

## Central Lancashire Online Knowledge (CLoK)

|          |                                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Title    | 'If rich people gave more money to poor people': Children's perspectives on reducing offending and implications for social citizenship                                                                                                                     |
| Type     | Article                                                                                                                                                                                                                                                    |
| URL      | <a href="https://clock.uclan.ac.uk/id/eprint/31266/">https://clock.uclan.ac.uk/id/eprint/31266/</a>                                                                                                                                                        |
| DOI      | <a href="https://doi.org/10.1016/j.chilyouth.2019.104702">https://doi.org/10.1016/j.chilyouth.2019.104702</a>                                                                                                                                              |
| Date     | 2019                                                                                                                                                                                                                                                       |
| Citation | Larkins, Cath and Wainwright, John Peter (2019) 'If rich people gave more money to poor people': Children's perspectives on reducing offending and implications for social citizenship. Children and Youth Services Review, 110. p. 104702. ISSN 0190-7409 |
| Creators | Larkins, Cath and Wainwright, John Peter                                                                                                                                                                                                                   |

It is advisable to refer to the publisher's version if you intend to cite from the work.  
<https://doi.org/10.1016/j.chilyouth.2019.104702>

For information about Research at UCLan please go to <http://www.uclan.ac.uk/research/>

All outputs in CLoK are protected by Intellectual Property Rights law, including Copyright law. Copyright, IPR and Moral Rights for the works on this site are retained by the individual authors and/or other copyright owners. Terms and conditions for use of this material are defined in the <http://clock.uclan.ac.uk/policies/>

## ***'If rich people gave more money to poor people': Children's perspectives on reducing offending and implications for social citizenship***

### **Abstract**

This paper reports the perspectives of children in contact with five youth offending teams (YOT) in the North of England. Through participatory research four children in custody designed research tools to guide adult researchers undertaking interviews with 46 children in YOT settings and analysed initial findings. Interviews focused on 'what helps you stop offending' identified worker engagement with children and their families to build relationships and access to social resources. This reverses standard perspectives and challenges workers to effectively engage. Their aspirations and experiences of rights and responsibilities are explored through a critical lens of lived and social citizenship.

### **Keywords**

Youth justice; citizenship; rights; responsibilities; resources

Political debate continues concerning the appropriate relationship between children who have offended and different state interventions in England and Wales (Chaney 2014), affirming again that youth justice policy discourses and policy are 'fluid sites of contestation and uneasy settlements' (Goldson and Muncie 2006). Contradictions at policy level within the UK are evident as the Youth Justice Board broad strategic aims for 2014-17<sup>1</sup> continued to ignore the question of whether the youth justice system is the most suitable place for addressing the issues many children present with (Fox and Arnull, 2013) whilst a more needs based orientation was highlighted in the Wales strategic plan (WG 2014). Within England contestation could be seen when an inspectorate report (HMI 2014) and Parliamentarians' Inquiry report (Carlisle 2014) suggested a more 'children first' approach is appropriate to do more to protect children in contact with the youth justice system. **Embracing the importance of this focus people under the age of 18 years will be referred to as *children* throughout this paper.**

These contestations are arguments about the appropriate content and balance of rights and responsibilities for children who have offended, or who are seen as 'at risk' of offending. Internationally, youth justice system tend to emphasise social responsibility rather than social rights, and England is a good example of this (Muncie 2005, Phoenix and Kelly, 2013). The emphasis on rights being conditional on the fulfilment of responsibilities, or playing by the rules of the game has been evident since at least 1997 (Drakeford 2001). As a challenge to this, a rights-based approach (RBA) to youth justice has been proposed (Goldson and Muncie 2006; Fergusson 2013). Internationally, compliance with children's rights within youth justice is monitored by the United Nations (UN) Committee on the Rights of the Child, and current practice falls short of implementing the UN Convention on the Rights of the Child (Chaney 2014). Current economic conditions and austerity policies have intensified the imbalance 'between what is provided for and what is

---

<sup>1</sup> to prevent offending, reduce reoffending, protect the public and support victims and promote the safety and welfare of children and young people in the criminal justice system (YJB 2014a p.7)

demanded of children' (Fergusson 2013: 52) and resulted in significant cuts to welfare services. Whilst different arms of the state, politicians and policy makers, are well engaged in debates about the appropriate rights, responsibilities and service provision, children's perspectives are conspicuously absent (Featherstone et al, 2016).

To explore children's perspectives on their rights provision by youth justice services, this paper therefore reports the findings of a participatory study with 50 children in contact with Youth Offending Teams (YOT) in a city in the North of England. This city is characterised by high levels of social and economic deprivation and a community with a significant south Asian/Muslim community along with a majority white British population (ONS 2019). The YOTs were established after the 1998 Crime and Disorder Act in England and Wales, as the statutory agency responsible for work with children to prevent them from offending or desist from this behaviour (Goldson and Muncie, 2006). They are multi-professional teams of social work, health, probation and police practitioners who work with children (from age 8<sup>2</sup> to 18) referred by the police (for anti-social behaviour for those at risk of being brought into the criminal justice system), or by the courts (for those who have committed an offence). A focus on YOTs therefore provides an opportunity to explore rights-based youth justice practice in services caught in the tension between child orientated welfare and punishment approaches (Goldson, 2000), which will be of relevance to similar service internationally.

