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The Achilles heel of Child First: High-risk panels in youth justice service policy and practice

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journals.sagepub.com/home/prb**Sean Creaney** 

Edge Hill University, UK

Samantha Burns

Manchester Metropolitan University, UK

Abstract

Despite significant interest in the Youth Justice Board for England and Wales' 'Child First' policy framework, it appears difficult to implement within multi-agency 'high-risk' panels, as they remain adult-centric, excluding children from being able to safely and meaningfully participate. Public safety concerns and victims' needs take priority, leaving children relatively powerless. The 'high-risk' status assigned to children legitimises their exclusion from the process. This article provides original insight into the complexities of balancing both community protection and 'Child First' in policy and practice, problematising the processes of multi-agency approaches for 'participatory justice' with children who commit serious offences.

Keywords

Risk assessment, MAPPA/public protection, children, partnerships, victims, youth justice, multi-agency work, community safety, Child First, young people

Corresponding Author:

Sean Creaney, School of Law and Criminal Justice, Edge Hill University, St Helens Road, Ormskirk, Lancashire L39 4QP, UK.

Email: Sean.Creaney@edgehill.ac.uk

Introduction

It is a fundamental right for children to be provided with opportunities to participate in determining the response to problems associated with their behaviour (Creaney and Smith, 2023; Smithson et al., 2021, 2022). Indeed, *all* children should have opportunities to influence processes that affect them. There has been a move to encourage greater child involvement in the design and delivery of youth justice services across national and international youth justice settings (Case and Hazel, 2023; Day et al., 2023). The Youth Justice Board (YJB) for England and Wales has adopted a 'Children First, Offenders Second' principle (i.e. 'Child First' – YJB, 2021; adapted from Haines and Case, 2015), indicating commitment to child-centred practices. The tenets of the model, which are somewhat overlapping and intersecting, pertain to seeing children as children, working collaboratively with them and embracing a strengths-based use of language to facilitate their meaningful involvement in processes (Hampson et al., 2024). This framework aims to assist the development of child-centred practice with children in conflict with the law, and notably provides alternatives to deficit-based interventions, especially risk-led approaches which can lead to children feeling judged, marginalised and disempowered (Case and Hazel, 2023; Haines and Case, 2015). There is a focus on ensuring that interventions are in the child's best interests, are constructive, non-criminalising, and socially inclusive (YJB, 2021). Whilst the collaboration tenet of the YJB Child First framework is still contested, it alludes to the importance of capturing and amplifying the voices of justice involved young people, and, to an extent, the redistribution of power to democratise the process and achieve social inclusion (Tisdall 2017; Hampson, Creaney and Burns, 2024). It has also been argued that justice-involved children should be invited to co-design aspects of youth justice service delivery, in line with wider narratives of co-production¹ (Brady, 2020; Loeffler and Bovaird, 2021; Social Care Institute for Excellence, 2022, Tisdall, 2017), and children's participatory rights (Brown, 2020; Smith, 2010; Yin, 2024).

However, despite a commitment to the collaboration principle and discourses around prosocial development, it has been difficult to implement the Child First policy into all aspects of youth justice practice.² This is in part due to the culture of risk-focused environments and the enduring binary divide between philosophies of welfare/justice, models of children first/punishment, and 'paradigm wars' between offender first/child-centred approaches or the child's rights and the safety of others in the community (Bateman, 2023; Children and Young People's Centre for Justice, 2024; Day, 2023; Deering and Evans, 2021; McAlister and Carr, 2014). Specific challenges arise in relation to the nature and extent of children's participation in multi-agency 'high-risk' panels, how Child First and community protection principles are interpreted and translated into practice and how a discourse of public protection and 'offender management' (Robinson, 2011; Smith and Gray, 2019) is perceived and experienced by young people (Creaney and Burns, 2023). Youth justice service high-risk panels³ are multi-agency co-ordinated responses to monitor immediate concerns related to children's high-risk

behaviour. These panels involve specialist workers from multiple statutory and voluntary agencies working together, including probation, police, social work, healthcare and education, to minimise the likelihood of children⁴ engaging in further offending which has a high likelihood of causing either serious harm to others or serious harm to self (Creaney and Burns, 2023). This process tends to exclude young people from participating directly, thus restricting opportunities for the young person to exercise agency, have their perspective taken into account and influence decision making about their lives (Burns and Creaney, 2023; Creaney and Burns, 2023). We characterise this limitation as the 'Achilles heel' of the Child First framework within youth justice service⁵ policy and practice.

