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Citation: Case, Stephen, Haines, Kevin, Creaney, Sean, Coleman, Nicola, Little, Ross and Worrall, Victoria (2020) Trusting children to enhance youth justice policy: The importance and value of children's voices. Youth Voice Journal, 2020 (SI). pp. 25-40. ISSN 2049-2073

Published by: IARS Publications

URL: <https://www.rj4allpublications.com/product/trustin...>  
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# YOUTH VOICE JOURNAL

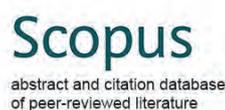


November 2020

**SPECIAL ISSUE:**

## **YOUNG PEOPLES VOICE IN PUBLIC POLICY**

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Editor-in-Chief: Dr. Theo Gavrielides  
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First published in the UK in 2020 by RJ4All Publications

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British Library Cataloguing in Publication Data  
ISBN (ONLINE): 978-1-911634-23-2

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# TRUSTING CHILDREN TO ENHANCE YOUTH JUSTICE POLICY: THE IMPORTANCE AND VALUE OF CHILDREN'S VOICES

## ABSTRACT

**Purpose:** To explore the integration of children's voices within youth justice policy and practice development.

**Design/methodology/approach:** The authors theorise the efficacy of participatory practices in youth justice by presenting original empirical data drawn from innovative child friendly methodological approaches, including activity-oriented focus groups, questionnaires and in-depth interviews.

**Findings:** Children's voices have been noticeably absent from youth justice policy development in England. Children continue to be the recipients of adult-led, deficit-facing practices underpinned by a longstanding preoccupation with identifying and managing 'risk'. These practices have undermined children's knowledge and potential by distrusting their perspectives. In contrast, the internationally-relevant cogent arguments set out in this paper allude to the importance and benefits of engaging with children and listening to their voices in the planning and delivery of 'Child First' youth justice.

**Practical implications:** It is recommended that youth justice professionals treat children in the Youth Justice System as children (not 'offenders'), fostering non-hierarchical, empathic, trusting relationships with children, strengthen the child's involvement in policy and practice processes and centralise their educative, health and wellbeing needs.

**Originality/value:** The paper explores empirical examples from the emerging (but still limited) evidence-base of youth justice research studies that have placed the child's voice at the centre of understanding their experiences at different stages of the Youth Justice System.

**Key words:** Children First, Youth Justice, Participation, Children's Voices, Education, Family, Youth Secure Estate, Speech, Language and Communication Needs.

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**Professor Stephen Case** is a criminologist and Head of the Social and Policy Studies Unit at Loughborough University, UK. His research and scholarship focus on the promotion of positive, 'children first', rights-based and anti-risk approaches to working with children in conflict with the law. In addition to over 50 academic journal articles, he has published numerous books including 'Youth Justice: A Critical Introduction' (Case 2018 – Routledge), 'Positive Youth Justice: Children First, Offenders Second' (Haines and Case 2015 – Policy Press) and 'Understanding Youth Offending: Risk Factor Research, Policy and Practice' (Case and Haines 2009 – Routledge). His current research for the Nuffield Foundation examines the criminogenic and contextual influence on youth justice interventions.

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**To cite this article:** Case, S., Creaney, S., Coleman, N., Haines, K., Little, R., & Worrall, V. (2020). "Trusting children to enhance youth justice policy: The importance and value of children's voices," *Youth Voice Journal*, ISBN:978-1-911634-23-2



## INTRODUCTION

The voices of children<sup>1</sup> in conflict with the law have been neglected throughout history, despite broader advances in understandings of children's rights. As a consequence, youth justice policies and practices have been developed by adults, for adults, in the absence of meaningful input from children. In direct contrast, the progressive 'Children First' model of youth justice (Haines and Case 2015; see also YJB 2020, 2019) prioritises the role of children's voices, perspectives and lived experiences in the design, implementation and evaluation of youth justice services, employing engagement and participation mechanisms to promote positive behaviours/outcomes (e.g. children's ability to access their universal entitlements<sup>2</sup>). Therefore, Child First has been championed as an ideal vehicle for integrating children's voices in the evidence-based development of policy in youth justice and related fields (e.g. education, health, social care), whilst avoiding the contemporary negative and invalidating excesses of dominant adult-centric, deficit-led responses to offending and other 'problem' behaviours by children (Haines and Case 2018; 2015).

This article examines the nascent evidence-base of participatory, engaging and Child First research that seeks to facilitate the meaningful co-cre-

ation of youth justice processes (between children and professionals) in order to respond in valid ways to the lived experiences of children who offend. The purpose of the paper is to draw upon and critically review existing literature and scholarship on the care and supervision of 'justice-involved' children. This includes submitting risk assessment tools to detailed critique and analysis, exposing the tensions and the interplay between policy discourse and changing practices in youth justice. The paper then proceeds to explain and justify the need for a Child-First approach within the youth justice system. It explores the extent to which practices remain adult-centred, and whether or not risk-orientated mechanisms persist despite policy reforms and transformations to practice. Leading on from this, the article then presents key findings from published and ongoing empirical research, which utilised child-friendly methodologies grounded in the lived experiences of 'justice-involved' children, with findings and analysis framed and contextualised conceptually and theoretically. The studies contain rich and powerful findings and present compelling arguments in an accessible format related to the importance and value of children's voices in youth justice policy development and practice delivery. The article concludes by reflecting upon the central arguments in the paper reiterating the dearth of empirical re-

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**Nicola Coleman** is engaging in research with young people who have offended. She is interested in exploring their lived experiences and capturing their voices. She is a Lecturer in Criminology at University of Hertfordshire and is module leader for the Youth and Crime module on the BA Criminal Justice and Criminology programme.

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**Professor Kevin Haines** research has focused on putting the child back into youth justice. This can be traced back to his book (with Mark Drakeford) 'Young People and Youth Justice' (1998), through 'Understanding Youth Offending: Risk Factor Research, Policy and Practice' (2009 with Stephen Case), to his current book (with Stephen Case) 'Positive Youth Justice: Children First, Offenders Second' and over 40 related articles and book chapters. He was a joint winner (with S. Case, shared with Professors Leslie McAra and Susan McVie, Edinburgh University) of the Howard League's Research Medal in 2013 for his work on the Bureau model of diversion from the youth justice system.

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<sup>1</sup> We employ the term 'children' throughout this article, in line with the United Nations Convention on the Rights of the Child definition of a 'child' as any individual up to the age of 18 years (UNCRC 1989).

<sup>2</sup> The Children First model frames universal 'entitlements' to support, guidance and opportunities in terms of the 'maximum outcomes' children can expect from youth justice service (Haines and Case 2015), rather than as the 'minimum standards' required from these services in line with children's 'rights' instruments (e.g. UNCRC 1989).

search on children's involvement in the design and development of service delivery in the youth justice field, and ergo the originality and distinctiveness of this paper in terms of adding knowledge and original insight into the academic landscape of children's voices and lived experiences of youth justice policy and practice.

## Children, not children in trouble

Children who come into conflict with the Youth Justice System (YJS) of England and Wales are disproportionately likely to have suffered 'negative' life experiences and unmet needs relating to their health and well-being, such as poor physical and mental health, family breakdown, contact with the care system, abuse, neglect, educational underachievement, social exclusion and poverty (Bateman and Wigzell 2020; Taylor 2016). However, these same children that come into contact with the YJS have been historically categorised and labelled by key stakeholders (e.g. politicians, policy-makers, academics, media) as 'children in trouble' and 'children at risk' (Hopkins-Burke 2016; Muncie 2014), or moreover, troublesome, feckless and evil (Case 2018). Such stigmatising labels have been employed as rationales for invasive, paternal welfarism and/or justice-based, offence/offender focused responses seeking to punish, control and manage future behaviour (Arthur 2016; Smith 2013); all adult-led and adult-focused approaches that marginalise the importance of the child's voice and experiences as shapers of policy and practice. An unhelpful corollary of these processes of labelling and marginalisation is the imposition of further stigmatising and criminalising master labels such as 'antisocial' and 'offender' on children. These master labels have a compounding effect, often resulting in:

- 'othering' – creating a new category of troublesome, problematic child as distinct (marginalised) from 'normal' children;
- 'adulterisation' - treating children (particularly when they offend) as though they were adults in possession of full adult capacities for cognition, moral reasoning and ability to accept responsibility<sup>3</sup> for their offending behaviour.