The findings from children reveal their aspirations for rights and responsibilities, but also concerns with status and relationships with others (workers and peers) and with communities. These connect with wider notions of citizenship, which is about relationships between rights and duties or responsibilities' but also 'participation and identity' (Delanty 2000:9); membership, status and lived experience (Lister 2007). Many children who have offended are routinely excluded from citizenship by current judicial and policing practice as they are seen to fall short of the expectations of neo-liberal citizenship ideals, failing to self-regulate their behaviour or to meet their own needs (Kennelly 2011). But the meaning of citizenship is not fixed; through political debate and activist citizenship different conceptions of justice and the appropriate balance of rights and resources are asserted (Isin 2009) and children are political and social agents in this process (Author 2014a; Kaillo, Mills, and Skelton, 2016). The paper therefore discusses what a citizenship-based approach youth justice could mean if it is defined from below.

## **Beyond children's rights and youth responsibility to citizenship**

There are good reasons to resist the link between rights and responsibilities, as youth justice policy already makes access to rights conditional on fulfilment of responsibilities, undermining basic principles of human rights. However, this paper argues that a critical citizenship approach, together with recognition of the inalienability of human rights, enables links to be made between rights claims and the actors' and institutions' duties to use their power over the distribution of resources (Isin and Turner 2007). Citizenship offers a framework for examining the 'juridical, political, economic and cultural' practices and statuses (Turner, 1993:2) which shape the flow of resources between

---

<sup>2</sup> Doli incapax – the criminal age of responsibility for children at the age of 8 was introduced by the 1998 Crime and Disorder Act and is the lowest in Europe.

individuals and collectivities. When citizenship is viewed as a practice (Isin and Turner 2007), attention is drawn to the ways in which rights, responsibilities and status are negotiated through interpersonal as well as institutional actions and attitudes; and, the resources and constraints which enable rights and responsibilities to be fulfilled or which act as barriers (Author 2014a). In this approach rights are a 'dynamic construction...shaped through struggle' (Lister 2007) and citizenship is a lived experience in everyday spaces. Individuals and groups can also be engaged in citizenship practice as active citizens contributing to the others and the community; or, as activist citizens claiming and contesting distributions of rights, responsibilities and status in ways that sometime break the rules (Isin 2009; Author 2014a; Kaillo, Mills and Skelton 2016). A critical citizenship lens can enable recognition of children as contributors to social good as well as holders of rights, strengthen their claims to social justice and value their dissenting behaviour as a form of political activism (Hörschelmann 2016).

A key tension in using the language of citizenship in the context of youth justice is that it hides normative conceptions of how youth should behave and is used to 'other'. Policing is used simultaneously as a form of inclusive social control to resuscitate children's potential to become good and contributing citizens and as a form of exclusionary social control relegating those deemed unworthy or otherwise seen as incapable of appropriate citizenship behaviour into circumstances in which the potential threat they pose can be contained (Kennelly, 2011). Many children who have offended are routinely excluded from citizenship by current judicial and policing practice as they are seen to fall short of the expectations of neo-liberal citizenship ideals, failing to self-regulate their behaviour or to meet their own needs (Kennelly 2011).

Yet, claiming citizenship for children aged under 18 years is also a challenge to dominant conceptions of childhood, youth and normative questions of who is deserving. Children have been seen as 'not yet' citizens because they do not hold all rights or carry all responsibilities (Lister 2007) and they tend to be seen as not living up to the individual rational actor standard that is the accepted norm of liberal citizenship (Marshall 1950; Briggs 2013). However, children hold a wide range of rights, and the responsibilities they carry are not always recognised (Author 2014a). Claiming citizenship is perhaps particularly important for children who have offended as they are denied social rights to welfare; denied the autonomy to refuse state intervention; held responsible for their own failure to manage their trajectory through a risk society; and, tend to be criticised for not engaging in active citizenship (Kemshall 2008). Particularly in deprived communities, the current balance of rights and responsibilities favours protection of communities from risky youth (Deuchar 2010).

The denial of rights and lack of status within existing political communities have many consequences. It may lead children to seek abject citizenship, that is membership in new groups, like gangs, in which they have a recognised status (Sharkey and Shields, 2008). It may result in neo-liberal 'technology of the self', or conduct of conduct, as children accept the ongoing processes of 'responsibilization' (Rose, 1999: 74), through which they are blamed for difficulties. This means that, in a neo-liberal era, the 'good youth citizen' is increasingly one who is capable of appropriate degrees of self-regulation such that he or she ultimately reduces his or her claims on the state and takes responsibility for his or herself. This increasingly culturally pervasive belief has implications for the self-esteem children who are beholden to the state (for example, in the foster-care system or receiving welfare) (Briggs 2013). Alternatively, children may resist these consequences and engage in what Hörschelmann (2016)

describes as strategies of dissent or through activist citizenship asserting challenging conceptions of justice and the appropriate balance of rights and resources (Isin 2009).

The relationship between children, dissent and resources is crucial to an understanding of their social citizenship. Individuals' capacity for all self-direction is dependent on the availability of resources, because possibilities for self-direction relate to the availability of personal and social resources in a specific context (Hutchby and Moran Ellis 1998). Developing a similar argument, Kemshall (2008: 31) suggests there is need to consider the resources that are available to children to enable them to realise their rights and to 'make the 'right choice' about risk.' Rather than treating children as citizens who should be given access to social resources so that they can enact competent decisions, children are increasingly described as sites of investment, and being held responsible for creating themselves as resources - productive worker citizens for future social good (Author 2011). Questions of justice underlying their dissent regarding current distributions of resources are left largely unanswered.