The key features of high-risk panels appear to align more with a 'Community Protection Model' (Williamson and Connelly, 2000:106), namely processes of surveillance and control, alongside sanctions and punishment, to prevent future victims and to satisfy the needs and perceived concerns of the harmed person (see Creaney and Burns, 2023; Kemshall and Maguire, 2002; Kemshall and Wood, 2009). Thus, risk-based practice has *not* been consigned to the past. Children assessed as 'high risk' are still viewed as 'posing a risk' underpinned by a deficit-based discourse (Armstrong, 2004, 2006; Baker, 2007; Kemshall and Wood, 2009). This can be problematic, as the Children and Young People's Centre for Justice (CYCJ) in Scotland (2024) point out:

Terms such as 'high risk' have traditionally been used to attempt to highlight that children present a risk of serious harm, yet such terms fail to capture strengths and positive attributes. The use of such terms also poses a challenge in a world of multi-agency working, given that they are subjective and open to interpretation, unless qualified in respect of what we are defining as of concern.

This focus on deficits as opposed to strengths appears to be at odds with the underpinning ethos of the Child First principle⁶ which claims to embrace children's voices, prioritise their strengths and capabilities, and ensure their participation in decision-making about their lives (Case and Hazel, 2023; Haines and Case, 2015). There is a paucity of empirical insights into how Child First is being operationalised within high-risk panels. As a forum for multi-agency cooperation to manage and reduce the risk of harm, a significant aim of the high-risk panel process is to ensure that professional responses are evidence-informed and guided by judgements on future risk of criminality/ serious harm. Yet, questions remain about how risks are defined or managed and the appropriateness of strategies to prevent harm and promote safety (Blyth et al., 2007; Creaney and Burns, 2023; Sutton et al., 2004). This article discusses the principles and tenets of the Child First approach, then proceeds to contribute conceptual and empirical insight into the purpose and function of high-risk panels in youth justice. This article provides original insight into the complexities of balancing and implementing both community protection and Child First frameworks in policy and practice, problematising the processes of high-risk panels and opportunities for participatory justice with children who commit serious offences. Children assessed as 'high risk' are a small but significant cohort (Children and

Young People's Centre for Justice, 2024; Youth Justice Board, 2025), who tend to have experienced 'social harms' such as, but not limited to, domestic and peer violence (Firmin, 2020; Levell, 2022), adverse life circumstances (Gray et al., 2023), criminal exploitation (Marshall, 2023; Wroe, 2021) and structural inequalities (Gray and Smith, 2024; Lloyd et al., 2023), which can compound vulnerabilities, and impact on capacity to participate meaningfully within the decision-making process.

Child First in youth justice

According to Haines and Drakeford (1998: 89), the concept of 'putting children first', from a philosophical standpoint, should 'inform, guide and shape all that youth justice workers do in and for children in the criminal justice system'. Haines and Case (2015) developed 'positive youth justice' embedding a philosophical standpoint of 'children first, offenders second' which intended to offer an alternative approach to deficit-based and adult-centric service delivery with justice-involved children. A major aim of the model is to counter criminalising and risk-led responses, and challenge discourses that pathologize children (Haines and Case, 2015; Haines and Drakeford 1998). Similarly, the 'principled youth justice' model developed by Goldson and Muncie (2006) advocated for the development and implementation of a rights-based, non-criminalising approach to children in conflict with the law. These models gained traction in the policy sphere following the Taylor review, which advocated 'a system in which young people are treated as children first and offenders second' (Taylor, 2016: 48). This was further cemented into a formalised 'Child First' framework⁷ by the YJB and practitioners have been encouraged to apply it into practice at the point of youth justice service delivery (YJB, 2021). As alluded to, key features of a Child First approach include a focus on children's rights, prosocial responses, participatory collaborative practices, and implementing diversionary measures to minimise stigma and ascertain greater access to welfare responses, while reducing harmful consequences associated with over criminalisation and excessive system contact (YJB, 2021). Participatory approaches to the delivery of youth justice should ensure that children and young people's voices are heard and acted upon (Case et al., 2020). However, there is a noticeable disconnect between the rhetoric and reality of Child First, and a bifurcated practice in existence (Case and Smith, 2023; Gray and Smith, 2024). This bifurcation issue is particularly acute within the operation of 'high-risk' management panels, which, according to our research, remain adult-centric, with virtually no facility for the child to meaningfully take part (Creaney and Burns, 2023). Whilst risk-based practices and community protection principles tend to focus on past behaviours and the utilisation of situational crime reduction measures to restrict opportunities to engage in future harmful behaviours, Child First is premised on ideals of a strengths-based philosophy that takes account of young people's interests and perspectives (Case and Hazel, 2023; Haines and Case, 2015) which can contribute to harm reduction since, as part of this approach, professionals can potentially respond more efficiently to children and young people's needs. It is an

urgent matter to explore how and why Child First principles are not being applied effectively within the multi-agency 'high-risk' panel process. These arrangements do not appear to be child-centred as they prioritise the continuation of strategies and mechanisms of control to minimise risk. There is a need for further research into how or if Child First and community protection models can work more effectively within the high-risk panel process to keep both children and the public safe, while also being child-focused and promoting their participation rights.

