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EDITED BY

BARRY GOLDSON JOHN MUNCIE



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RISK MANAGEMENT AND EARLY INTERVENTION: A CRITICAL ANALYSIS

STEPHEN CASE AND KEVIN HAINES

The concepts of risk management and early intervention have underpinned contemporary understandings of offending behaviour by young people and systemic responses to it, especially within the youth justice systems of the UK, Australasia and North America. The notion, philosophies and practices of 'riskbased early intervention' are redolent in other spheres too including: social work (Churchill, 2011), education (Ross et al., 2011) and health (Allen, 2011), although here we focus specifically on the implementation of early intervention in the youth justice field, particularly in England and Wales. We offer a critical discussion of the application of risk management through a highly structured risk assessment process that serves, we argue, to reduce, oversimplify, individualise and impute understandings of, and responses to, offending behaviour by young people based on methodologies with questionable validity and ambiguous foci. Finally, we explore and evaluate the (deleterious) outcomes that result when risk management and early intervention imperatives are melded together to form a policy and practice framework for responding to young people, before outlining a more positive alternative approach underpinned by a coherent set of philosophical principles.

THE RISK FACTOR PREVENTION PARADIGM (RFPP)

Risk management has become embedded in the youth justice policy, practice and empirical literature and has been animated by identifying so-called 'risky' individuals and multiple 'risk factors', typically through the application of







assessment instruments designed to regulate risks through appropriate preventative intervention. The internal logic of the RFPP is clear:

The basic idea ... is very simple: Identify the key risk factors for offending and implement prevention methods designed to counteract them. There is often a related attempt to identify key protective factors against offending and to implement prevention methods designed to enhance them. (Farrington, 2007: 606)

The rise to prominence of the RFPP within youth justice policy and practice (Hawkins and Catalano, 1992; O'Mahony, 2009) reflects the growing popularity of *developmental theories* (Farrington, 2007, 2002; Thornberry and Krohn, 2003; Wikström and Butterworth, 2006) and *life course theories* (Laub and Sampson, 2003; Sampson and Laub, 2005, 1993) of the aetiology of offending by young people. There is an accompanying corpus of 'risk factor research' suggesting that exposure to risk factors in 'psychosocial' domains (individual, family, school, neighbourhood) at an early stage of life (childhood, early adolescence) can *predict* and even *determine* later offending (see Case and Haines, 2009 for a critical overview of this literature). A logical corollary of such developmental determinism has been the perceived need for early (risk-focused) preventative intervention to 'nip crime in the bud' (Blair, 2007).

RISK MANAGEMENT IN YOUTH JUSTICE: REDUCTIONISM AND AMBIGUITY

The uncritical application of the RFPP in youth justice belies the fact that the concept of 'risk management' has not been comprehensively, clearly and/or consistently articulated in principle or practice. According to Kemshall, 'risk factors are used to predict reoffending and identify areas for intervention and management' (in Goldson, 2008: 309). Whilst this is a valid portrayal of how risk factors have been understood within risk factor research (RFR) and how they have been utilised in practice, when subjected to further scrutiny the picture becomes far messier. The research that is taken to constitute the 'evidence-base' for policy and practice guidance is reductionist, ambiguous, partial and inconclusive. There has been little reflective critique of the methodologies employed and little consensus regarding the nature of the 'risk' that should be managed, its relationship with offending and/or the form of 'offending' behaviour that risk measures are allegedly able to predict. Critical questions emerge:

1. Should (can) the concept of 'risk' be *quantified and aggregated* into simplified 'factors' or does such *reductionism* produce invalid, unrepresentative, oversimplified and individualised representations of dynamic, subjective processes and interactions that are experienced and negotiated by young people?

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¹ Space precludes a full exposition of the methodological critique of RFR, but see Case and Haines (2009).



- 2. What *outcomes* and risks are researchers and practitioners actually trying to measure? Is the outcome measure the risk that young people present to themselves (e.g. risk of serious harm)? The risk they present to others (e.g. potential victimisation)? The risk of first-time offending? The risk of reoffending? The risk of reconviction? The risk of other problematic behav*iour* associated with offending?
- 3. What is the nature of the relationship between so-called 'risk factors' and offending outcomes? Do risk factors exert a causal or predictive influence on offending? Are they merely correlates with it, symptoms of it, or not related in any substantive way?