There is need for research on children's views for future developments in youth justice (Prior and Mason 2010; Drake et al 2014) and these can inform our critical understandings of citizenship. Consultations with children who have offended (Cleghorn et al 2011, User voice 2011) have shown their nuanced understandings of 'what works' from their own personal experiences and these highlight, for example, the contradictory influence custodial sentences and ASBOs, fines and tagging. These reports make detailed recommendations for service improvement; but, there remains urgent need for studies which 'include an appropriate recognition of the human and social as well as economic costs of unrest and weakening social cohesion.' (Fergusson 2013:53). A citizenship lens provides a means to place their experiences and aspirations in a wider social context, to explore how balances of rights and responsibilities are and should be achieved by individuals using and creating social resources. When citizenship is defined critically from below, by citizens rather than by states, this can provide a framework for understanding children's aspirations for citizenship, as well judging the extent to which states live up to these expectations (Author 2011) and the claims for justice that might underpin what is seen as their misbehaviour (Author 2014). Here Lister's (2003) understanding of lived citizenship is vital; it draws attention to the fact that citizenship is lived in everyday spaces and through a dialectical relationship between the ways in which rights and responsibilities are conveyed in principle and put into practice through dialogue between citizens themselves and within political collectivities.

## Methodology

The broad research goal and tight budget for this research were set by the funding local authority, but within these limits we followed a participatory process to developing themes and analysing data, as well as in seeking to produce impact in the form of improvements in service delivery (see Authors 2014b for full details). As in other research in prisons and with marginalised children (Torre and Fine 2006; Author 2011), we adopted Freire's (1973) approach of reflecting on existing conditions and considering what transformations are needed to bring about change, then taking and reviewing action.

A core group of four children in custody met five times. They identified interventions which they thought could reduce their offending. These included being listened to and respected, relationships with parents, help with leisure, education and training, structure and rich people giving more money

to poor people. They then discussed other themes in existing literature and identified a longer list of interventions to present in interviews with other children who have offended. As well as an interview schedule, the core group designed a game in which themes were listed on cards and interviewees were asked to discuss and rank these to reflect how effective they thought these interventions would be. Custodial restrictions meant the core group were not permitted to meet with other children directly however, they developed an initial analysis of the emerging findings.

Participants were sampled from anonymised YOT databases to reflect the cohort distribution in the previous 6 months regarding sentence, age, plus purposive sampling to ensure inclusion of children with a range of experiences of education/exclusion; care and homelessness; drug and alcohol service referral; street / gang culture; and being disabled. We extended the proportion of young women and non-white children interviewed as none had been present in the core group. Where selected children were not willing to participate, substitute children were identified to match as many of these criteria as possible. Table 1 gives details of these demographic characteristics; core group and interviewees are not distinguished to protect anonymity.

**Table 1**

| <b>Detail</b>                                        | <b>Sample</b>              | <b>Cohort</b>              |
|------------------------------------------------------|----------------------------|----------------------------|
| Total Number in contact with participating YOT teams | 50                         | 401                        |
| Age Range                                            | 11 to 17 years (86% 15-18) | 11 to 17 years (86% 15-18) |
| Gender                                               | 82% Male                   | 88% Male                   |
| Ethnicity                                            | 84% White British          | 88%                        |
| YRO type Programme                                   | 72%                        | 75%                        |

Programme length for the 40 children where we had these details ranged from 2-15 months. 61% followed programmes that ranged from 9-12 months.

In interviews with 46 children, the core group's research materials and a combination of appreciative and realist approaches enabled participants to move beyond difficulties to identify solutions, by focussing on participants' experiences of success and potentials for change (Hammersley 2002), whilst researchers also noted and acknowledged the many mechanisms and structural barriers they encountered (Pawson and Tilley 1997). Passive consent to participate was requested from parents and on-going active consent from children. This led interview length to vary from one to ninety minutes. Limited demographic detail is given to protect anonymity within the YOTs that facilitated participation in the study. Approval was obtained from the YJB and (Own institution) Ethics committee.

The data was loaded into NViVo and analysed using the themes identified by the core group. The participatory action goal of bringing about change was supported by an action planning group of eight adults employed by the local authority YOT service and a health service commissioner, later

joined by two research participants. This action element is on-going. After the participatory research process was complete, the researchers conducted a second analysis of implications for social citizenship, using the themes rights, responsibilities, status, actions, attitudes, resources, constraints and considering individual and social dimensions. This has involved the group enabling an ongoing iterative process of revisiting these issues and focusing on how they can effect change in the YOT's policy and practice to enable the goal of social citizenship as core in all interventions with the children.

## Findings

Some children described being enabled to take a lead in identifying their problems and solutions by youth justice workers who then responded to the problems which children identified by providing information, opportunities, practical and emotional help, transport and support even when they struggled to attend YOT sessions. However, other children revealed significant discrepancies in practice, with some workers taking a tick box approach to compliance with orders and failing to engage with children's views on what would work. When asked what they thought would work during this study, the children interviewed gave detailed accounts of how particular interventions would respond to their own specific personal circumstances, showing the benefits of a participatory approach. Quantitised (Sandelowski 2001) proportions, given here as an overview, suggest the volume of support for different ways of working, but are not suggestions for standardised interventions as there were substantial differences in what sort of support was seen as effective by which children and why. The detail of the practices they describe have implication for social citizenship practices, we explore three themes (relationships; social engagement and resources; and, punishment) subsequent subsections.