Working with 'high-risk' children: Layers of contention

Whilst there can be different rationales underpinning the concept of risk, it incorporates ideals around vulnerability, harm reduction, public protection and safeguarding which means that risk management is complex on both conceptual and procedural levels (Children and Young People's Centre for Justice, 2024). The right to a voice appears to be, to an extent, restricted to low/medium-risk children who commit less serious offences and are perceived to be less 'risky' or problematic (Creaney and Burns, 2023). The anxiety-inducing concern amongst professionals to protect children from causing (further) harm to other children and/or members of the public could be a contributing factor which continues to invoke the need to objectively 'manage' children (Baker, 2009; Baker and Sutherland, 2009; Burns and Creaney, 2023; Jackson and Scott, 2009). This may be a significant contributory factor that influences the adoption of tenets/principles of community protection, distinct from the Child First practice, limiting the scope for child involvement in the process. The nature of high-risk panels may also be violating children's participatory rights, which is not only ethically and morally problematic but can exacerbate challenges of building trusting relationships – relational practice is a prerequisite of participatory work with children (Creaney, 2020; Creaney and Burns, 2023). Ultimately managing risk, protecting the public and monitoring compliance can become prioritised over promoting children's views and facilitating rights-based practices. This remains an issue even when there is a willingness from youth justice practitioners, who care about the safety and wellbeing of children, to embed a Child First framework into practice with those who commit serious offences (Creaney and Burns, 2023).

The latest iteration of case management guidance published by the YJB has made reference to work with 'complex children' (YJB, 2022) which is interpreted as children assessed as 'high risk' since children in youth justice convicted of serious offences often experience cumulative and significant disadvantage (Children and Young People's Centre for Justice, 2024). Whilst it is important to be explicit about how children can participate and it is crucial that professionals remain cognisant of their interests and preferences, levels of involvement may vary depending on a myriad of factors (see Peer Power Youth, 2021). These issues pertain to children being vulnerable and perceived as not able to occupy a decision-maker role, and practitioners unable to relinquish their autocratic control over processes, systems or strategies (Creaney and Case, 2021). Nevertheless, the case management guidance now recommends that professionals elicit the perspective of the child when

detecting concerns about the risk of harm to the child or the wider community (YJB, 2022). However, there is a lack of detail or specification about the expected level and nature of the child's involvement in multi-agency arrangements including how to ensure professional responses are respectful towards children's preferences and compliant with the YJB Child First approach. It is probable case managers may experience a sense of anxiety and uneasiness about sharing power, protecting childhood innocence and delegating decisions to children especially when there are complex issues of harm, risk and safety at play, including an ethical and legal responsibility to manage safeguarding concerns (Burns and Creaney, 2023). Such issues can result in children being excluded from participating in decisions regarding how to reduce harm and promote safety in their lives. Whilst children may be vying for influence over proceedings, multi-agency arrangements in high-risk panels are predominantly designed to restrict opportunities for children to participate, and often their 'high-risk' status legitimises their exclusion from the process, restricting opportunities for them to share their own views, needs and wishes.

Alongside anxieties regarding safeguarding duties, another layer to contend with in multi-agency approaches to harm reduction and risk management in youth justice is that professionals also have a responsibility to ensure the victims' needs remain at the forefront (GOV.UK., 2025). A practitioner illustrates this when exploring the barriers and enablers of children's participation in decision-making processes:

When you get into some of the practical realities of some of the young people, we have responsibility for, and are charged by the court to manage the risk the young people present and sometimes the risk present is high, like high risk of [...] violence, and we also have to be tied to the victims' code of practice to keep the victim's voice central, and usually the victims are other children themselves. Then you layer on sensitive and confidential information that might be brought into high risk meetings, by police officers for example. (Youth justice practitioner, Peer Power Youth, 2021)

Due to the sensitive nature of these multi-agency panels, it could be argued that these community protection measures are needed to prevent further offending and to reduce harms. Nevertheless, these multi-agency approaches to high-risk management processes could potentially contribute to the reinforcement of a criminal identity. Although, while there is a lack of opportunity for children to participate in high-risk panels, there has been some relative success in capturing their voices within risk assessment due to the introduction of AssetPlus. AssetPlus as an assessment tool in youth justice, necessitates a more comprehensive analysis of a child's background and circumstances including the prevalence of trauma or adverse experiences; insights which help when organising prosocial interventions, nurturing personal growth and strengthening pathways towards social inclusion (YJB, 2014). The argument advanced is that a strengths-based approach is required that is goal-orientated, enabling young people to acquire status and recognition for engagement in law-abiding behaviours (Wigzell et al., 2024). Whilst AssetPlus includes a self-assessment component potentially foregrounding the voice of the child throughout assessment, planning, intervention and supervision (Case and