Othering and adulterisation are iatrogenic strategies<sup>4</sup> that close off alternate considerations of childhood and the aetiology of children's behaviour, at the expense of the primary focus on addressing

<sup>3</sup>This strategy is also known as 'responsibilisation' (Muncie 2015).

<sup>4</sup>Such strategies and 'treatments' are not resolving the issues they seek to counter. 'Iatrogenic' as a concept akin to medical discourse is employed here to illustrate the further harm being inflicted on children as a direct result of these adult-centric measures. 'Medicalising' the issues of adult-defined concern in this way where children have little control, power or influence over the process - premised on a belief that children are flawed subjects devoid of agency and in need of their personal deficits being corrected or managed by an authority figure - has led to the design and development of (risk focused) practices that noticeably aggravate the likelihood of further offending rather than address the underlying causes of so-called 'criminal' or 'anti-social' behaviours and attitudes (Buck and Creaney, 2020). This practice has also been shaped by - in a Bourdieusian sense - a neo-liberal doxa (Bourdieu, 2003) which has permeated explanations and responses to offending by children.

**Ross Little** works as a senior lecturer at De Montfort University in Leicester, England, where he leads a criminology module on young people and the criminal justice system. He has conducted research in prisons in England, including with children in prison. He is interested in inclusive, participatory research and practice in prisons and the development of opportunities for learning. Ross is Deputy Chair for The National Association for Youth Justice, a charity that promotes the rights of, and justice for, children involved with the criminal justice system.

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**Victoria Worrall** is a Graduate Tutor at the School of Law at Northumbria University having joined in 2015. Victoria graduated with an LLB (Hons) from Teesside University in 2009 and the following year graduated with an LLM in Criminal Law. Prior to joining Northumbria, Victoria worked as a youth practitioner and engagement officer for UK Youth and the National Youth Agency specifically working with young people from disadvantaged backgrounds and those within the YJS. Victoria also played a leading role in the engagement and development of the flagship National Citizen Service programme within the North East of England. Victoria is currently undertaking her PhD at Northumbria, focusing on the legal doctrine of Joint Enterprise and its use with young gang members. Her research interests lie within youth justice, criminal law and jurisprudence.

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offending characteristics. Consequently, these strategies of ‘new youth justice’ (Goldson 2000; see also Case 2018) foster punitive and criminalising youth justice measures due to their construction of children who offend as different and as unable, unwilling and unworthy of systemic support (Bateman and Wigzell 2020; Brooks-Wilson 2019). In this context, it is, perhaps, no surprise that the voice of the child is seldom heard and less often acted upon.

A prime example of the marginalisation and structural silencing of children’s voices in contemporary youth justice processes in England and Wales is provided by the risk-based assessment and intervention framework, the ‘Scaled Approach’ (YJB 2009). Under the framework (now abolished), the offending behaviour of children was understood through completing an inventory (called ‘Asset’) of quantified, psychosocial ‘risk factors’ for future offending, which informed the frequency and intensity of preventive intervention that followed (Sutherland 2009). The Scaled Approach assessment and intervention framework, became central to all youth justice practice in England and Wales, yet was riven with adult-centrism (dominated by the understandings, decisions and priorities of adults). The assessment inventory was completed by adult professionals during interview with the child, whilst measurement of the assessed risk factors, explanation of their influence and subsequent intervention planning were typically the responsibilities of the adult alone. The token ‘what do you think?’ section to illicit children’s perspectives was notoriously under-completed and often ignored (Baker 2002, Baker et al 2003), so children’s voices and understandings regarding their experiences, behaviours and needs were largely neglected by the assessment process. A corollary of this neglect was that adult professionals were able to assign full responsibility for offending to children (a strategy of adulterisation), yet those same adult professionals took full responsibility for designing and implementing ameliorative interventions to prevent offending, on the presumption that children lacked responsibility to help themselves<sup>5</sup>.

Since 2015, a new assessment-intervention framework called ‘AssetPlus’<sup>6</sup> (YJB 2014) has been rolled-out nationally by the Youth Justice Board<sup>7</sup> (YJB) for England and Wales, replacing the Scaled Approach and ostensibly constituting a move away from viewing and responding to children’s offending through a risk lens<sup>8</sup> (Haines and Case 2015). Crucially, the AssetPlus framework integrates a new emphasis on accessing the child’s voice, alongside increased discretion for practitioners. Regarding the latter point, although there is evidently greater scope for the workforce to exercise agency and relative autonomy in how centralised directives are executed affecting both those who facilitate and those in receipt of care and supervision, the assessment and planning framework does not entirely eschew the complexity or messiness of practice. Nevertheless, in response to longstanding concerns that child-led policy and practice has remained the system’s Achilles’ heel, AssetPlus was intended to reverse this neglect by centralising the voices and experiences of children alongside overhauling the adult-led risk-focused techniques which were in place. The assessment is designed to be more referral-orientated with youth offending team workers encouraged to signpost children to outside agencies for support in the form of counselling and psychotherapy or mental health and wellbeing, making the process more holistic than hitherto. However, whilst there is a paucity of research available on whether AssetPlus facilitates the meaningful inclusion of children’s voices, early indications from empirical evaluations are that the unwieldy and ethereal nature of the framework has prompted practitioners to default to the adult-centric risk assessment basis of their training, marginalising the child’s voice at the practice level as a result and diminishing opportunities for their meaningful input into policy development (Creaney 2020a; Hampson 2017).

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<sup>5</sup> The paradox of the ‘helpless and hopeless’ and ‘responsible-irresponsible’ child offender – fully responsible for their offending, but too irresponsible to contribute to their own future without intensive support and intervention(ism) from adults (cf. Case 2018).

<sup>6</sup> Youth Offending Teams in England and Wales are now required by the Youth Justice Board to use AssetPlus, the assessment and planning framework to assess children’s needs and provide wraparound care to address the underlying causes of crime. This includes a focus on children’s personal, social and emotional development.

<sup>7</sup> A non-departmental public body that advises Government on youth justice policy and advises multi-agency Youth Offending Teams (YOTs) on how to implement policy in their practice.

<sup>8</sup> However, a risk-informed emphasis on the ‘likelihood’ of reoffending remains central to the assessment process and the planning of interventions that result from it (Case and Hampson 2019).

# THE PARADOX OF SIMULTANEOUS ADULTERISATION AND ADULT-CENTRISM

We assert that the toxic mix of adulterisation and adult-centric processes prescribed to (rather than necessarily supported by) practitioners in the YJS has conspired to marginalise children's voices and their associated contributions to youth justice decision-making processes and the assessment framework that informs these processes, thus producing partial<sup>9</sup> understandings of and responses to offending by children. It is our contention that these strategies are underpinned by a fundamental lack of trust on the part of significant adults (e.g. key stakeholder politicians and policymakers): a lack of trust in children's capacity to offer valid (honest, accurate) and reliable (consistent) representations of their lived experiences. Furthermore, youth justice processes and constructions of children who offend can encourage key stakeholder adults to view the children as unable/unwilling to accept responsibility for their behaviour or to engage with support services voluntarily and without compulsory intensive intervention – both of which perceptions illustrate the marginalising and adult-centric strategy of 'responsibilisation' rather than an approach that puts the 'Child First' in understandings of children's lives. This lack of trust manifests in disengaging, adulterising and illegitimate processes and practice prescriptions that prioritise punitive control, compliance, blame and interventionism over meaningful engagement with children – processes driven by disempowered and under-resourced adult practitioners (Hampson 2017; Case and Haines 2014; Drake et al 2014). Adults' lack of trust of children in the YJS can result in children themselves lacking trust in adult professionals (their actions, intentions, methods), youth justice relationships with significant adults and the legitimacy (morality, fairness, justness) of systemic responses to the offending behaviour, most notably the policies that underpin practice. An inevitable consequence of reciprocated lack of trust between key stakeholders in the YJS is that children's voices can remain irrelevant in policy development processes – children are seldom consulted, considered or valued when policies and strategies to address offending are designed, implemented and evaluated (Creaney 2020a; Case and Hampson 2019; YJB 2016; Drake et al 2014; Mason and Prior 2010).

