


**Please cite the Published Version**

Day, Anne-Marie  (2022) 'It's a hard balance to find': the perspectives of youth justice practitioners in England on the place of 'risk' in an emerging 'child first' world. *Probation Quarterly*, 24. pp. 29-34.

**DOI:** <https://doi.org/10.54006/adgq1211>

**Publisher:** Probation Institute

**Version:** Published Version

**Downloaded from:** <https://e-space.mmu.ac.uk/635806/>

**Usage rights:**  [Creative Commons: Attribution 4.0](https://creativecommons.org/licenses/by/4.0/)

**Additional Information:** This open access article first appeared in *Probation Quarterly*

**Enquiries:**

If you have questions about this document, contact [openresearch@mmu.ac.uk](mailto:openresearch@mmu.ac.uk). Please include the URL of the record in e-space. If you believe that your, or a third party's rights have been compromised through this document please see our Take Down policy (available from <https://www.mmu.ac.uk/library/using-the-library/policies-and-guidelines>)



## **'It's a hard balance to find'**

**The perspectives of youth justice practitioners in England on the place of 'risk' in an emerging 'child first' world**

---

Dr Anne-Marie Day  
Criminology Lecturer, Keele University

---

<https://doi.org/10.54006/ADGQ1211>

## Setting the Scene

The Youth Justice Board recently published their Strategic Plan which identified child first as their central guiding principle (YJB, 2021: 10). This represents a significant policy shift for the YJB away from the risk factor prevention paradigm (RFPP) (Bateman, 2020; Case and Haines, 2016; Wigzell, 2021). However, despite this shift, there remains within national legislation the principle aim of youth offending teams to 'prevent' offending (s37 (1) The Crime and Disorder Act 1998). Risk assessment and management have become how the statutory responsibility to prevent offending has been executed. As a result of this and other key pieces of legislation, a 'risk culture' (Case and Haines, 2016; Hampson, 2018) has dominated both youth justice and wider criminal justice practice for the past quarter of a century.

In a recently [published article](#) in *Youth Justice* - based on 14 interviews with youth justice staff - I have argued that the policy shift away from risk is being met with several challenges on the ground. Previous research has argued that despite attempts by the YJB to move towards desistance and child first approaches, the risk culture continues to dominate front-line practice (Hampson, 2018).



**Dr Anne-Marie Day**  
Criminology Lecturer  
Keele University

My own research offers further insight into how this cultural shift manifests on the ground, and emphasises the importance of listening to front-line staff about the direction of youth justice policy and practice. Ideological shifts in policy often seek to trigger equally sudden shifts in practice. Such shifts, however, can often lead to a number of challenges for practitioners and it is these which I explore in this article.

## Key terms within youth justice

**Child First Justice** - See children as children; develop pro-social identity for positive child outcomes through strengths based, future oriented work; collaboration with children via active participation; and maximum use of diversion (Case and Browning, 2021).

**The risk factor prevention paradigm** - seeks to identify causes within the context of risk factors, and focuses firmly on preventing and controlling the crime 'problem' through risk assessment, management and interventions. Heavily criticised in recent years for its flawed methodology (Case and Haines, 2009), labelling effect (Bateman, 2020), and the adulterisation and responsabilisation of children (Haines and Case, 2015).

**Desistance** - the process of stopping offending (primary desistance), and then maintaining the cessation of offending by achieving a shift in identity from pro-offender to pro-social (Maruna and Farrall, 2004).

## On the Ground - Resistance, Contradiction and Confusion

### Resistance and a culture of fear

Evidence emerged that staff feel that risk should continue to form a central part of their work with children. Practitioners discussed striking a balance between risk and welfare-based approaches such as child first:

*'The risk stuff, I'm not with the school of thought that says risk has no place in a child-centred system, because I think it does.'* (YOT Team Manager 1).

There was a perception amongst staff that, should a serious incident occur, the risk assessment and management systems provided some protection and clarity about why decisions were made. Although this may be true to a degree, risk-based approaches can also be used as evidence of 'poor' decision-making and thus serve to responsabilise practitioners. It is apparent

that the 'risk culture' within youth justice practice goes beyond interactions with children, and has created a 'risk averse culture' and workforce that is fearful of 'getting it wrong' and being subject to scrutiny:

*'There are so many specialist risk assessments, that the fear is that you haven't got time to do them all, so you leave yourself exposed'* (YOT Officer 3).