Relationship building was important for almost all children and relationships with youth justice workers could enable children to engage, reflect and change, 'just putting me on the right track really'. Significantly, however, developing positive relationships with parents was widely valued (by almost all. The majority of research participants also wanted youth justice workers to enable their inclusion in education, training, paid and voluntary employment and leisure activities. Practical help with housing and money was important for around two-thirds of them. Some children also associated reducing drug and alcohol misuse with reducing offending and many were receiving positive interventions and support in this area but around half of them also identified a role for counselling type emotional support. Around half of those who discussed it thought restorative justice could be a useful approach, particularly those who had experienced this intervention. Slightly fewer children favoured community work, but suggestions were made for how it could be made less humiliating and more effective. The majority saw prison as likely to lead to further reoffending but for a few children prison provided a rigid structure access to gaining qualification and regular meals.

## Respectful relationships built together

This theme concerns relationship building between children, workers and families. This process started with children being listened to and respected by workers:

*'if I didn't get along with(worker) I wouldn't turn up for my meetings I'd probably still be getting in trouble but because I get along with her she's, it's helping me out a lot more.'*

(Male, aged 15- 16 years)

Having a positive relationship with a youth justiceworker could motivate a young person to attend, be relaxed, discuss situations honestly and access help. Even the three participants who expressed ambivalence about the effectiveness of being listened to or respected still valued these attitudes and actions; they just noted this alone would not stop their offending.

Echoing existing literature (Prior and Mason 2010; Drake et al 2014) youth justice workers built a relationship with children by 'listening', 'not putting that much pressure on', 'having a laugh' and being like a friend, that is 'it's professional but it acts like, like your mate kind of thing'. Five children talked about relationships building as a mutual practice, with understanding built over time with children themselves needing to be *'a bit more patient with [youth justiceworkers]'*. The most popular practice through which workers could build positive relationships was taking part in leisure activities with children. Building trust was important and could be enhanced through establishing clear boundaries of confidentiality. Recognising, naming and respecting individuals' ethnicity could also be significant (for details see Authors' own 2019).

This description has some resonance with Drake et al's (2014) suggestion that dyadic relationship should be created but the relationships described were often triadic, as youth justiceworker getting on with parents was strikingly important:

*'if your YOT worker gets on well with your parents ...then you, you form a bond, it's like that trust circle in'it? It opens up a bit more because you think well yeah, my parents trust them maybe I can trust them that little bit more and ... then it makes you feel better about yourself. It's like, yeah, yeah, they can talk to them so, so can I like.'*

(Male, aged 17-18 years)

These relationships aided children's feelings of trust in and respect by the YOT service, information flow, compliance with orders, parental hope and youth justice workers' engagement with family problems such as domestic violence, alcohol use and parents managing their emotions and anger; *'it's kind of my mum going to YOT too'*. Workers successfully established these triadic relationships when engagement with families had been led by the children making decisions about the nature of the contact and the youth justice worker's talking to the young person first; children being present while conversations with family were taking place; structured mediation where informal dialogue was not successful; and improving family dynamics by encouraging positive shared activities. This kind of relationship based working with families was seen as more effective than help with parenting skills. Working with families was not however appropriate or possible for all children. Four research participants described how youth justiceworkers should not have relationships with their parents as they did not get on with their parents or thought parents would resist. Two children wanted YOT to offer help to reduce family contact, and the chance to move to a different area (away from family) when they came out of custody.

In turn, children's own relationships with their families could motivate them to stop offending. They maintained family relationships by *'thinking something's got to change here'* because of the distress offending was causing to grandparents as well as parents. This might involve hard work:

*'I know that I've got to build that trust again now, and it's going to, it has been hard, very been hard but still ... I know that I can do it.'*

(Male, aged 15-16)

Stopping offending could also maintain relationships and ensure their families kept their homes when offending had cited as a reason for possible eviction.

Practice in relationship building appeared to vary between teams and individuals, with some children having very poor working relationships with a series of workers or teams, until they found someone they could engage with:

*'because I used to self-harm, like in [place 1] they was just like, they might as well just said 'Oh right' and 'just grow up'. Do you know what I mean? But here [place 2] they like take time and like understand everything that I'm saying.'*

*(Female, aged 17-18 years)*

Some parents had never had any contact with YOT. For example, a young person who started getting into trouble when he was 13 said *'To be honest with you I don't think [my worker] have ever spoke to my mum'*. The frequent absence of effective relationships between youth justice workers and family members has been noted in relation to safeguarding (HM Inspectorate 2014). One young person recognised having enough time may be a challenge given current workloads:

*but the only problem with that is there's, there's like probably so many kids to one worker so they can't be everywhere at once can they but? It'd be nice for a bit of support.*

*(Male, aged 17-18 years)*

### **Social Engagement and Social Resources**

This theme concerns the tensions in how social resources could enable or constrain children's engagement in social activities. Some youth justice workers provided support, encouragement, transport and practical help to attend education and gain work. This could be through tailored educational opportunities that engaged with children's interests, provided a more relaxed and encouraging setting and led directly into employment opportunities. There were benefits when training was delivered by ex-offenders:

*'the way I see it they've [staff who are ex-offender] have done worse than me when they were my age and they've done something with their life. So if they can do it easy, I should be able to do it.'*

*(Male, aged 15-16 years)*

But children described a shortage of the sorts of training places they wished to attend. Others had been frustrated or thought that nothing tangible would result from training:

*'I want a job, I don't want to go round doing daft courses and stuff, you know what I mean? I just want to get a job, they don't help you get a job.'*

*(Male, aged 17-18 years)*

Employment opportunities were crucial as the message *'[If] someone got me a job I wouldn't be in trouble ever'* was recurrent. But children reported a lack of employment opportunities in their areas and concerns that a criminal record meant potential employers did not trust them.