## Children First youth justice

A 2016 review of the YJS reinforced the view that the voices of children who offend have been historically marginalised; concluding that radical systemic improvements were urgently needed, in particular, changes focused on creating 'a system in which young people are treated as children first and offenders second' (Taylor 2016: 48). Following this review, the YJB developed their own operational definition of the 'Children First, Offenders Second' principle (i.e. 'Child First' - YJB 2019; adapted from Haines and Case 2015), which formalised the requirement for all youth justice practice to be in the child's best interests, constructive (e.g. promoting children's strengths and capacities), non-criminalising (e.g. prioritising diversion) and, most importantly, collaborative (e.g. promoting children's meaningful participation and engagement). The overarching Child First principle and its associated principles form the basis of the 'YJB Strategic Plan 2019-2022' (YJB 2019) and in their 'National Standards practice guidance' (YJB 2019b) for professionals working in multi-agency, local authority area 'Youth Offending Teams' (YOTs). Strategically and operationally, the YJB has established the central organisational value for the YJS as 'child-centred':

*'We see children first and offenders second. We make every effort to champion the needs of children wherever they are in the youth justice system and ensure we give them a voice. We strongly believe that children can and should be given every opportunity to make positive changes' (YJB 2019a: 7; see also YJB 2019b, 2020).*

The centralisation of the Child First strategy of youth justice has potential resonance with a 'Public Health Model' approach to tackling offending by children as a 'health' outcome for children - the product of a range of psychosocial and socio-structural influences (including social inequalities and deprivation) and thus meriting a universal and whole system response, rather than a risk/deficit-based, targeted response (Haines and Case 2018). However, the public health model responses to offending by children (notably knife crime) favoured by politicians and the

<sup>9</sup> We use the term 'partial' as a double entendre here – in the sense of biased towards risk-informed, psychosocial, individualising explanations and in a sense of incomplete due to this psychosocial, risk bias cutting off broader explanations and responses attendant to contextual, relational, social-structural influences, unmet needs (rather than risks) or indeed, any explanations from the perspective of the child.

media have tended towards the epidemiological – constructing offending behaviour as a pathology or disease caused by exposure to psychosocial risk factors and meriting a clinical, medicalised intervention (Harding 2020). Child First eschews such reductionist and pathologising methods in favour of engaging with the child's voice and experience to co-construct legitimate (otherwise described as moral, fair, just – Tyler 2017) youth justice policies and practices with the potential to promote positive outcomes whilst preventing and reducing negative outcomes for children (YJB 2019; Taylor 2016).

## THE VOICE OF THE CHILD IN YOUTH JUSTICE RESEARCH

At this point, we present and explore examples from the emerging (but still woefully limited) evidence-base of youth justice research studies that have placed the child's voice at the centre of understanding their experiences at different stages of the YJS – in line with the developing national approach to CFOS-informed youth justice<sup>10</sup> in England and Wales (YJB 2018a,b, YJB 2019). Each study has been conducted through a 'Child First' lens, prioritising and trusting children's voices as the vehicle for their engagement (i.e. belief, commitment, meaningful participation) in youth justice processes that promote positive behaviours/outcomes (e.g. diversion into more appropriate support services, access to universal rights and entitlements), constructive relationships with adult professionals, perceptions of legitimacy and the validity and comprehensiveness of evidence-based youth justice policy and practice responses. Examination of this 'child-centric' empirical evidence-base begins with a contextualising discussion of the universal processes enabling the meaningful participation of all children in decisions that affect them (Haines). We then present research exploring the centrality of children's voices in policy and practice development prior to contact with the YJS, illustrated by children's understandings of criminal law and liability (Worrall). Next, we examine the influential role of the understandings of 'family' held by children in the YJS who also have experience of the looked after care system (Coleman). These discussions move us into a more detailed focus on research accessing the voices and lived experiences of children engaged with the formal YJS through being subject to court disposals (Creaney), post-court assessment mechanisms (Case) and custodial interventions (Little).

## ENGAGING CONSULTATION WITH CHILDREN

There is an extensive trajectory of research from academics based at Swansea University that has engaged with children (e.g. in secondary schools, youth offending teams, community groups) to solicit their views on issues that affect them (in line with article 12 of the United Nations Convention on the Rights of the Child 1989). This body of work has involved listening to children and, importantly, responding to their voices. It is no surprise, therefore, that Welsh criminologists are the progenitors of 'Children First, Offenders Second' approach to working with children (Haines and Drakeford, 1998, Haines and Case, 2015), which subsequently became the 'Child First' central objective for youth justice in England and Wales (YJB 2019a,b). An important strand of this research has focused on the topic of engagement itself (see, for example, Charles and Haines, 2019, Charles and Haines, 2014); what it means for children to be engaged in decision-making. A summary of some of our headline research findings follows.

In order to engage children in meaningful consultation, do not try to do this in 'adult' fora. Children do not comfortably sit through 'board meetings' with long agendas - indeed most adults find this boring. A local engagement exercise took the form of an 'All School Parliament', where four Heads of Service were exposed to 200 children who live voted on the 'speeches' delivered by the Heads of Service by holding up their A4 sized voting cards with 'Yes', 'No' or 'Boring' written on them. Seeing these very senior local authority officers (all middle aged grey suited men) squirm when confronted with 200 signs saying 'boring' was unprecedented and a delight – but it led to direct policy change, culminating in the ratification of the UNCRC by the local authority.

Adult domination of the children's consultation and engagement field has a long history – regrettably and somewhat surprisingly. Research with children focused on measuring children's engagement in decision-making sought children's views on established and well recognised rating scales: Hart's Ladder of Participation (1992) and Tresed-

<sup>10</sup> Such an approach also aligns with the United Nations Convention on the Rights of the Child, most notably: Article 12 (respect for the views of the child) - Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously; and Article 13 (freedom of expression) - Every child must be free to express their thoughts and opinions (UNCRC 1989).

er's Diagram of Participation (1999). However, in Haines's research, children were critical of the conceptual basis of both tools: to them a hierarchy of participation in decision-making was simply incorrect, participation in decisions in all fora are important. They were also critical of the language used in both tools: it seemed to them to be too adult (as expressions of adult power: 'We're cleverer than you') and did not 'speak' to them as children (Charles and Haines 2019). As one child put it:

*"You see, they just don't make sense. We'd never make something like them... They don't even make sense, the set up's all wrong and, let's be honest, they're not about our participation really are they? They're all about them [adults]... How can you write something about our participation if we can't make head nor tail or it? That's mad."*

So what do children want? Yet again, adult dominated notions about children's participation in decision-making have focused on international bodies such as the United Nations or on pre-existing formal structures at national and local levels, possibly because these are the organisations where those charged with increasing children's participation in decision-making work. This begs the question: as most adults do not engage in these bodies what makes anyone think that the majority of children will be interested in them? Haines's research overwhelmingly found that children were most concerned to be involved and engaged in decision-making about matters that directly affected their daily lives. Decisions affecting their schooling, how to use their leisure time, when and what to eat, were the areas of engagement of greatest concern to children.

## **EVALUATING CHILDREN'S UNDERSTANDING OF CRIMINAL LAW AND LIABILITY**

After the abolition of *doli incapax* (Crime and Disorder Act 1998), children as young as 10 years old were understood as rational, moral agents, capable of being individually responsible for their criminal actions. Such responsabilisation and adulterisation, however, erroneously assumes that children have equivalent lived experiences to adults and levels of cognitive and emotional maturity to understand the full implications of the criminal actions (Bryan-Hancock and Casey, 2011); moreover that they are aware of which actions are criminal in the first place (Grietans 1999; White et al, 2012). This presents a problem whereby children are automatically presumed to be aware of their newfound legal responsibility, and thus are knowledgeable of this responsibility and the laws that follow it.

Whilst there are studies that focus on children's perceptions and experiences of the YJS (Hazel et al, 2002; Botley et al, 2010), research focused on children's knowledge of the law and associated issues of liability is relatively under-developed. Worrall (in press)<sup>11</sup> adopted a Child First approach, using participants lived experiences and knowledge and understandings of common criminal offences and associated liability as a core focus to generate an evidence-base to inform policy and practice regarding issues affecting children in the YJS. A qualitative, exploratory study was designed to include the voices of young adults aged 18-21, rather than children, in order to gain a full understanding of their knowledge of criminal responsibility and liability throughout their child and adolescent lives. At this age, it was considered that individuals would have had exposure to a wider variety of social media platforms, an opportunity to have had lessons, or some form of education (albeit formal, such as school, or informal, such as TV), as well as having more experience of either seeing, hearing, or being a part, of potential criminal activity, thus playing a significant role within their understanding of this area.