Haines, 2016; see also Arnall and Fox, 2016), it appears that children's views are not systemically taken into account within these processes (Picken et al., 2019). Professionals still 'maintain a focus on risk'⁸ (Hampson, 2024: 178) by using the framework to judge the potential occurrence of future problems, determining risk levels related to serious harm to the public and self-harming behaviours (Smith and Paddock, 2025). Some children engaging with youth justice services are potentially bereft of legitimate opportunities for self-expression, despite the focus on self-assessment, which is a key component intended to provide a space for children's views to be heard *and* acted upon. Their involvement in risk assessment is already restricted, limiting opportunities for meaningful participation and social inclusion, prior to multi-agency high-risk panels taking place. Subsequently, there are wider procedural issues on risk assessment and management that still need further investigation when attempting to consider how high-risk panels could be transformed to centre the child's voice and best interests.

Repairing the Achilles heel: Children, protection and participatory justice

Child First discourse has influenced youth justice service provision including system responses (see Hampson et al., 2024). Yet, there continues to be a reliance upon the assessment and management of 'risk' to combat issues associated with the gravity of harm children have caused. Professionals involved in high-risk panels decide upon measures that can limit or reduce the risk of harm. Even if the child has not been convicted of the (further) offence in question, if they are thought likely to inflict harm on others, measures to restrict their movements can be imposed. There is a danger that professionals conflate risks and needs (Gray and Smith, 2024) and thus potentially subject children to higher levels of intervention.

Key features of high-risk panels are also aligned with a public/community protection agenda, which tends to be adult-controlled and too heavily focused on preventing harm to the community, limiting child participation in the process (Creaney and Burns, 2023). This means that in many respects it is still a deficit-based process that is about pre-emptively minimising risk. This is difficult to square with a coherent Child First stance and a focus on enabling opportunities for children to participate in activities that can contribute to both their protection and prevention of serious offending (Daniel, 2021; Thomas, 2015). Consequently, this process, in a majority of the ways in which they are currently operationalised across England, hinders the potential for children's participation, inclusion and integration into key decision-making processes about matters that affect them in relation to the potential risk of harms across various contexts of their lives. This is especially problematic given that social inclusion is a feature of the Child First framework. Thus, the function of high-risk panels being designed through a 'Community Protection Model' (Williamson and Connelly, 2000: 106) needs to be reviewed. This is due to the overuse of surveillance and control, alongside sanctions and punishment, to prevent future victims and to satisfy the needs and perceived concerns of the harmed person (see Creaney and Burns, 2023; Kemshall and Wood, 2009) at the expense of children's

rights and Child First policy. This discussion holds significant relevance for the development of Child First, especially in terms of the extent to which the approach can be applied within a high-risk management environment or whether the framework can be combined with or operate alongside a Community Protection Model. It is understandable that a Community Protection Model may not be abandoned in favour of a Child First approach due to the perceived need, at times, for professionals to invoke sanctions for non-compliance and instigate measures of control to contain potential threats to the public (Creaney, 2020; Creaney and Burns, 2023). Therefore, community protection continues to be integral to the work of youth justice services. Services may not have the freedom to be fully creative in their risk management processes due to the complexity of harm and safety in children's lives that require attention from multiple agencies and systems.

What remains largely unaddressed is the issue of how to work with and respond to children, identified as high risk, in a more creative, inclusive and collaborative manner throughout risk panels and multi-agency arrangements. This is a pertinent and pressing challenge, especially in the light of the aforementioned complex tensions between principles/tenets associated with both community protection and Child First frameworks. Most writings on the application of the Child First principles into practice have neglected responses to 'high-risk' children, with few exceptions (see Creaney and Burns, 2023; Hampson et al., 2024). Crucially, the dichotomy of community protection and Child First along with the problematic use of victim and offender binaries remains pertinent issues to address. This is a complex issue affecting situations where children are perceived as both at high risk of causing harm and being harmed at the same time. However, if children are invited to attend these meetings, be listened to and be involved in the decision-making process within multi-agency meetings about their safety, this can help to achieve a sense of justice for the child (Children and Young People's Centre for Justice, 2024). Children can add new or differing insights, and broaden or challenge definitions and meanings of risk classifications devised and constructed by professionals (Peer Power Youth, 2021). Moreover, whilst children in conflict with the law tend to have poor life chances and to have experienced adversity of one kind or another (McCoy et al., 2023), it is important to note that children labelled 'high risk' may have been victims of criminal exploitation and modern slavery (Marshall, 2023; Metropolitan Police, 2021; Robinson et al., 2018). Yet, even in cases where children are recognised as victims, it is unclear to what extent safeguarding responses (e.g. Multi-Agency Child Exploitation (MACE) panels) are respectful of children's participatory rights and involves them in the multi-agency panel process. Therefore, repairing the Achilles heel of Child First is increasingly complex when considering the broader remit of multi-agency responses beyond Youth Justice Services for children who may cause serious harm.