Lack of money was often cited as a reason for (re)offending. As well as absence of decent paid employment, lack of knowledge of benefits was a barrier:

*'I don't know what I'm fully entitled to at the moment so you should know like what you're entitled to and how it's all going to work and stuff like that. What jobs are there are a piece of shit anyway.'*

*(Male, aged 17-18 years)*

Information about benefits could in turn be used by children to make their housing situations more secure. Dominant assumptions that children would be from 'troubled families' living off benefits for generations were challenged as interviewed described having '*been brought up working*'. But for some children the lack of money from their families had been a significant factor in their offending '*We was bad because we used to rob for it, you know what I mean? I'll admit man. We used to have to do it!*'

Homelessness was an issue for some, linked to offending behaviour, parental rejection or domestic violence, and some workers provided guidance and liaison with housing providers or families. Other children lacked information about service provision and had to rely on their friends to access appropriate support. However, some children did not need see themselves as needing support with accommodation and saw themselves as independent from their families and resourceful. They tended to be older than those who requested support however, some had taken on securing housing for themselves from the age of 15 years.

Support for drug and alcohol misuse was seen as effective, and some children had received encouragement from youth justiceworkers and a variety of structured interventions, clinics and services including massage, talking therapies and diversion leisure activities. But the link to employment was again made:

What's the point in stopping smoking weed and then we'd just be bored here because we haven't got a job and we can't find a job so it's shit'

*(Male, aged 15-16 years)*

There was also clear call for community based counselling services where children could work consistently with a consistent member of staff who had specialist knowledge and higher thresholds of confidentiality than within YOT. There were however examples of insufficient provision of these services which were described as withdrawn too soon, never offered or inaccessible. Leisure activities could also enable children to feel good about themselves, have a routine, build self-esteem, release some energy and subsequently reduce offending. But, enabling these activities again might involve social resources, as children lacked money to pay for activities themselves.

The boundaries of the YOT role in supporting children to access different elements of these social resources were contested. A substantial minority of interviewees saw hobbies and YOT as two separate parts of their lives; hobbies being social, whereas YOTs should focus on their offending behaviour. This might be seen to echo debates in the 1980s, about whether children should be rewarded for offending by receiving free leisure opportunities. But this separation could also be seen as appropriate regarding help with future employment:

*'[YOT] it's punishment really isn't it? Like it's something you get from offending in it? So they shouldn't really be like helping you out [to get a job] really should they?'*

*(Male, aged 15-16 years)*

For this young person, the punishment discourse was to the fore. Another young person thought it was surprising, but appropriate, for a youth justice worker to take him to an interview in her spare time at a weekend, as this would enable him to move towards changing his offending behaviour.

Debate over redistribution of resources was expressed most starkly in response to the core group's suggested theme of 'rich people give more money to poor people'. **Just over half of the research**

participants agreed that they would feel less angry about life, could engage in other social activities or might feel better about themselves, and consequently would be less inclined to offend if they were given more money. **About a third of interviewees however** suggested that rich people worked hard to gain their wealth or that they wanted to have the feeling of pride that comes from earning their own money rather than receiving 'a hand out'.

### **Punishment and reparation**

Discussion of punishment and reparations evoked some of the strongest and most varied opinions and emotions in this research. Restorative justice (RJ) was seen as effective by just over half and was less favoured by young women than young men and by those who had committed violent offences rather than offences against property. The extent of the youth justice worker role in preparing children for RJ also appeared to be significant. Children articulated feelings of guilt and remorse when they heard about their impact on victim's lives and for some it was a cathartic experience

*'I felt really bad about myself, that I made her feel that way. Erm, yeah, but, I think that's how people would benefit from that [RJ], I did myself.'*

*(Female, aged 13-14 years)*

Ambivalence or opposition to restorative justice was articulated by those who believed that confrontation in RJ may lead to further violence or that their actions (usually a fight) were morally justified and therefore apologising was not appropriate:

*'if you believe deeply in summat then you shouldn't like just throw what you believe away just because the justice system says something different'* *(Male, aged 17-18 years)*

Community work was rarely seen as effective but those who considered it beneficial valued the opportunity to put something back into the community. They suggested that community work should be voluntary and have a specific purpose rather than being a formal punishment. Those who opposed community work felt alienated by the experience or found it humiliating and futile, and this in turn might make them more inclined to re-offend. The focus should be on contributing to others but also encouraging children to do a job that was rewarding, not stigmatised, and taught them some skills that they could transfer to future employment. For example, one young person described wanting their voluntary work to help vulnerable people rather than burn weeds, as it would be closer to his chosen career path. Contact with other generations in the community was important, and as has been found in Scotland (Deuchar 2010), such intergenerational dialogue may foster the development of social capital. Some children were already engaged in volunteering activities, either formally in a charity shop or informally providing support to other children, as this young person described providing to a 13 year old neighbour:

*'he got into a bad crowd, started smoking weed and stuff like that and I kind of took him under my wing and just said like, 'you know, it's, what you're doing's wrong, you need to sort your head out, I've been there, done that, and once you get into stuff like that, it's easier to get into it then it is to get out of it.'*

*(Male aged 17-18)*

**Two thirds of the** research participants thought a formal peer mentoring system should be established, although there were some concerns about how it could work in practice. During the interviews, three children asked to take part in such a scheme if it were set up as they wanted the opportunity to use their experiences to enable others also to stop offending.

Prison was seen as the least effective intervention, but those who valued it stated that having a day that was rigidly structured and the opportunity to get food and some qualifications made the experience bearable. Many felt that it made the possibility of them re-offending even more likely and could stigmatise them and limit their opportunities.