Semi-structured interviews with 40 young adults aged 18-21 fed into focus groups (n=4; each containing 10 participants), during which participants were shown a short film of staged violence - an altercation on school grounds, and a group attack on a young person resulting in a fatal stabbing. Participants were asked to identify what offences had occurred and who was responsible for those offences – followed by questions about where their knowledge of the offences and criminal liability came from. All participants were able to identify that a death had occurred, although there was a lack of clarity whether it would result in a murder or manslaughter conviction. With regards to liability, discrepancies amongst participants arose. All participants believed all involved in the group attack would be liable, although only 5% of participants were able to identify that this would be under the doctrine of joint

<sup>11</sup>This research is currently ongoing with analysis of early research findings being presented for the first time in this article.

enterprise. Shown answers were guessed (e.g. 9% responded ‘I don’t really know’ to certain questions) and the estimated offence ranged from manslaughter to ABH. Participants tended to overestimate the level of responsibility held by others outside of the offending group (e.g. 8% believed that people in houses adjacent to the attack were liable for a negligence offence and that the school was similarly negligent in not checking for possession of a knife). When questioned about the origins of their offence and liability knowledge, 13% identified law studies at college, whilst the majority of participants had learnt about law from social media radio and TV. Fewer than 10% had been taught law and legal responsibility at school, yet 95% believed that these issues should be taught at school.

Participants were able to identify the most serious offences, but there was a relative inability to identify lesser offences (e.g. assault). Few were clear regarding the criminal liability and this element tended to be overestimated, potentially explicable by the origins of much ‘learnt law’ in social media, which privileges serious crimes (Greer, 2012). If indeed there is a widespread lack of knowledge regarding lesser offences due to limited understanding of legal implications and liability, even amongst young adults where most informal and formal education has been exhausted, the implication is that many children could be subject to the YJS without proper understanding of what they have done wrong. If law and criminal responsibility are not being taught (indicated by the lack of knowledge amongst some young adults), then many children may be entering the YJS with a complete lack of understanding of why they are there. Ultimately, ensuring that children have knowledge of the rule of law, and what can constitute an offence to which they can be held and liable for, is fundamental to their rights and freedoms.

In terms of policy making, participants stated that they believed law should be taught within school, implying that educational strategies need to be put in place for children to learn of their legal responsibility and understand what they are. However, education should not be restricted to schools, and should be expanded within the YJS – with children given the right to education within that setting to learn about their legal responsibilities, in order to help make better life choices. Children need to be recognised as children and not miniature adults (Rundell, 2000; Haines and Case 2015). Attention should be drawn to their limited knowledge and understanding of criminal offences and liability, as well as general lack of life experience, rather than the adult-centric, risk-orientated approach that is currently in place. This is paramount within a youth justice setting as risk-orientated approaches, responding to the understanding of offending through predicted risk factors, only responds to what children may do in the future (Case, 2016). Evidence suggests (see Grisso 1981; Barnes and Wilson, 2007) that experience within the YJS, or lived experience of children and young people, does not necessarily improve their knowledge of the law and the justice system, and they do not ‘know it all’ (Barnes and Wilson, 2007); it is educational support which needs to be met. Therefore, practitioners and policy makers may find it useful to recognise the consequences that may arise from a general lack of knowledge and understanding (Worrall 2020), especially with regards to offending behaviour, in order to promote positive outcomes for children and young people entering the YJS.

## **THE ‘FAMILY’ PROJECT: WHAT DOES ‘FAMILY’ MEAN TO FORMER LOOKED AFTER CHILDREN WHO OFFEND?**

The risk factor research evidence that underpins youth justice policy and practice in England and Wales consistently identifies the ‘family’ and elements of family life as exerting a criminogenic influence on offending by children (e.g. Zara and Farrington, 2020). However, what constitutes ‘family’ is rarely defined or operationalised in such research, particularly from the perspectives of the children whose lives are analysed in relation to it. Consequently, the criminogenic (or otherwise) influence of ‘family’ is poorly understood in youth justice research. This is replicated in youth justice policy, where definitions of who constitutes ‘family’ are not provided, yet “intensive family support schemes” (Respect Action Plan, 2006: 3) are recommended. The rationale behind the ‘family’ project was to explore how the children at the centre of these policies and interventions draw on their own personal experiences when constructing their definitions of ‘family’.

There has typically been an adult-centric focus to youth justice (and broader childhood and family) research (Scott, 2014) which fails to take account of children’s experiences. Therefore, it was important to involve children who have offended in this research project on exploring the meaning of ‘family’. This was to capture their lived experiences and to understand how these impact on their everyday lives. In the YJS, the neglect of the child’s voice can be explained (at least in part) as due to the multiple challenges facing researchers when conducting research with children who offend (a highly vulnerable and complex group), for example, negotiating access through gatekeep-

ers (Coyne, 2010) and ensuring the research is accessible for children who may have additional support needs, disproportionately likely amongst LAC children (Heath et al, 2009; Lefevre, 2018). The project spanned two geographical locations (London and Glasgow) and used a mixed methodology; comprising of questionnaires and focus groups. Allowing the children to discuss the meaning of ‘family’ at their own pace and in a way that they felt comfortable with was paramount in Coleman’s research as it enabled the accurate capture of their voices and perspectives regarding family. As ‘family’ is considered a sensitive topic, handing some of the responsibility and design of the research over to the children allowed them to disclose as much as they wanted, during the group sessions.

The children who participated were chosen due to their contact with the YJS and prior experience of being a LAC. During discussions about the meaning of ‘family’, their LAC identity was drawn on far more than their ‘offender’ identity to explain why they felt a certain way about the term. Initial findings suggest that these children placed more emphasis on the affective factors and emotions involved in ‘family life’ than the presence of specific ‘family members’. The child-led discussions centred around the importance of love, trust and safety and how all three help to determine who should, and should not, be considered ‘family’. Children also highlighted significant differences between expectations and reality concerning family life; specifically relating this to their experience of being a LAC. Having a negative experience, where expectations were not met, resulted in the children associating negative emotions with the term ‘family’; impacting on their overall well-being. Consequently, they actively chose to use alternative words for describing others who they felt emotionally close to.

For children who have offended and who have had LAC experience, it is evident that the term ‘family’ may have a different meaning to what adult professionals typically assume it to mean (Brown, 2019). Creating appropriate space and opportunity for these children to explore the term has uncovered what they consider to be most important; a strategy for maintaining good mental health and well-being that should be standard procedure when working with children. Contrary to much policy and practice, ‘family’ does not always refer to the presence of biological ‘family’ members, but instead, refers to the presence of affective factors such as love, trust and safety.

## **PROMOTING INCLUSIVE YOUTH JUSTICE**

Child-led practice has not been a fundamental feature of recent youth justice policy in England. The Youth Justice Board’s Participation Strategy published in 2016 set out to reverse this neglect by infusing a change in culture and giving credence to the voice of the child. Despite such strategic planning and mechanisms to involve children more centrally in YOT supervision, there continues to be uncertainty regarding children’s ability to meaningfully contribute to the decision-making process (Creaney 2018; Case and Hampson 2019). The ‘Promoting Inclusive Youth Justice’ research programme aimed to investigate the efficacy of children’s involvement in the design and delivery of youth justice services, most notably the programmes and interventions that are implemented as part of court disposals. Noting the dearth of empirical research dedicated to exploring children’s ability to express agency and influence personalised care/supervision or governance arrangements in YOTs in England, the researcher prioritised accessing the voices of the most excluded children in the YJS, those labelled ‘high risk’ (Creaney 2020b). The study involved 15 months of fieldwork undertaken between 2016-2017 with a YOT in England, with data collected through participant observations of practice supervision, group work projects and feedback forums, and interviews with children (n=20) and professionals (n=20). Children interviewed were either subject to a Referral Order, Youth Rehabilitation Order, Intensive Supervision and Surveillance or a Detention and Training Order. Professionals and managers were from diverse backgrounds, including health, speech language and communication, and social work.