In practice, there are concerns that need addressing before consideration of ways to more effectively include children in high-risk panels. Firstly, whilst youth justice professionals involved in high-risk panels may be acting with caring intentions (and in line with the child's best interests), they may act in a bureaucratic fashion, adhering to officialdom (expectations or instructions from those in authority). They

may be too preoccupied with managing risk to the public or sharing intelligence with the police (Lloyd et al., 2023). Risk-averse mentalities can limit or severely restrict practitioner ability to think creatively and to progress agendas that align with the spirit of 'participatory justice' (Buck et al., 2020) in the sense of fully involving children in decisions and processes, embracing equitable relationships (facilitated by prosocial and empathic practitioners), trust, and safe spaces where young people can speak openly and without fear of judgement (Gibson et al., 2024: 103; Moore et al., 2024: 55; Smithson et al., 2021). Participatory justice is a philosophy and practice principle that is distinct from the concept of (mere) 'engagement'. The latter concept, which varies in definition, may invoke or sustain *practitioner as expert* mentalities, limiting opportunities for children to participate as 'equals'. Secondly, there may also be heightened anxiety around children's safety and prioritization of risk-reduction strategies and techniques (Farrow et al., 2007; Tuddenham, 2000), which implicitly or explicitly, exclude children's agency in the process. There is an undertone of a rational choice theory which persists and shapes thinking around a heavy responsibility on the child or young person to be held accountable for their actions, taking less account of wider social and system harms influencing individual behaviours (Hopkins-Burke, 2009; McAlister and Carr, 2014). Very little is known about the factors that help or hinder child collaboration in this process, or whether their participation rights are being curtailed even when there is an effort by adult professionals to promote their wellbeing and protect them from causing (further) harm.

Power, protection and participation in high-risk panels

Giving sufficient attention to the child's own narratives and perspectives and involving them in the process of managing the risk of harm could be potentially empowering for children and young people. Children's participation within high-risk panels could also be a form of protection (Warrington et al., 2024) as it can contribute to more accurate assessment outcomes, increasing the accuracy of the understanding of the child's mental state, thoughts feelings and hopes for the future. Therefore, this article asserts that there is potential for children's participation within risk management processes to become a normative practice. However, based on our previous research, adult discomfort with children's participation can be linked to beliefs that children *do not* have sufficient capacities for such involvement (Creaney and Burns, 2023), that it undermines adult professional authority and responsibility, and that it erodes clear distinctions between children and adults (Burns and Creaney, 2023). Dynamics of power, if not acknowledged, form a significant barrier to effective relationship-building between children and adults. It is challenging to incorporate a Child First approach in youth justice for this particular cohort of children. Furthermore, aspirational goals of equality of opportunity become difficult in the light of inequalities of power that may continue unabated. When engaging in the process of relationship-building, professionals have a responsibility to balance considerations around adolescent development and the best

interests of the child being paramount alongside managing concerns around the 'risks' children present to society.