Reductionist quantification and aggregation

Risk management and risk assessment are central features of youth justice in England and Wales. Since 2000, all young people who come to the attention of the youth justice system (YJS) have been subjected to structured, standardised risk assessment via a practitioner-administered questionnaire known as 'Asset' (Youth Justice Board, 2000). The Asset tool measures/assesses risk factors in young people's lives across 12 'dynamic' (amenable to change) risk (factor) domains and one 'static' (unchangeable) risk domain, along with four additional risk-related domains,² thus activating a staged process of reductionism that moves understandings of young people's lives incrementally further away from their own interpretations, understandings and lived realities (see France, 2008; MacDonald, 2007). The assessment of risks in each dynamic (psychosocial) domain is further reduced and removed/distanced by requiring (adult) practitioners to identify whether each of a series of risk factors are present (by using dichotomous yes/no responses) and then provide a summative, aggregated rating for each domain of 'the extent to which the young person's lifestyle is associated with the likelihood of further offending (0 = not associated, 4 = very strongly associated)'. The final step is to require practitioners (with limited input from the young person) to total the dynamic risk domain scores across the assessment instrument (giving a possible score of 48 from 12 domains, each rated 0-4) and to add these to a total score for the static risk domain (possible score 16: each element rated 0-4), providing each young person with a risk profile score up to 64. This score is taken to signal the young person's likelihood of reoffending: low (0-14), medium (15-32) and high (33+). However, the overall aggregated risk score is not related to or representative of





²The 12 dynamic risk domains are: living arrangements; family and personal relationships; education, training and employment; neighbourhood; lifestyle; substance use; physical health; emotional and mental health; perception of self and others; thinking and behaviour; attitudes to offending; motivation to change. The single static risk domain relates to offending behaviour. There are four (non-quantified/rated) sections relating to positive factors, indicators of vulnerability, indicators of risk of serious harm to others and a brief 'What do you think?' self-assessment section for young people to complete.

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any specific risk domain (score), nor do individual risk domain scores necessarily relate to, or represent, specific risk factor measures within that domain – because the methods of aggregation used effectively wash away sensitivity to individual risk measures.

The above process exposes deep flaws in the 'commonsense' approach to (risk) assessment and intervention, notably:

- Its reliance on reductionist and practitioner/adult-led quantifying processes render risk a practitioner-rated static 'artefact' that can only be given meaning superficially (and then only by adults).
- It incrementally moves understandings of young people's lives away from any grounding in the dynamic complexities and nuances of their self-perceived realities and experiences, to the extent that it paints a partial and distorted picture of the young person it is intended to represent.
- Every element of the risk assessment approach reduces, restricts and oversimplifies potential understandings of young people's lives due to an uncritical pursuit of risk which ultimately, because these risks are aggregated, disconnects the assessment of specific risks from intervention planning.

The very act of oversimplifying potentially complex dynamic phenomena into readily quantifiable and targetable risk 'factors' is an exercise in crude reductionism, the results of which cannot hope to accurately represent the lived realities of young people (France et al., 2010; Kemshall, 2011).

Reductionist individualisation

The 'flagging up' of early concerns about children's well-being and/or 'risk factors' have thus become central to government strategy and policy formation. (Chief Secretary to the Treasury, 2003: 53)

Risk assessment and management technologies invoke further reductionism through their tendencies to *individualise* responsibility for offending. Rather than offering sensitive, contextualised understandings and responses to young people's behaviour and their lives (Kemshall, 2011), Asset serves to individualise responsibility for offending by prioritising psychosocial risk domains. In this way, the responsibility (blame) for offending is placed with the young person and their inability to resist risk factors, rather than examining broader issues such as socio-structural factors (e.g. social class, poverty, unemployment, social deprivation, neighbourhood disorganisation, ethnicity), the absence of support mechanisms or the external influence of others (e.g. criminal justice agencies, schools, youth provision) in the construction of youth offending.