### **Discussion:**

These children's perspectives show the relevance of rights that are currently provided by a number of international conventions, echoing Goldson and Muncie (2006), all of which have implications for practice. Drawing just on the UNCRC, the right to be treated with dignity and respect when accused or found guilty of breaking the law (Art 40) was requested alongside the right to be listened to (which forms part of Article 12). The request for access to leisure activities could be associated with Article 31, access to education with Articles 28 and 29 and access to health services such as drug and alcohol support and counselling with Article 26. Interestingly, the interviewees were not just asking for rights as individuals, as some preferences for support reflected Article 18 (2) seeking 'appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities'. However, individual rights to recognition of children's capacity and that their views should be given due weight in decisions remained crucial as children have a good understanding of when and how engagement with their families is appropriate and useful. In a challenge to the responsabilization of families and research findings from other studies (Murray 2012) the interviewees did not request support in the form of parenting classes but rather building respectful triadic relationships with parents and children, and providing social protection (such as access to housing). Engagement of youth justice workers in these practices might fulfil provisions in domestic human rights, child protection and social security legislation which provide rights to family life, accommodation away from families when necessary and welfare benefits. At a practice level, interventions may result in different combinations of rights, risks, responsabilization, punishment or welfare, depending on how they are administered by staff and experienced by children (McAlister and Carr 2014: 11). To realise these rights substantively, as lived experiences, would however require a stronger focus on social citizenship, as *provision*, than is currently present in liberal welfare capitalism (which prioritises individualism, the market, little redistribution and limited social rights) or conservative corporatism (where the state only provides when the family's resources are exhausted) (Esping-Anderson, 1990: 28). It may also require a stronger focus on provision to children themselves as well as their families.

Regarding citizenship status, requests for less differential and non-hierarchical relationship were repeated and these could be developed through practices of shared leisure activities and meetings in home environments; shared effort in being patient with each other; and, understanding of how to work together. Recalling previous research on children's relationships with teachers and social workers (Author 2009; 2014c), some aspects of theories of recognition may provide a framework for understanding and creating the conditions for these kinds of relationships, such as the need to acknowledge and achieve rights, reciprocity, redistribution of resources and parity of esteem (Fraser 2001; Honneth 2001). Rather than the abstract status of the independent liberal citizen in a dyadic relationship with the state, the children we spoke to embraced varying points along a continuum of interdependence (Cockburn 2007). Some accessed and achieved rights and responsibilities primarily through their families, whereas others were more clearly engaged wider networks of friends, service providers, communities and occasionally civil society groups.

The responsibility to treat each other with respect, can be seen as a basic element of inclusive lived citizenship (Lister 2007) and children in this research embraced this responsibility but also described others. Children said they could think about how they could change their behaviour and fulfil their responsibilities of mutual respect, when they had trusting and open relationships with youth justice workers, and access to social resources. Interviewees suggested that youth justice practitioners tended to be supportive of a mutually respectful way of working, but with some notable exceptions. This could also enable them meet social responsibilities to not offend, by becoming engaged in activities which they found rewarding or changing their challenging living conditions. Some children also described fulfilling responsibilities in order to try to keep their families together and in secure housing. Children who described their efforts in education could be seen as fulfilling responsibilities to create themselves as future productive workers. Some contributed, or wanted to contribute, as 'active citizens' volunteering in charity shops, peer mentoring or informally caring in their communities. This might be seen as a form of altruistic reciprocity (Isin 2009, Author 2014a), where social benefits may be passed on widely to others, rather than a dyadic relationship with an individual or enforced reciprocity between state and individual in return for rights. Any attempt to quasi-marketize such social contributions may serve to perpetuate the conditional rights in return for responsibilities imbalance that has already been observed. Despite recent findings, suggesting time banks serve to promote ideas of '*mutuality and reciprocity between young people and their communities*' (Drakeford et al 2010: 254) enforced reciprocity may risk being seen as another form of compulsory community work. It would be useful to explore whether children feel more engaged with their communities if they are given social resources, without conditions, if they have to earn them. Youth Justice practitioners have a key role to play in advocating for a shift in power from punishment to empowerment in community work, that enables children to experience a vicarious pleasure and fulfilment in community work that makes a difference and gives back to their community (McKeown, Roy and Spandler, 2014)

Drawing on the idea of 'activist citizens' (Isin 2009) children who, in the absence of social provision broke the law to provide for their own rights might be seen as enacting a rebalance of their citizenship settlement in the name of social justice (self-defence, protection of others from racism or access rights to leisure activities). Other forms of social injustice (inequalities in employment opportunities, housing and education) were challenged in localised practices by children, their families, communities or workers. Access to information resources enabled children to negotiate and challenge within current social benefits systems. As has been noted in previous research (Briggs 2013, Goldson and Hughes 2010), workers subverted the prescriptive guidance they were due to work within and as 'activist citizens', broke the norms by providing expenses or working in their free time to ensure that some children got access to leisure or employment opportunities. Perhaps herein lies an opportunity, for youth justice workers and children together to engage in a radical critique of the citizenship settlement that is offered top down in policy discourses, and together with children and their families they may engage in a rebalancing of rights, responsibilities and flows of resources to reflect a different conception of social justice. In practice, youth justice practitioners will need to re-imagine and reframe their work with children from that of dispensing 'intervention', to a mutual, critical approach as equal citizens to problem solve and action change with children and their wider community (Authors 2019). It also requires that youth justice workers widen their understanding of citizenship to include acceptance that criminalised behaviour may be a legitimate, if dissenting,

expression of lived citizenship, through which children are enacting practices which seek to fulfil their rights and sense of justice (Hörschelmann 2016).