Thematic analysis identified a series of findings highlighting the extent to which children can be enabled to become meaningfully involved in youth justice processes, notably shaping the content of plans and the format of specific interventions. Several children felt uncomfortable being in a position of power over matters that affected them. When asked about what improvements could be made to YOT policy and practice, some children felt unqualified to pass judgement. For example, Tommy (16) confessed:

*“I don’t think it’s up to me to say that, is it? I don’t think... I don’t get a say in what the YOT do, do I?”*

This view was reinforced by YOT practitioners reporting that children were not typically entitled to influence certain aspects of the youth justice decision-making process particularly in relation to governance arrangements. For

example, one YOT Manager asserted:

*“I think children should have some say in, sort of, the way that their interventions are delivered and things like that. But in other ways, sort of in the way that the service is structured, what we’re directed to do under our statutory obligations, et cetera, there shouldn’t be any say from them, if you like”.*

Some children and practitioners indicated that youth justice practices tend to be more adult-led and risk-averse when seeking the child’s cooperation, so not necessarily a collaborative or a shared endeavour. Children felt that opportunities to input into their intervention plans were limited, with the service tending to impose its vision or agenda - with organisational needs, not children’s wishes, placed at the forefront of service delivery. However, some professionals were particularly committed to sharing power and control with children, principally due to the perceived difficulties in securing participation in supervision sessions. Finally, both sets of stakeholders agreed on the centrality of forging positive and trusting child-staff relationships in order to bolster children’s participation and reduce the likelihood of passive compliance with youth justice processes (Creaney 2020b).

The ‘Promoting Inclusive Youth Justice’ study uncovered inclusive and exclusive aspects of practice that either facilitated or foreclosed children’s participation. It found that certain children under YOT supervision felt that their knowledge or unique perspective was devalued, with support plans not being reflective of their individual wants and needs. Others appeared hesitant about being in control of the decision-making process or shaping the content of their supervision. Therefore, there must be a policy and strategy commitment to reverse the disempowering effects of an adult-led risk-averse YJS. It is recommended, therefore, that youth justice professionals foster non-hierarchical empathic trusting relationships and proactively strengthen the child’s involvement in processes and systems, particularly governance arrangements. This involves facilitating meaningful opportunities for children to negotiate the form and content of supervision arrangements including structural support systems, with children’s experiential knowledge rendered valid/credible and their emotional health and wellbeing needs prioritised (Creaney 2018). This can pave the way for more active rather than passive or shallow forms of participation, preventing those under YOT supervision feeling disaffected and experiencing systems as uncomfortable (see Haines and Case 2015).

## **YOT TALK: EXPLORING THE LANGUAGE BARRIER TO ENGAGEMENT IN YOUTH JUSTICE ASSESSMENTS**

The ‘YOT Talk’ study (Case et al., in press) explored the elements of communication that can be enablers of, and barriers to, children’s engagement with and inclusion within youth justice assessment processes. It used a mixed methodology of observation of assessment interviews (n = 19), questionnaires with children in the YJS (n = 44) and YOT practitioners (n = 23) and focus groups with YOT practitioners (n = 2 with 5 staff in each) in three Youth Offending Teams in England and Wales. The research findings identified asymmetrical (adult-dominated) power dynamics during assessment interviews and challenged perceptions of children’s communicative deficits as self-imposed and irreconcilable barriers to effective assessment. The strong indication was that children in the YJS have more capacity to communicate and engage than previously thought (due to predominant presumptions of communicative deficits as the drivers of disengagement), and the study uncovered a rich vein of untapped (explanatory) communicative influences that could inform assessment strategy in the YJS of England and Wales.

The findings indicated the need for a rethink of how the ‘AssetPlus’ assessment-intervention tool is delivered in order to remove barriers to engagement that currently exist, including how practitioners approach assessment. Implementation of AssetPlus was enhanced (communicatively) through restructuring/reordering of the assessment sections and associated questioning to foreground and privilege *positive aspects of the child’s life* (e.g. foundations for change, strengths, capacities, prosocial experiences, interests, hobbies, goals) in a prospective manner (e.g. as a means of pursuing positive behaviours and outcomes, including desistance). Refocusing on positive elements in the child’s current and future life in this way was found to increase the child’s engagement across all dimensions by offering the child more control over the direction and nature of the interview process.

The research concluded with a series of strategic recommendations for improving the communicative features

of assessment policy and practice in order to maximise children's engagement (across the identified dimensions) and to mitigate and/or remove disengagement during interviews. Evidence suggested that the restructured and refocused implementation of AssetPlus should be grounded in the relationship-building between the practitioner and the child. The prioritisation of relationship-building as the vehicle for promoting effective assessment can be facilitated communicatively by: rapport-building (e.g. practitioner use of slang, jargon, humour and inclusive language), more open questions (enhancing the child's control over the interview contents) and focused rather than closed questions (which can inhibit cognitive engagement), practitioners ensuring the child's understanding and negotiating meanings of assessment processes and associated questions, along with practitioners ensuring their own understanding of children's responses.

## CHILDREN'S VIEWS OF EDUCATION IN PRISON

There is a very limited evidence-base detailing research conducted in custodial institutions to understand children's perspectives on their education. In 2012/13, the YJB instigated a workstream to explore differential access to college education amongst children serving prison sentences. There was inconsistency between different Young Offender Institutions (YOIs<sup>12</sup>) in their use of ROTL<sup>13</sup> to facilitate access to college interviews, for example. There was also found to be inconsistent practices by college staff. Prior to this, YJB research identified multiple barriers to future progression in education, training and employment for children serving sentences in the community and in custody (YJB, 2006).

A significant study in this area was led by Little (2015, 2018), who surveyed children in a YOI in England using questionnaires (n = 47), discussion groups (n = 25) and one-to-one interviews (n = 4). The majority of these children felt they had had the opportunity to participate in educational activities at the prison, but their views about the extent, nature and influence of this participation varied. In particular, three thematic issues were highlighted:

- **Limited choice:** Some participants had strong ideas about what they wanted to study or train in and had been left disappointed by the restricted educational options available. Whilst classroom facilities were good, classes did not always take place due to staff shortages or disruption in the prison. Choice was particularly constrained if participants had already attained GCSEs and for children assigned anything other than a low risk level;
- **Barriers to learning:** Children identified a variety of barriers to learning associated with prison life, such as difficulty concentrating, conflicts with others, coping with long sentences or not knowing where they would be living upon release. A key barrier identified by discussion group participants was the nature of their risk assessment, which could severely limit their educational options. According to one participant: *'I have a high-risk assessment, so there's not much I can do. I can do different stuff but it's all based around education (not practical activities). I don't wanna do education.'*

Those children experiencing some of the greatest barriers were those segregated from the main population. Despite efforts by the institution to provide these children with education, each discussed their disengagement both before and during their time in prison.

- **Informal learning opportunities:** The most well-received learning activity amongst the children engaged in the research was the *Raptor* project, which allowed them to work with, and care for, birds of prey living at the prison site. This stood out as an activity in which they felt they had positive opportunities for learning and the potential for increasing levels of responsibility over time. Responses from participants involved with the project were extremely positive. For example, 'Matt', one of four children interviewed whilst subject to segregation, was extremely enthusiastic about this project:

*'Raptor is one of the best things I've done since I've been here...on Raptor, I'm learning something new, I never*

<sup>12</sup> Young Offender Institutions (YOIs) are prisons for children aged 15-17 years. They are run by HM Prison and Probation Service as part of the wider prison estate. Separately, there are also YOIs for young adults aged 18-21 years.

<sup>13</sup> ROTL is Release on Temporary Licence. It is designed to enable "participation in activities outside of the prison establishment, directly contributing to community resettlement and development of a purposeful, law-abiding life" (HMPPS, 2019) <https://www.gov.uk/guidance/release-on-temporary-licence>

*knew it existed before.'*

Children involved in participatory, engaging and Child First research (YJB, 2006; Little, 2015) highlighted a role for education delivered in custody to focus on getting children ready for their education, training and employment on release. One child participating in Little's research, for example, suggested the idea of 'taster courses', to give people choice about what they might want to do more of and ultimately help people "to find their own path". This is possible in a context in which a pedagogic relationship exists with a trusted adult that allows the exploration of ideas and practice that is meaningful for each child. The informal learning opportunity afforded by the *Raptor* project illustrates this (counter to the typical custodial educational experience) by enabling some of the most vulnerable children move on from negative prior experiences of formal education. This points towards what Warr (2016) has referred to as the need to 're-privilege' informal education provided in custodial settings to support dialogue-based learning which is sensitive to the context in which it operates. If the goal of education is to help individuals become a fully functioning person (Rogers, 1983) then children need opportunities for self-directed, experiential learning in a social context that is not too oppressive for the learner. Education provision could achieve a lot more. Rather than simply achieving functions of control and management and meeting minimum legal and contractual obligations, it should seek to enable children to make positive developments in their own lives. They can play an important part in determining what these should be. There needs to be greater scope for trusting children to play a part in curating their own learning journey in order to support improved educational and social experiences.