Paradoxically, however, the individualising nature of the risk assessment process is structured to *deindividualise* understandings of young people by aggregating risk measures across domains (producing a risk profile/score) and allocating individuals to *generic* risk categories (based on a large body of group-based empirical

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risk research³). The model of risk assessment routinely employed in the YIS in England and Wales, therefore, has engendered a contradictory relation of individualisation and deindividualisation, both of which have promoted a policy and practice agenda that inculcates children and young people with responsibility by perpetuating adult-centric understandings of them as risky, passive and in need of corrective intervention.

Ambiguous and disparate offending outcomes

There has been a lack of consensus within RFR regarding which offending and offending-related outcomes might be predicted and thus targeted by risk management measures. A range of disparate RFR studies have related risk factors to differently defined offending outcomes, measured variously as: first-time offending (Farrington, 2000; West and Farrington, 1973), reoffending (Baker et al., 2005, 2002), serious offending (Budd et al., 2005), frequent offending (Flood-Page et al., 2000), current/active offending (Smith and McVie, 2003), historic/ lifetime offending (Case and Haines, 2004) or a mixture of these offending outcomes (Case et al., 2005). Other RFR studies have measured related, but non-offending, outcomes such as substance use (Case and Haines, 2008), antisocial behaviour (Moffitt, 2006), social exclusion (Johnston et al., 2000; University of Birmingham, 2004), and school exclusion (Beinert et al., 2002). Indeed, where RFR studies have adopted equivalent offending measures (nominally), these measures have typically been constituted in incompatible or disparate ways (see Case and Haines, 2009).

Asset risk assessment muddies these waters further by stating that the 'offending' outcome measured by the tool is 'reoffending' (Youth Justice Board, 2000), when it actually 'reconviction' (see Case, 2009). Making this misleading elision introduces a disconnect between the nature of the 'predictive' risk factors assessed and the goal of the tool to reduce reoffending, because risk factors for reconviction (assuming they actually exist in the real world) may differ markedly from those for reoffending (e.g. exposure may have been exacerbated by contact with the YJS). Indeed, the risk factors that populate Asset are derived from RFR studies of first-time offending, not reoffending or reconviction. Just as risk factors for reoffending and reconviction are likely to differ, so risk factors for reoffending may differ markedly from those for first-time offending (e.g. exposure may be exacerbated by previous offending behaviour and personal, familial and societal responses to it). Consequently, Asset risk assessment is not only ambiguous in terms of its purported outcome measure, but also this measure is not clearly linked to an appropriate, valid evidence-base, because of the application of risk factors for first-time offending to the prediction of reoffending/reconviction outcomes.





³ For a further discussion of the processes and consequences of these 'actuarial' practices, see Case (2009).

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Reductionist imputation of the nature of the risk factor offending relationship

As stated, the risk assessment approaches used in the YJS in England and Wales prescribe and produce developmental understandings of young people's offending behaviours as the (irresistible) product of prior exposure to risk factors at early stages in their lives. The inevitable conclusion, on which this approach is based, is that childhood exposure to risk factors leads to/predicts adolescent offending. Such a deterministic conception of the influence of risk factors on future behaviour (offending) is highly questionable in two key forms: a critique of the evidence-base and a critical evaluation of the model.

The cross-sectional nature of much RFR precludes the identification of directional and causal relationships between two variables (e.g. risk factors and offending behaviour) as these variables tend to be measured concurrently or exposure to them measured over the same time period (e.g. the past year). Thus, the very limited sensitivity to the time of initial exposure to a given risk and its temporal relationship to the dependent variable (offending) precludes imputation of any causality (Case and Haines, 2009). Consequently, there is often no way of establishing which variable predates the other (e.g. do risk factors occur before offending behaviour?) or whether this is the case at all. Exposure to risk factors and the occurrence of offending behaviour could actually occur simultaneously/concurrently and be unconnected or both be influenced by extraneous variables. Indeed, offending behavior could actually lead to and/or exacerbate exposure to risk factors, which therefore function as symptoms of offending. There is a lack of conclusive evidence regarding the nature and even existence of any substantive relationship between risk factors and offending.4 However, the absence of definitive evidence has not obstructed generalised predictions that young people exposed to certain numbers and levels of risk factors, at certain times of life, are statistically more likely to become offenders in the future and, as such, risk predictions should be used as the basis for informing preventive interventions. Overall, the evidence-base for a causal relationship between risk factors and offending is far from proven.