Moreover, wider power dynamics at institutional and systemic levels mean that youth justice practitioners operate in a context of uncertainty about the availability of necessary welfare provision for children (Gray and Smith, 2024), intensified by imminent fears of public shaming and political rhetoric with punitive undertones which can arise in the light of a death or serious injury (Children and Young People's Centre for Justice, 2024; Lepper, 2015). Accordingly, practitioners may be anxious about the consequences of some children, who are considered threatening or a danger to society, inflicting further harm on victims and a tragedy occurring whilst being supervised by the youth justice service (Burns and Creaney, 2023; Creaney and Burns, 2023). Such cases can be reported on and used as justification for the need to address inefficient mechanisms of control (Goldson, 2011: 4). This can trigger calls for sanctions to be imposed on professionals deemed to be responsible for the insufficient monitoring and systems of control (Goldson, 2011). Indeed, there can be consequences for those in authority judged to have failed in their duty to protect the public, spawning inquiries, overhauling managerial structures and exacerbating blaming mentalities (Baker, 2007: 35; Goldson, 2011: 4; Winstone, 2016). Due to such fears, both senior management and front-line professionals may be more inclined to execute restrictive measures aligned to community protection principles as opposed to enabling strategies capable of advancing children's participation in high-risk panels. Due to heightened professional anxiety, this can mean children's experiential knowledge is not necessarily rendered invalid but is seen as 'of less value' when compared to professional expertise and their knowledge acquired through training and learned experience (Creaney and Burns, 2023; Creaney and Case, 2021), demonstrating another clear power imbalance when responding to children committing serious offences and/or at risk of serious harm. This knowledge hierarchy can provide another justification to exclude children from high-risk panels, since professionals are navigating (sometimes valid, sometimes exaggerated due to media narratives) fears of harm and the level of accountability placed on them. At the same time, if children are invited into high-risk panels, this has the potential to cause further harm in a child's life, as it may cause distress or (re) traumatisation, or constitute, in a Bourdieusian sense (Bourdieu and Wacquant, 1992) a form of 'symbolic violence' defined as 'non-physical, often unperceived, oppression' (Phillips, 2015), due to the high-risk panel functioning within an adult-dominated setting with processes and language not considered to be child-friendly or appropriate (Creaney and Burns, 2023). Ultimately, there is a gap in knowledge regarding how feasible it is to co-create approaches with children to address the high risk of serious harm in their lives.

Beyond aversion: Co-creative approaches to 'high risk'

Within the high-risk panel process, the environment created by professionals may not be child-friendly or appropriate, particularly if professional discourses and

intelligence sharing dominate the agenda and conversations (Lloyd et al., 2023). If the scope of discussion is centred on risk anxiety or aversion, this can stifle the opportunity to progress a positive, forward-looking approach (Deering and Evans, 2021), and the child may feel denied the opportunity to express what they feel would be in their best interests and preferences. This forces us to think more deeply about the nature of the Child First collaboration tenet (YJB, 2021) being more than just 'meaningful participation' but to also be recognised as a safe and ethical practice. There is an urgent need for research to understand how these multi-agency high-risk panels can be co-designed to ensure children's participation is safe, ethical and meaningful for those convicted of serious offences and/or at risk of serious harm. In previous research, a practitioner reflected upon the importance of creating a safe space and generating knowledge from children about their experiences of 'high-risk' panels:

I have learnt we need to create safe spaces for people to talk, and it's the high risk [children] who are really the most important to get feedback from – why are they high risk in the first place or what would have helped them within the situation, or what intervention, or when would it have been useful? – you can't plan your services effectively around it otherwise. (Youth justice practitioner, Peer Power Youth, 2021)

The 'high-risk' process requires revision and reform to ensure they are democratic and inclusive spaces for young people to participate in. This can enable children to engage in a safe and supportive environment and feel able and motivated to 'express their views without fear of rebuke or reprisal' (Lundy, 2007: 934). Children can feel judged when viewed as a 'risk to others' and thus reticent to exercise agency within such spaces. Whilst this requires commitment and bespoke resources for children to be part of the process, it can potentially have a profound impact on the child and make the process more meaningful, as one professional within a youth justice service illustrates:

I managed a nasty case with a child ... and he actually received a custodial sentence and because of the risk being so great he actually came into a therapeutic section of custody, and he had been in this community placement for about 12 months and I went into the most amazing meeting that was chaired by him [child] which was amazing! I couldn't get over it! And he said I realise that whilst I am in this environment my risk is medium because I am safe, but I will not be safe at Christmas, and they [practitioners] said why is that? And I said, that is because my [relative] is at home and I can't be there, therefore I am at greater risk, and it was a bit of an eye opener really that they had got to that stage where he could chair his own meeting, which took an awful lot of energy and therapeutic work and a lot of support, but his risk was more manageable because he was part of the whole process and he understood it, and well, it's his risk isn't it, it's about him and that is the bit about it's not being done to him, it is acknowledging it for himself. I don't think we have got the energy or the ability or the time to be able to do it in that manner with all of our young people, BUT I would LOVE it! Wouldn't it be lovely! (Youth justice practitioner, Peer Power Youth, 2021)

The above account illustrates a possibility of children co-creating the process of managing the risk of harm, including the option for children to set the agenda and guide discussions on their terms. Indeed, when children are viewed in a positive way and encouraged to play a role in discussions about types of support suitable to address their needs or satisfy their interests, this can help to motivate them to participate in the process (Smithson et al., 2022). The above account also indicates that children have the capability and expertise to co-produce with practitioners during high-risk meetings but that they also require support and guidance during the process. There are several potential benefits associated with this approach. This includes being an empowering experience for the child and a meaningful opportunity for them to share insights and influence ways to help ensure multi-agency professionals understand the impact of adversity on their lives. They can also co-create conditions that promote children's welfare, which is a necessary measure to help facilitate positive outcomes for them, which overall can support the co-creation of community protection.