## CONCLUSION

This review article set out to explore the integration of children's voices within youth justice policy and practice development. The purpose was to theorise the efficacy of participatory practices in youth justice by presenting original empirical data drawn from innovative child friendly methodological approaches, including a blend of activity-oriented focus groups, participant observations, questionnaires and in-depth interviews. The article presented key findings from published and ongoing empirical research and put forward a series of compelling internationally relevant and cogent arguments related to the importance and value of children's voices in youth justice policy and practice development and delivery.

Children who come into conflict with the YJS often have complex life experiences. For us, this means that reductionist, deficit-led, adult-centric, problem focused and responsabilising tendencies in how we respond to these children should be averred. We have explained why children's participation is a pertinent feature of the Positive Youth Justice model and built into the concept of 'Children First'. However, we also exposed the issue of children's voices being noticeably absent from youth justice policy development in England. Therefore, it is recommended greater opportunities are provided to children to have a say and influence decision making at this level. Furthermore, it is recommended that youth justice professionals treat children in the Youth Justice System as children (not 'offenders'), fostering non-hierarchical, empathic, trusting relationships with children, strengthen the child's involvement in policy and practice processes and centralise their educative, health and wellbeing needs.

We have highlighted how and why children continue to be the recipients of adult-led, deficit-facing practices underpinned by a longstanding preoccupation with identifying and managing 'risk'. These practices have undermined children's knowledge and potential by distrusting their perspectives. In contrast, the arguments we set out above and the tentative forays into effective practice are intended to show the importance and benefits of engaging with children, of listening to their voices in the planning and delivery of 'justice' oriented responses. Drawing upon the arguments that we have set out, as well as the studies that have been presented, it is clearly evidenced that children are not mini-adults. Children are not part formed individuals awaiting or in the process of acquiring the necessary elements of their adult self. Children are different from adults. Childhood is a distinct period in a human lifespan, characterised by its own forms of thinking and behavior. These statements may seem obvious and incontrovertible, now that we have stated them clearly in black and white, but they have remained unrecognised for too long. This absence of recognition did not really matter that much when the objective of intervening in the lives of children was to 'do unto them' or to exert some kind of retributive treatment. If, however, the objective is to work with children, to improve their life experiences and to enhance their achievement of positive outcomes,

then recognising the unique (and changing, see Haines et al., 2020) character of childhood is both essential and fundamental. Essential and fundamental because doing so greatly enhances your prospect of success (and, by implication that of the child) and because failing to do so condemns you and the children you work with to repeat the failures of the past. Moreover, it is no longer morally or ethically acceptable to do things to children without their engagement and consent. It is not only an expression of best practice to engage effectively with children, to listen to and act upon their voices, it is now a moral and ethical imperative to listen to act upon the voices of children.



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# THE INTERNET JOURNAL OF RESTORATIVE JUSTICE (IJRJ™)

ISSN (ONLINE): 2056-2985 | IJRJ@RJ4ALLPUBLICATIONS.COM | WWW.RJ4ALLPUBLICATIONS.COM/IJRJ  
+44(0) 7708758600

The Internet Journal of Restorative Justice (IJRJ™) is the leading, international peer-reviewed journal on restorative justice. It was established in 2012 to push the boundaries of criminal justice by adopting a unique, practical approach to researching and investigating restorative justice. The IJRJ remains to be the leading, double-blind, peer reviewed international journal that is exclusively focused on restorative justice theory and practice.

## THE JOURNAL'S AIMS INCLUDE:

- **Push the barriers of restorative justice**, and challenge conventional approaches to criminology and criminal justice.
- **Enable junior researchers to publish** alongside leading names in restorative justice, and encourage a dialogue between various generations of academics.
- **Increase awareness of restorative justice**, and help address misconceptions about its potential and limitations.
- **Build a strong evidence base for restorative justice**, and inform and influence criminal and restorative justice policy at national and international levels.
- **Enable those with limited resources to access scholarly work on restorative justice**, including students, practitioners and the public.

The journal publishes articles of the highest standard from various areas of expertise including, but not limited to, restorative practices in schools, neighbourhoods, organisations and businesses, family matters and (youth) care, the criminal and juvenile justice systems, prisons and the community. We are also interested in pushing the normative and philosophical boundaries of restorative justice.

The journal is committed to nurturing fresh thinking and innovation. Ultimately, we want to affect positive change and improve the experience and image of justice.

The IJRJ™ is available online via its [website](#), [EBSCO](#) and Kindle store. Institutional and individual subscriptions are available and kindly requested in order to keep the non-profit nature of the publication. The journal is available online only.

It is indexed and ranked by [Kudos](#), [The European Reference Index for the Humanities and the Social Sciences](#) (ERIH PLUS) as well [Criminal Justice Abstracts and EBSCO Information Services](#). It is also in the process of being indexed and ranked by [Scopus](#).

**Submissions to the IJRJ must follow the [Editorial Guidelines](#), and can be made by email to [IJRJ.rj4all@gmail.com](mailto:IJRJ.rj4all@gmail.com) at any given time.** We aim to complete the review process within 4-6 weeks of receipt.

The Editor-in-Chief is [Professor Dr. Theo Gavrielides](#).

The Journal is guided and scrutinised by its [Editorial Board and the International Advisory Board](#). All submissions are first reviewed by the Editor-in-Chief, and if judged suitable for this publication, they are then blind-reviewed anonymously and separately by at least two external, expert reviewers.



# THE YOUTH VOICE JOURNAL (YVJ™)

ISSN (ONLINE): 2056-2969 | YVJ@RJ4ALLPUBLICATIONS.COM | WWW.RJ4ALLPUBLICATIONS.COM/YVJ  
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The Youth Voice Journal (YVJ™) is a double-blind, peer-reviewed journal that publishes theoretical contributions and empirical studies on issues affecting young people worldwide.

The Journal publishes scholarly papers of the highest standard including: research papers, case studies, book reviews conference papers and proceedings. It has an international and multidisciplinary scope and is particularly interested in work that impacts on social policy and the law.

The Youth Voice Journal (YVJ™) was founded in 2010 by Dr. Theo Gavrielides and is published by RJ4All Publications, an independent publisher specialising in social and political sciences. Its Editorial Board, Editor in Chief and Secretariat are all volunteers.

## YVJ™ AIMS INCLUDE:

- Create knowledge and contribute to the literature by publishing high quality research on issues affecting young people
- Establish and further develop the youth-led method for research and social policy
- Provide a platform for the intellectual exchange of ideas around the globe with the aim of influencing policies and practices
- Actively encourage and aide those young people whose voice is rarely heard by policy makers and academia to be published.

The Youth Voice Journal is ranked and indexed by [Scopus](#), [ORCID](#), [Kudos](#), [EBSCO Information Services](#), [The European Reference Index for the Humanities and the Social Sciences \(ERIH PLUS\)](#) and Criminal Justice Abstracts. The YVJ™ adheres to the Code of Conduct for Journal Editors.

The Journal encourages submissions from young researchers, and is particularly interested in publishing papers, reviews and commentaries exploring the youth-led / user-led method of evidence gathering.

Submissions to the Youth Voice Journal (YVJ™) can be made at any given time to [journalyouthvoice@gmail.com](mailto:journalyouthvoice@gmail.com) Once accepted, submissions are published online and indexed. Occasionally, the Journal publishes Special Issues and the deadlines relating to these publications are included in the related Calls.

All submissions will be subject to the normal process of peer review. We aim to reach a decision within 4-7 weeks of receipt.

Only submissions that have fulfilled the following requirements will be accepted. Submissions need to be made by email to the Editor-in-Chief Professor Dr. Theo Gavrielides.



