE REV. DR FRANK WHALING	289
Hope and Perseverance <i>by</i> DR D. R. DENTON	313
The Two Governments and the Two Kingdoms <i>by</i> JOHN R. STEPHENSON	321
Theological Evaluation of Hegel <i>by</i> PROFESSOR GEORGE S. HENDRY	339
Article Review: Towards a New Relationship between Christians and Jews <i>by</i> THE REV. PROFESSOR DAVID CAIRNS	357

REVIEWS

SYKES: Karl Barth—Studies of his Theological Methods	369	SMART: The Past, Present and Future of Biblical Theology	377
TORRANCE: Belief in Science and in Christian Life	372	BUSS: Encounter with the Text: Form and History in the Hebrew Bible	379
EVANS: Struggle and Fulfilment, the Inner Dynamics of Religion and Morality	373	HUGHES: Hebrews and Hermeneutics	380
THEISSEN: On having a Critical Faith	376		

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