Conclusion and implications for practice

Justice-involved children, regardless of their risk status, deserve to be treated in a Child First way via the use of child-friendly and participatory approaches throughout their entire youth justice journey which can support positive outcomes including community safety, the reduction of serious harm and prevention of further offending. Child First policy appears committed to maximising inclusive and meaningful participatory practices with children and young people. However, this article has identified gaps in evidence and knowledge concerning the risk management/community protection/Child First nexus and a lack of clarity around how the voices of young people identified as 'high risk' will be heard and acted upon. As our empirical research and theorising indicate (Creaney and Burns, 2023) the Child First approach fails to penetrate 'high-risk' management processes within youth justice services, and in particular multi-agency high-risk panels. Thus, new ground is to be broken by further research into this topic. Child First also requires a reconceptualisation in the public protection/risk nexus since, as our analysis indicates, contemporary practices tend to prohibit inclusive, meaningful participatory justice with children assessed as 'high risk'.

Despite advances to evolve risk assessment and management discourses into more child-centred and strengths-based approaches (Haines and Case, 2015), practitioners are still expected to identify and manage the risk young people pose. Child First as a policy framework can be difficult to implement within risk-based public protection work, which is still prevalent in the context of responses to serious offences. Various models of practice continue to be in operation alongside Child First (see Smith and Gray, 2019 for an overview of these differing models of practice), which may be confusing for multi-agency professionals and constraining for those who want to work collaboratively with children and co-create conditions for welfare through high-risk panels. Thus, there is a need to bridge gaps in

knowledge to address complex multi-agency issues associated with the Child First public protection/risk management nexus.

Children are not routinely consulted or meaningfully included in 'high-risk' panels. A lack of meaningful opportunity and paucity of power-sharing mechanisms to advance the active participation of children in the decision-making process is limiting the efficacy and equity of Child First in practice. Previous research (Case and Browning, 2021) investigating the operationalisation of 'Child First' appears to have omitted child involvement in multi-agency high-risk management panels. Therefore, what remains is a noticeable gap in policy and practice guidance relating to meaningful, child-centred justice in practice with children assessed as 'high risk'. Existing mechanisms may need to be transformed, to democratise the decision-making process, allowing the child to participate more meaningfully in proceedings that affect them, while also being aware of participation safety for children throughout these processes to prevent them from experiencing (further) harm (Gray and Smith, 2024).

Whilst children can add important and potentially valuable insights, it must be acknowledged that due to the 'high-risk' panel process being aligned to a public/community protection model within a criminal justice setting, even if asked, they may be reluctant to contribute, reticent to share their views due to personal issues adversely affecting their motivation levels, and power dynamics inhibiting their genuine involvement. This is especially so if they feel interrogated due to there being undue focus on different facets of their lives or when their actions and alleged behaviours are the subjects of scrutiny by a team of professionals. It is unlikely that young people will meaningfully contribute and provide a thorough account of their lived and living experiences 'unless ... the process is credible and [intentionally] collaborative... [and] they feel safe to do so without negative consequences' (Attrill and Liell, 2007: 195). Significant numbers of justice-involved children, across domestic and international criminal justice settings, have experienced violence and abuse (see Day et al., 2023; Spacey and Thompson, 2021) and tend to be acutely vulnerable (see Kallio, 2023). Thus, 'high-risk' children need specialists or creative opportunities to articulate their feelings or communicate their wishes. Children are usually mandated to attend appointments and supervision requirements determined by adults (Creaney, 2020; Hart and Thompson, 2009; Smith, 2014), providing a degree of uncertainty about the extent they can exert their participation rights. Therefore, careful considerations are needed when grappling with the nuances of community protection and trying to shift away from punitive approaches to a more Child First approach with these children.

The risk panel process involves multi-agency working and is an important forum to facilitate knowledge exchange, to reduce harm to the public and prevent adverse outcomes to the child. This, at times, may result in the instigation of restrictive external controls (i.e. doorstep curfews) being put in place and other relevant or 'appropriate' community protection measures of surveillance and control imposed on young people. Notwithstanding that it is a type of multi-agency arrangement, there is also a danger of 'siloe thinking' (Ahmed Shafi et al., 2023) amongst