# RESTORATIVE JUSTICE SERIES

## RJ SERIES n° 20



**Edited by Gavrielides, T. et al, 2020**

*Bringing restorative justice and art into mental health settings: Initial summary findings from the Mental Health Project: The UK, Greece, Hungary, Spain and Cyprus*, London: RJ4All Publications, ISBN 978-1-911634-28-7 RRP £0.99

This e-book brings together the work of six organisations working on the Mental Health Matters project, which is supported by the Erasmus+ Programme, under KA204 Strategic Partnerships for adult education". It is coordinated by the Restorative Justice for All International Institute (United Kingdom), and is delivered in partnership with "Koinonikes Sineteristikes Drastriotites Epathon Omadon EDRA" (Greece), "Social Center forInnovation" (Cyprus), "Fundacion Intras (Spain), the Athens School of Fine Arts (Greece)and Lelekben Otthon (Hungary). The project aims to challenge current practices in mental health settings by bringing together restorative justice with art. The two concepts can help rebalance power amongst patients and providers while providing healing and therapeutic results. MHMaims to create the first methodological approach for bringing together the practices of restorative justice and art while creating innovative tools and training material for key stakeholders such as artist, mental health professionals and restorative justice practitioners. This ebook presents the first findings of the project.

## RJ SERIES n° 19

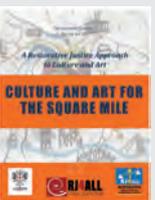


**Edited by Gavrielides, T. et al, 2020**

*Restoring Respect in Migrants: Summary findings from the Restorative Respect Project: The UK, Greece, Italy, Spain and Cyprus*, London: RJ4All Publications, ISBN 978-1-911634-26-3 RRP £0.99

This e-book reports on the first findings from the Restoring Respect Project (RRP). Founded upon the values of restorative justice, such as power-sharing and involvement in the decision-making, the RRP project gives voice to migrants by creating, piloting and disseminating an interactive platform and a mobile phone application tailored to the needs and realities of migrant and refugee communities across Europe.

## RJ SERIES n° 18



**Desiree, N. (2020)**

*A Restorative Justice Approach to Culture and Art: The culture and Art for the Square Mile Project*, London: RJ4All Publications, ISBN 978-1-911634-31-7 RRP £1.00

This e-book presents the work of children and young people who used the values of restorative justice to create and deliver a youth-led social action project that celebrated the Cultural heritage of the Square Mile.

## RJ SERIES n° 17



**Gavrielides, T. et al, (2020)**

*Teoria e prática da Justiça Restaurativa: abordando a discrepância (2ª Edição)*, ISBN 978-1-911634-25-6 RRP £9.99

Esta é a tradução para a língua portuguesa da 2ª edição de 'Teoria e Prática da Justiça Restaurativa: abordando a discrepância', um livro inovador que examina a lacuna prejudicial entre a teoria da Justiça Restaurativa e sua aplicação, nos EUA, na Europa e em vários países ocidentais (internacionalmente). Os dados foram produzidos a partir de quatro investigações internacionais com mais de 300 profissionais da Justiça Restaurativa, usando uma combinação de metodologias qualitativas, incluindo questionários, entrevistas e grupos focais. A 2ª edição fornece atualizações críticas acerca de pesquisas, políticas públicas e práticas de Justiça Restaurativa.

## RJ SERIES n° 16



**Desiree, N and Marta, S., (2020)**

*Sailing the Mayflower to Equality and Justice: A restorative justice story*, London: RJ4All Publications, ISBN 978-1-911634-29-4 RRP £1.00

This e-book presents the work of children and young people who used the values of restorative justice to create and deliver a youth-led social action project that enhanced community cohesion. The project was called Sailing the Mayflower to Equality and Justice in allusion to the 400th anniversary of the Mayflower voyage, which left Rotherhithe and took Pilgrims to America, seeking religious freedom. The e-book brings the results of young people's work to life with the aim of inspiring other people in the community to do the same, and become community leaders in their localities independently of where they are from.

## RJ SERIES n° 15



**Edited by Gavrielides, T. et al (2020)**

*Bringing restorative justice and art into mental health settings Views from the UK, Greece, Hungary, Spain and Cyprus in national languages*, London: RJ4All Publications,

ISBN 978-1-911634-28-7 RRP £0.99

This e-book brings together the work of six organisations working on the Mental Health Matters project, which is supported by the Erasmus+ Programme, under KA204 Strategic Partnerships for adult education". It is coordinated by the Restorative Justice for All International Institute (United Kingdom), and is delivered in partnership with "Koinonikes Sineteristikes Drastriotites Epathon Omadon EDRA" (Greece), "Social Center for Innovation" (Cyprus), "Fundacion Intrus (Spain), the Athens School of Fine Arts (Greece) and Lelekbén Otthon (Hungary).

## RJ SERIES n° 14



**Edited by Gavrielides, T. et al (2020)**

*Restoring Respect in Migrants: National Chapters from the Restorative Respect Project: The UK, Greece, Italy, Spain and Cyprus*, London: RJ4All Publications, ISBN 978-1-911634-27-0 RRP £0.99

This ebook brings together the work of five organisations working on the Restoring Respect Project (RRP). The project is supported by the Erasmus+ Programme, under KA202 Strategic Partnerships for vocational education and training". It is coordinated by the Restorative Justice for All International Institute (United Kingdom) in partnership with "Koinonikes Sineteristikes Drastriotites Epathon Omadon EDRA" (Greece), "Social Center for Innovation" (Cyprus), "ICSE & CO" (Italy) and "Fundacion Altius Francisco de Vittoria" (Spain). The ultimate objective of RRP is to address the employment gap between established and migrant communities, while restoring the respect in migrant populations who are often viewed and treated as unqualified and unable to contribute to their host country. RRP uses the underlying values of restorative justice including power sharing, equality, dignity and respect in relation to both its internal management and the production of its results.

## RJ SERIES n° 13



**Gavrielides, T (2019)**

*Restorative Justice Theory and Practice: Addressing the Discrepancy, 2nd Edition*, London: RJ4All Publications, ISBN 978-1-911634-17-1 RRP £9.99

This is the 2<sup>nd</sup> edition of the Restorative Justice Theory & Practice: Addressing the Discrepancy, a ground-breaking book that examines the harmful gap between the restorative justice theory and its application in the U.S., Europe, and internationally. Data were obtained from four international surveys with over 300 restorative justice practitioners, using a combination of qualitative methodologies, including questionnaires, interviews and focus groups. The 2nd edition provides critical updates for restorative justice research, policy and practice.

## RJ SERIES n° 12



**Desiree, N. and edited by Gavrielides, T. et al, (2020)**

*Using art and the values of restorative justice to create community cohesion:*

*The 3Rs project*

ISBN 978-1-911634-24-9, RRP £1.00

This e-book presents the work of children and young people who used the values of restorative justice to create and deliver youth-led social action projects that enhanced community cohesion. The two projects were Watersports Youth Matters funded by the Mayor of London and Restore Respect in Rotherhithe funded by the Neighbourhoods Fund and Southwark Council.

## RJ SERIES n° 11

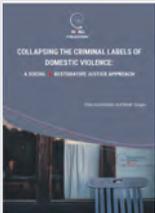


**Gavrielides, T. and Noriega, D. (2019)**

*Youth-led restorative justice in action: using art, sport and the values of restorative justice to enhance community cohesion*, London: RJ4All Publications, ISBN 978-1-911634-16-4 RRP £1.00

This e-book presents the work of children and young people who used the values of restorative justice to create and deliver youth-led social action projects that enhanced community cohesion. The two projects were Watersports Youth Matters funded by the Mayor of London and Restore Respect in Rotherhithe funded by the United St. Saviours Charity and Southwark Council. The e-book brings the results of their work to life with the aim of inspiring other children and young people to do the same, and become community leaders in their localities independently of where they are from. The e-book is a live testimony of the value that youth-led social action can bring to community cohesion and it articulates how art, sports, dialogue and restorative justice can be used to empower marginalised groups to become inspirational leaders.