## Conclusion

This article uses a case study from England to explore how a critical citizenship lens can contribute to international discourse and practice on risk factors and 'what works' for children in contact with youth justice services. The variety between individual children, their competence in informing personalised interventions and differences in access to different resources in different locations or relationships must be a starting point. Complex triadic relationships between individuals, places and resources are foregrounded as rights, status and responsibilities are achieved and resources are created and distributed. The difficulty with this approach is that opens up the possibility for further responsabilisation of children, families and workers unless it is accompanied by recognition of states' responsibility to provide for and guarantee social rights. If states continue to link rights and responsibilities, without providing adequate social resources the legitimacy of a state's role in defining appropriate citizenship rights and responsibilities might itself be questioned. In such contexts, acknowledgement is needed of the legitimacy of children's citizenship practices, which encompass both actions of citizenship which comply with socially accepted norms of behaviour and acts of citizenship and dissent which challenge accepted norms in search of their own conceptions of justice.

Addressing the responsibility of state parties and competing conceptions of social justice would be an important starting point for future participatory action and research within youth justice settings. But, developing answers will require the establishment of new spaces of membership based on mutual respect, parity of status and wide reciprocity to form intergenerational communities of reflection and practice. In the absence of such places and debate, the universal provisions of international rights conventions remain important standards by which to judge the actions of state parties. When the focus is on social provision, assessing the rights compliance of government policy the International Convention on Economic Social and Cultural Rights may also be relevant (Author 2015). These include Article 10, the right to the 'widest possible protection and assistance'; and Article 6, the right for everyone to have 'the opportunity to gain his living by work which he [sic] freely chooses or accepts...[including] technical and vocational guidance and training programmes; policies and techniques to achieve steady economic, social and cultural development'.

## Funding

The project was funded in full by a local authority research grant.

## Acknowledgements

The authors wish to thank the core group of children in custody, who directed the research agenda and all those children who took part in interviews and presented findings to decision makers. We thank the workers and institutions who facilitated this access and members of the local authority action planning group who made commitments to taking forward these children's recommendations.

## References

Author 2015 -

Author 2014a-

Authors 2014b-

Author 2014c

Author 2011

Author 2009

Author's own 2016

Authors' own 2019

Briggs D (2013) Practitioner Assessment and Intervention in the Youth Offending Service 26  
Conceptualising Risk and Need: The Rise of Actuarialism and the Death of Welfare? *Youth Justice* 13

Carlisle A (2014) Independent Parliamentarians' Inquiry into the Operation and Effectiveness of the Youth Court National Children's Bureau  
[http://www.ncb.org.uk/media/1148432/independent\\_parliamentarians\\_\\_inquiry\\_into\\_the\\_operation\\_and\\_effectiveness\\_of\\_the\\_youth\\_court.pdf](http://www.ncb.org.uk/media/1148432/independent_parliamentarians__inquiry_into_the_operation_and_effectiveness_of_the_youth_court.pdf) accessed 16th January 2015

Chaney p (2014) *Popularism and Punishment or Rights and Rehabilitation? Electoral Discourse and Structural Policy Narratives on Youth Justice: Westminster Elections, 1964–2010* Youth Justice, first published on July 11, 2014 doi:10.1177/1473225414541176

Cleghorn, N., Kinsella, R. and Nicholls, C. (2011) *Engaging with the views of children with experience of the youth justice system*, Police Foundation and National Centre for Social Research  
[http://www.policefoundation.org.uk/youthcrimecommission/images/078\\_engaging%20with%20the%20views%20of%20young%20people%20full%20%26%20final.pdf](http://www.policefoundation.org.uk/youthcrimecommission/images/078_engaging%20with%20the%20views%20of%20young%20people%20full%20%26%20final.pdf) Accessed 16th January 2015

Cockburn T (2007) Partners in power: A radically pluralistic form of participative democracy for children and children. *Children and Society* 21(1): 446–457.

Delanty G (2000) *Citizenship in the Global Age: Culture, Society and Politics* Buckingham: Open University Press

Deuchar R (2010) It's just pure harassment ... as if it's a crime to walk in the street: Anti-social behaviour, youth justice and citizenship – the reality for young men in the east end of Glasgow. *Youth Justice* 10(3): 258–274.

Drake D, Fergusson R and Briggs D (2014) Hearing new voices: Re-viewing Youth Justice Policy through Practitioners' Relationships with Children *Youth Justice* 14 (1): 22-39

Drakeford M (2001) Children, Rights and Welfare: Towards a New Synthesis *Youth Justice* 1 (1): 40  
44

Drakeford M and Gregory L (2010) Transforming Time: A New Tool for Youth Justice. *Youth Justice*, 10 (2): 143-156

Esping-Anderson G (1990) *The Three Worlds of Welfare Capitalism* . Wiley and Sons: Oxford

Featherstone B., Robb M., Ruxton S. and Michael R. M. Ward (2016) 'They are just good people...generally good people': perspectives of young men on relationships with social care workers in the UK. *Children and Society*

Fergusson R (2013) Risk, responsibilities and rights: Reassessing the 'economic causes of crime' thesis in a recession *Youth Justice* 2013 13(1): 31-56

Fraser N (2001) Recognition without Ethics? *Theory, Culture & Society* 18(2): 21-4

Freire P (1973) *Pedagogy of the Oppressed* Seabury Press, New York

Fox D & Arnull E (2013) *Social Work in the Youth Justice System: A multidisciplinary perspective* Open University Press: Maidenhead