professionals, which may be prohibiting greater interagency collaboration and imaginative perspectives on harm reduction from being formulated and shared. There may not be a unified approach to reframing processes of Child First collaboration with 'high-risk' children. However, to advance the participation of children in high-risk panels, it is necessary to work with justice-involved children in order to co-create innovative child-centred approaches to multi-agency work in youth justice services. The use of child-friendly language is important alongside the need for accessible guidance documents, which could be useful for helping them to understand the process, nurture organisational cultures that are cognisant of rights-compliant practices and ensuing emphasis on improving outcomes. Assisting children to make sense of the logic behind decisions made and actions that follow from the meetings is also crucial: being 'transparent about the risk assessment process and the choices and consequences that follow' ... this increases the likelihood of them experiencing a sense of 'choice and control within the process', enhancing opportunities for them to 'constructively engage' (Attrill and Liell, 2007: 195). It is also important to incentivise their involvement by acknowledging their expertise and knowledge which can motivate them to share new ideas on ways to resolve or overcome issues which can be an empowering experience, nurturing self-confidence and freedom to shape their self-concept in an environment that is too often driven by adult-dominated concerns and worries about perceptions of young people's problematic behaviours (Attrill and Liell, 2007: 195; Peer Power Youth, 2021).

To exclude a child from the decision-making process is potentially ethically problematic when considering that the measures decided upon by professionals can have a profound impact on the life of a child. Whilst the policy orthodoxy of Child First has paved the way for child involvement in processes, there is much more work needed to advance participatory justice. The nature of children's behaviour should not be allowed to override the entitlements to a fair hearing and just treatment which should apply to all children and young people irrespective of their 'high-risk' status, circumstances, characteristics or character (Creaney and Smith, 2023; Smith, 2010). There is a need for guidance around ways of developing and applying principled practices within the high-risk management context to challenge a reliance on 'offender focussed' practice with a select group of 'high-risk youth' (see Burns and Creaney, 2023; Hampson et al., 2024). If there is a commitment to listen to children and trust in their own perceptions of risk and protection in their lives, this can potentially assist in the development of novel approaches to the assessment and management of risk and align with the ethos of 'participatory justice', addressing the Achilles heel of Child First Youth Justice. It may be the case that the research has lagged behind practice within this space and therefore we welcome practitioner responses to our critical analysis of high-risk panels and ways of navigating the risk management/public protection/Child First nexus. The research evidence base is preliminary (continually evolving, Moore et al., 2024) and subject to change as further knowledge and empirical insights become available.

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ORCID iD

Sean Creaney  <https://orcid.org/0000-0003-0187-8889>

Notes

1. Co-production can be characterised as a deeper or more transformative level of 'collaboration' (Brandsen et al., 2018).
2. Whilst there are models of practice such as 'constructive resettlement' (Day, 2025) that can be used with children who have been convicted of serious offences, there is a paucity of empirical insights into how such frameworks or models are being operationalised within high-risk panels.
3. We use the term 'high-risk panels' throughout. These are multi-agency meetings set up to identify and address risk of serious harm, including safety and wellbeing concerns. We are aware that terminology varies nationally and internationally, for instance, they may be referred to as case planning forums or child safety panels.
4. In this article, we use the terms 'children' and 'young people' interchangeably, defined as any individual under the age of 18 years (UNICEF, 1989).
5. In England and Wales, the Crime and Disorder Act (1998) (cited in GOV.UK., 1998) created multi-agency Youth Offending Teams (now referred to as Youth Justice Services), made up of representation from several statutory agencies including education, social care, health, police and probation (GOV.UK., 1998, see also Creaney and Case, 2021). As Pamment (2019: 269–270) notes, 'The Act put in place the specific requirement that youth offending is

addressed through a multi-agency response' and youth justice services work towards the principal aim of 'preventing offending by children and young persons' (GOV.UK., 1998). The performance of Youth Justice Services is monitored by the YJB and inspected by HM Inspectorate of Probation (HMIP). The latter provide evidence-based judgements and guidance (see Moore et al., 2024). Whilst the YJB adopted 'Child First' (adapted from Haines and Case, 2015) as their preferred approach, HMIP has promoted the wider research evidence base, working with a range of academic experts through, for example, their progressive Academic Insights series (Moore et al., 2024).

6. As Bateman (2023: 28) notes, 'A thoroughgoing Child First philosophy implies a radical rupture from adult precepts and an unambiguous rejection of punishment of children'.
7. This framework is also influencing practice developments within the probation context, illustrated through the 'young adult first' approach (Phillips et al., 2024). This novel project, which is trauma-informed and strengths-based, has adopted similar principles to the tenets underpinning the 'Child First' approach in youth justice (see Phillips et al., 2024: 42).
8. In the sense that practitioners undertake an assessment (using AssetPlus) and form a professional judgement, having undertaken an assessment on the Risk of Serious harm the child or young person presents. Practitioners also form a judgement about safety and wellbeing concerns – categorised as low, medium and high.

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