## RJ SERIES n° 10



**Gavrielides, T and Tsagas, M (2019)**

*Collapsing the Criminal Labels of Domestic Violence: A Social & Restorative Justice Approach*, London: RJ4All Publications, ISBN 978-1-911634-15-7 RRP £9.99

Domestic violence is a pervasive problem that has plagued most societies throughout history; affecting women, men, boys and girls alike, in a myriad of different ways. Typically, how the issue is conceptualised, addressed, resolved hinges greatly on cultural norms, formal and informal practices of conflict resolution and legal frameworks. This ebook addresses the sensitive and controversial topic of using restorative justice in cases of domestic violence. Through an evidence-based manner, it purports to bring forward new insights and reflections acquired through recent fieldwork with victims, offenders and restorative justice practitioners. Most importantly, it makes these firm assertions while recognising the need for caution and without disregarding potential opposing arguments.

## RJ SERIES n° 9



**Laura, D. et al (2019)**

*Community cohesion through children-led restorative justice art*, London: RJ4All Publications, ISBN 978-1-911634-14-0 RRP £1.00

This unique e-book presents the results of the children-led project Culture and Art for Unity (CA4U) that was carried out by RJ4All in partnership with Bizzie Bodies from September 2018 until April 2019 giving to 22 children access to art workshops every Friday after school. The project had two objectives in mind. First, to create a fun and educational space for local children who could not afford to attend art classes outside of school, increasing in this way not only their skills, but also their awareness around issues of equality. They were mixed with children of different backgrounds, races, socio economic status and abilities. The second objective was to use their work to get local people to talk. Indeed, one of the key principles of restorative justice is dialogue. Something as innocent and as creative as our children's art became the best prompt for getting parents, teachers, policy makers and local organisations to talk.

## RJ SERIES n° 8



**Gavrielides, T. (2019)**

*Safeguarding and Empowering Victims: Training manual on restorative justice in the Victims' Directive*. London: RJ4All Publication, ISBN 978-1-911634-09-6 RRP £9.99

This e-book is part of the RJ4All Restorative Justice Series. It also forms part of the RJ4All's accredited e-course «Safeguarding and Empowering Victims» This training manual aims to provide assistance to crime victims and practitioners focusing on safeguards and best practice when implementing restorative justice.

This training handbook has been designed with the following target groups in mind independently of their location. The manual uses the Victims' Directive (Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA) as its legal and theoretical framework for achieving its objectives.

The manual includes information on the rights of the victim, a definition of restorative justice, case studies illustrating safeguarding issues and a victim assessment guide.

## RJ SERIES n° 7

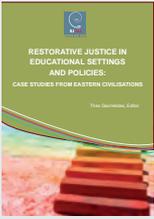


**Desiree, N and edited by Gavrielides, T. et al (2018)**

*The story of restorative justice art through children's eyes*, London: RJ4All Publications, ISBN 978-1-911634-08-9 RRP £1.00

At RJ4All, we strive for a more cohesive society by distributing power through educational activities, awareness raising and user-led projects. This e-book is the result of our latest "Restorative Art through children's eyes project" leading to a unique exhibition, led by our children. The project falls within our wider partnership programme with local art club, Bizzie Bodies, titled "Culture and Art for Unity" and is supported by Southwark Council as part of Black History Month. The project is founded upon the belief that culture and art can bring people together and encourage community cohesion. We use restorative justice values such as equality, involvement in decision making, inclusion and empowerment, to support our children to lead on the art creation, and through their work increase cultural awareness.

## RJ SERIES n° 6

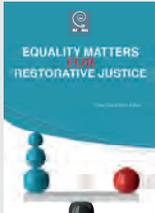


**Wong, S.G.D and Gavrielides, T. (2019)**

*Restorative Justice in Educational Settings and Policies: Case studies from Eastern Civilisations*, London: RJ4All Publications, ISBN 978-1-911634-07-2. RRP £9.99

Edited by two leading restorative justice scholars from the West and East, this unique book bridges a gap in the literature by bringing together new evidence on the application of restorative practices in educational settings. The book has two aims. First, it builds a bridge between the restorative justice world in the East with that of the West. The volume demonstrates how similar the theoretical and practical experiences are in the two sides of the world. It presents us with evidence of what works in policy, research and practice and allows us to make comparisons for the future. Secondly, the book challenges restorative justice which is often seen through the narrow lenses of the criminal justice system.

## RJ SERIES n° 5



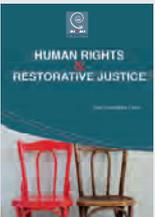
**Edited by Gavrielides, T. (2018)**

*Equality Matters for Restorative Justice* London: RJ4All Publications. ISBN 978-1-911634-03-4. RRP £9.99

Restorative justice was brought back into the modern world of policy, research and practice in response to a growing disappointment from our criminal justice systems especially in relation to how it treats vulnerable groups such as those experiencing discrimination due to their race, gender, age etc. Therefore, it is surprising why equality hasn't featured more prominently in the restorative justice discourse. This is what the Editor calls the 'paradox of restorative justice,' and the battle field where the future of restorative justice will be fought. This edited collection of papers written by leading equality and restorative justice scholars aims to bring to the restorative justice debate a new dimension that is yet to be explored in its own right. This refers to issues surrounding equality and restorative justice both at the normative and empirical levels. Through an evidence-based approach, case studies from around the world are presented to develop a narrative and a practical tool for considering equality matters when applying or thinking about restorative justice. Particular emphasis was given on gender and domestic violence, Indigenous peoples, gender equality and prisoners.

Indigenous peoples, gender equality and prisoners.

## RJ SERIES n° 4



**Edited by Gavrielides, T. (2018)**

*Human Rights and Restorative Justice*, London: RJ4All Publications. ISBN 978-1-911634-00-3. RRP £9.99

This edited collection of papers written by leading international experts in the fields of restorative justice and human rights aims to address this gap. The tools to achieve this and the role of human rights and restorative justice for personal and community conflicts were researched and tested. Through an evidence-based approach, a narrative and a framework are developed for moving the debate forward on joint human rights - restorative justice approach to conflicts.

## RJ SERIES n° 3

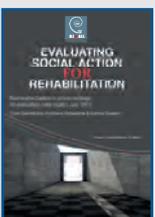


**Edited by Gavrielides, T. (2017)**

*25 Restorative Justice case studies*, RJ4All Publications: London. ISBN: 978-1-911634-01-0. RRP £4.99

This edited collection brings together 25 real case studies (plus 2 bonus case studies) written by leading practitioners from around the world such as the UK, Canada, Australia, New Zealand and across Europe. The case studies cover issues such as domestic violence, murder, hate crimes, theft and youth violence.

## RJ SERIES n° 2



**Gavrielides, T., Ntziadima, A. and Gouseti, I (2015)**

*Evaluating Social Action for Rehabilitation: Restorative Justice in Prison Settings*, London: RJ4All Publications. ISBN: 978-1-911634-02-7. RRP £4.99

This e-book presents findings of an evaluation of restorative justice in prison settings. The findings are based on an independent evaluation that was carried out by qualified researchers using a mixture of quantitative and qualitative research. The quantitative research was carried out over a specified timeframe and with financial support from the Cabinet Office. The research was conducted between 1 November 2013 – 1 July 2015 (20 months). During the research period, the Silence the Violence programme was delivered to 162 participants in total. Milestones was delivered to 61 offenders, who were released from HMP & YOI Isis, HMP Winchester and HMP Forest Bank. An additional 45 offenders were mentored by partner organisations under contract to Khulisa. However, useable data was only secured for 40 Milestones participants giving us a total final research sample of 194 participants.

## RJ SERIES n° 1



**Gavrielides, T. and Loseby G. (2014)**

*The Wind of Change: Comparative Lessons for Restorative Justice in South Africa and the United Kingdom*, London: RJ4All Publications, ISBN 978-1-911634-04-1 RRP £4.99

The death of Nelson Mandela in December 2013 closed an active year for restorative justice. His life was a symbol of restoration and promise and continues to stir interest and discussion in the search for an alternative to incarceration and towards peaceful conflict resolution. This book looks at restorative justice in context of two countries, the United Kingdom and South Africa, as they independently try to navigate between past, present and future justice systems. There is reference to the cultural, political and socio-economic landscapes of each nation. Our understanding of justice is symbolic of these landscapes and a mapping exercise is undertaken, with a discussion of enablers and barriers for the restorative justice movement internationally. The book also discusses the ownership of restorative justice and the role of non-governmental bodies such as Khulisa.

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