Goldson, B (2000) 'Children in Need' or 'Young Offenders'? Hardening Ideology, Organisational Change and New Challenges for Social Work With Children in Trouble . *Child and Family Social Work*. 5: 3, 255-265

Goldson B and Hughes G (2010) Sociological criminology and youth justice: Comparative policy and analysis and academic intervention. *Criminology and Criminal Justice* 10(2): 211-230

Goldson B and Muncie J (2006) Rethinking youth justice: Comparative analysis, international human rights and research evidence. *Youth Justice* 6(2): 100-116

HM Inspectorate (2014) *An Inspection of the work of Probation Trusts and Youth Offending Teams to protect children and children* <http://www.justiceinspectors.gov.uk/hmiprobation/wp-content/uploads/sites/5/2014/08/Protecting-Children-Thematic-Report1.pdf> Accessed January 16th 2015

Hammersley M (2002). *Educational Research Policy Making and Practice*. London: Sage.

Honneth A (2001) Recognition or Redistribution? Changing Perspectives of the Moral Order of Society. *Theory, Culture & Society* 18(2): 43-55

Hörschelmann, K. (2016). Dissent, Youth and Citizenship. pp 363-380 in Kaillo K., Mills S., and Skelton T. (eds) (2016) *Politics, Citizenship and Rights* Springer: Singapore

Hutchby I. & Moran-Ellis J. (eds) (1998) *Children and Social Competence: Arenas of Action*. Falmer Press: London.

Isin EF (2009) Citizenship in flux: The figure of the activist citizen. *Subjectivities* 29: 367-388.

Isin EF & Turner B (2007) 'Investigating Citizenship: An Agenda for Citizenship Studies'. *Citizenship Studies*, 11, 1, p. 5-17

Kaillo K. and Mills T. (2016) Editorial: Geographies of children and young people's politics, citizenship, and right. pp ix -xviii in Kaillo K., Mills S., and Skelton T. (eds) ( *Politics, Citizenship and Rights* pp Springer: Singapore

Kennelly J. (2011) *Citizen Youth: Culture, Activism and Agency in a Neoliberal Era* .Palgrave Macmillan: New York

Kemshall H (2008) Risks, rights, and justice: Understanding and responding to youth risk. *Youth Justice* 8(1): 100–116

Lister, R. (2003). *Citizenship: feminism perspectives*. New York: Palgrave.

Lister R (2007) Inclusive citizenship: Realizing the potential. *Citizenship Studies* 11(1): 49–61

Marshall, T. H. (1950) *Citizenship and Social Class and other Essays*. The Syndics of the Cambridge University Press, Cambridge

McKeown M., Roy A., and Spandler H. (2014)'You'll never walk alone': Supportive social relations in a football and mental health project. *International journal of mental health nursing* 24 (4), . 360-369

Muncie J (2005) The Globalisation of Crime Control: The Case of Youth and Juvenile Justice, *Theoretical Criminology* 9(1): 35–64.

Muncie J (2008) The 'Punitive Turn' in Juvenile Justice: Cultures of Control and Rights Compliance in Western Europe and the USA. *Youth Justice* 8(2): 107-121

Murray C (2012) Children's perspectives of being parented in critical situations: teenage non offenders and desisters speak out. *Child and Family Social Work* 18() : 467–476

Office for National Statistics (2019) <https://www.nomisweb.co.uk/> accessed 1<sup>st</sup> December 2019

Pawson R & Tilley N (1997) *Realistic Evaluation* London: Sage

Phoenix J & Kelly L (2013). 'You Have to do it for Yourself'. *British Journal of Criminology*, 53(3), 419 437.

Prior D & Mason P (2010) Offenders A Different Kind of Evidence? Looking for 'What Works' in Engaging Young. *Youth Justice* 10(3): 211-226.

Rose N. (1999) *Powers of Freedom: Reframing Political Thought*. Cambridge University Press; Cambridge

Sandelowski M (2001) Real Qualitative Researchers Do Not Count: The Use of Numbers in Qualitative Research. *Research in Nursing & Health* 24(3): 230-240

Torre M. and Fine M E (2006) Intimate details: Participatory action research in prison. *Action Research* 4 (3) 253-269

Turner B (1993) *Contemporary Problems in the Theory of Citizenship and Social Theory*, B. S. Turner, ed., Sage, London.

User Voice (2011) What's Your story? Excluded Youth Project 2011: How Can We Work Together To Reduce Youth Crime? London: *User Voice*  
[http://www.uservoice.org/wpcontent/uploads/2012/07/USE1650\\_User\\_Voice\\_report\\_16.07\\_3.pdf](http://www.uservoice.org/wpcontent/uploads/2012/07/USE1650_User_Voice_report_16.07_3.pdf)  
Accesses January 16th 2015

Wales Government (2014) *Children and Children First Welsh Government/Youth Justice Board joint strategy to improve services for children from Wales at risk of becoming involved in, or in, the youth justice system*

Youth Justice Board (2014) YJB Corporate Plan 2014-17 and Business Plan 2014/15  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/356456/yjb\\_corporate\\_plan\\_2014\\_2017\\_business\\_plan\\_2014\\_15.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/356456/yjb_corporate_plan_2014_2017_business_plan_2014_15.pdf) accessed 16th January 2015

## Declaration of interest

There are **no** financial and personal relationships with other people or organizations that could inappropriately influence this work.

Cath Larkins and John Wainwright

#### Author statement

The fieldwork and analysis for this research was conducted jointly by the two authors. The authors worked iteratively and collaboratively to produce repeat drafts of the article, each taking a lead on all sections of the article at different times.