There was also concern about how children deemed to be 'dangerous' would be safely managed in the community if risk management controls were removed:

*'...the reality is in the here and now they are dangerous, they do present a significant risk of harm to other people. The important bit for me is actually...what you put around them to contain and support...that keep them safe as much as other people safe'* (YOT Team Manager 3).

Evidence of a resistance and reticence to completely abandoning RFPP emerged strongly from the data. There appear to be several reasons for this including: a fear of 'getting it wrong' and that the RFPP provides some protection; an uneasiness about how to manage children who are deemed to be 'dangerous'; or a perception that an inherent part of working in the youth justice system involves the assessment and management of risk. It is possible that emerging practice on the ground supports Goodman et al's (2017) thesis that the development of criminal justice practice should be understood as a complex blend of many competing approaches, rather than a 'pendulum swing' between risk and child first.

## Contradiction and bifurcated practice

Apparent contradictory messages from Her Majesty's Inspectorate of Probation (HMI Probation) and the YJB about whether youth justice practice should focus on risk or child first approaches was causing some challenges on the ground. An inspection of a youth justice team that had adopted a child first model had been subject to criticism of its risk assessment and management processes, leading to a negative outcome. This had a huge impact on practice in that youth justice team, and in neighbouring areas:

*'But just off the back of the inspection, we've gone back down, we've totally changed our risk management processes. They're much more labour intensive for case workers now and that's only off the back of the inspection. So, for me, I see we've gone down the wrong route because we've taken workers away from being with young people.'* (YOT Senior Practitioner)

The contradictory messages from HMI Probation and the YJB appeared to be increasing workloads, with staff trying to meet the competing demands of two differing approaches. This resulted in increased levels of bureaucracy, less time spent with the children, a return to deficit-focused offending behaviour work, and bifurcated practice. For example, a number of YOTs sought to amend their practice to focus on risk, and meet the demands of the Inspectorate, whilst also seeking to work with a child in a way that is child first. In response, some YOTs had created their own 'child friendly' plan:

*'I just think it's a bit more user friendly. It's a bit more young person friendly. And I think it focuses on the critical elements that you need to focus on....And I think that the intervention plan AssetPlus doesn't really do that'* (YOT Worker 4).

It was apparent in interviews that the implementation of a child first/desistance-based initiative had created a tension for both front line staff and managers: they have a tool, AssetPlus, which, although seeking to introduce elements of desistance, still requires them to assess risk and consider historical, deficit-based factors.

*'Who wants to talk about something bad that you've done repeatedly? It's thinking about how do we move away from backward facing and negative formulated plans and work that we're going to do with young people to be more future orientated and positive'* (YOT Team Manager 1).

## Confusion

Confusion about how to work according to child first and desistance-based principles with children was also evident. Interestingly, staff wanted more guidance, training, and a toolkit that they could use with children:

*'Obviously, I've got the slides, but it would've just been nice to have had a bit of guidance or some work that we could use with our young people' (Youth Offending Team Worker 3).*

However, evidence-based practice, intervention guidance and toolkits tend to be quite prescriptive and are considered part of the risk paradigm. Again, this suggests that staff have a degree of reticence about 'how' and 'what' to do with children without a prescriptive guide, suggesting that even where staff are trying to move away from risk and embrace child first approaches, they are still dependent on risk-based methods to mobilise this.

Finally, confusion emerged about how to strike the 'hard balance' between risk assessment and management, and child first/ desistance-based approaches:

*'So, it's about relationship building really, isn't it? And it's about having the time and the space to do that and potentially the paperwork and the policies and procedures around managing risk can undermine that...But there's a balance, isn't there? You know, it's a tricky one. It's a hard balance to find' (YOT Worker 2).*

A final comment outlined how a YOT Practitioner felt a child's 'risk' could be managed by completely embracing a child first approach, and abandoning the risk paradigm:

*'Probably one of our biggest challenges, is risk and how we manage risk. At the moment we've got a young person who carries a knife. We say we put him on the Knife Crime Programme, yes, calling it 'lives matter', and then we complete a safety plan. And that is how we say we're managing his risk...  
So, if we can get him involved in something within his community, whether it be education, some positive activity, if he gets involved in that and that's how he sees himself and if that where he sees his future going, I would say, he would stop carrying a knife, so you've managed his risk...But you know what, if I'm going to play football with my mates, I don't need to carry a knife. If I'm going to walk the street and I'm 15, 16, and I'm doing certain illegal activities, then actually, I'll carry a knife to protect myself. And you can write as many safety plans as you want, but that piece of paper isn't going to stop me from getting stabbed' (YOT Senior Practitioner).*

## Concluding thoughts

This paper has highlighted the importance of engaging in a meaningful dialogue with youth justice practitioners about the impact changes in central policy narratives are having at the 'coal face' (Case and Hampson, 2019: 33). Several challenges are evident on the ground to implementing the YJB's vision to become a 'child first youth justice system' (YJB, 2021: 9). The confusion and concern caused by the competing narratives of the YJB and HMI Probation must be urgently addressed and resolved centrally by engaging in a dialogue with practitioners locally. The mobilisation of child first is completely dependent on how youth justice practitioners interpret and understand this approach. However, until academics, policy makers and senior management structures meaningfully engage with practitioners about the challenges on the ground, there is a danger that the risk culture cloud will loom heavily over the emerging child first world.

## References

- Bateman, T (2020) The State of Youth Justice. Report, National Association for Youth Justice, London. [state-of-youth-justice-2020-final-sep20.pdf](https://www.thenayj.org.uk/state-of-youth-justice-2020-final-sep20.pdf) (thenayj.org.uk)
- Case, S and Haines, K (2009) *Understanding youth offending: Risk factor research, policy and practice*. Routledge.
- Case, S and Haines, K (2015) Children First, Offenders Second Positive Promotion: Reframing the Prevention Debate. *Youth Justice* 15(3): 226 - 239. <https://doi.org/10.1177/1473225414563154>
- Case, S and Haines, K (2016) Taking the Risk out of Youth Justice. In C. Trotter, G. McIvor, and F. McNeill (eds) *Beyond the Risk Paradigm in Criminal Justice*. Palgrave: London.
- Case, S and Hampson, K (2019) Youth Justice Pathways to Change: Drivers, Challenges and Opportunities. *Youth Justice* 19(1): 25 - 41. [Youth Justice Pathways to Change: Drivers, Challenges and Opportunities - Stephen Case, Kathy Hampson, 2019 \(sagepub.com\)](https://doi.org/10.1177/14732254187741224)
- Goodman, P, Page, J and Phelps, M (2017) *Breaking the Pendulum: The Long Struggle Over Criminal Justice*. Oxford University Press.
- Haines, K and Case, S (2015) *Positive Youth Justice: Children First, Offenders Second*. Bristol: Policy Press.
- Hampson, K (2018) Desistance Approaches in Youth Justice - The Next Passing Fad or a Sea-Change for the Positive?. *Youth Justice* 18 (1): 18 - 33. <https://doi.org/10.1177/1473225417741224>
- Maruna, S and Mann, R (2019) Reconciling 'Desistance' and 'What Works'. Report, Academic Insights Paper 2019/1, Her Majesty's Inspectorate of Probation: London. [Academic-Insights-Maruna-and-Mann-Feb-19-final.pdf](https://www.justiceinspectorates.gov.uk/academic-insights-maruna-and-mann-feb-19-final.pdf) (justiceinspectorates.gov.uk)
- Wigzell, A (2021) Explaining desistance: Looking forward, not backwards. Report, National Association of Youth Justice: [London explaining-desistance-briefing-feb-2021-final.pdf](https://www.thenayj.org.uk/london-explaining-desistance-briefing-feb-2021-final.pdf) (thenayj.org.uk)
- Youth Justice Board (2021) Strategic Plan 2021 - 24. Report, Youth Justice Board: London. [YJB Strategic Plan 2021 - 2024](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/94444/yjb-strategic-plan-2021-2024.pdf) (publishing.service.gov.uk)
- Case, S and Browning, A (2021) *Child First Justice: the research evidence-base (Full Report)*. Loughborough University. <https://hdl.handle.net/2134/14152040.v1>.