The most valid conclusion from RFR is that risk factors and offending behavior are statistical *correlates* with one another (i.e. they are co-related, associated, co-occurring). The developmental determinism of the RFR that underpins Asset, therefore, is highly problematic, *both* in the absence of a conclusive evidence-base regarding the nature of the risk factor–offending relationship *and* in the ambiguities surrounding the nature of the outcome to be predicted. At the practical level, it stretches credulity to assert that exposure to risk factors in early childhood is deterministic of offending behaviour in adolescence and adulthood. Such developmental determinism neglects the potential role of a host of intervening factors and influences (which may not be measured in risk

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⁴ An indeterminacy reflected in Asset risk assessment.



assessment) that may mitigate, mediate, reshape and confound any (developmental) relationships between risk factors and offending behaviour. For example, developmental RFR tends to neglect: the real-time influence of situational/environmental risk factors in the immediate lives and contexts of young people (Wikström, 2005); unpredictable critical life moments (Webster et al., 2006); and young people's ability to construct, resist and negotiate their risk-related experiences in everyday life (MacDonald, 2007). Despite such neglect, however, a conceptualisation of young people as 'crash test dummies' (Case and Haines, 2009) – on an inevitable collision course with offending outcomes – has come to dominate core aspects of youth justice policy and practice as the rationale for earlier and earlier intervention by adults has grown stronger.

EARLY INTERVENTION IN YOUTH JUSTICE: A PROBLEMATIC CONCEPT

Prevention and early intervention for children in need has considerable appeal to policy-makers and professionals operating from health, education and social services contexts. (Little, 1999: 304)

The goal of prevention permeates children's services internationally in relation to health, education, social services, youth work, policing and youth justice (see Glass, 1999; Little, 1999). Categorising preventative practice with children offers more nuanced understanding (Little and Mount, 1999), for prevention work can be *universal* (intervening with a population to stop potential problems emerging), *early intervention* (targeting individuals who demonstrate the first signs of a problem and a 'high-risk' of developing that problem) or *treat-ment/intervention* (focusing on individuals who have developed most of the identifiable symptoms of a problem).

If we are not prepared to predict and intervene far more thoroughly then the children are going to grow up ... a menace to society and actually threats to themselves. (Blair, 2006)

Further to the election of the first New Labour government in the UK in 1997, successive government publications and independent reviews have privileged early intervention as an ostensibly 'effective' and 'evidence-based' means of pre-empting problems and preventing and reducing levels of youth crime, whilst simultaneously supporting young people and their families to address their psychosocial deficits and 'criminogenic' needs (Home Office, 2008; Independent Commission on Youth Crime and Antisocial Behaviour, 2010; Ministry of Justice, 2010).

As we have noted, however, a range of ambiguities and uncertainties have characterised conceptions and applications of early intervention within the youth justice arena, prompting even major proponents of early intervention with young people 'at risk' of offending to concede that:

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A critical question from a scientific and policy standpoint concerning child delinquency is: 'How early can we tell?' It is difficult, however, to obtain a clear answer to this question. (Loeber et al., 2003a: 6)

Despite an inconclusive and sparse evidence-base regarding how and when early intervention should be delivered in order to be effective, post-1997 youth justice in England and Wales has adopted an explicit standpoint of 'the earlier the intervention the better' (Blyth and Solomon, 2009: 3). However, the exact meaning of 'early' itself is not always clear and this gives rise to critical questions such as:

1. At which *developmental stage or age* should an individual be in receipt of intervention? Should early mean 'pre-birth' (Blair, 2006), 0–2 years of age (Daniel-Echols et al., 2010), childhood (Early Intervention Foundation, 2013), early adolescence (Lindsay et al., 2011), late adolescence (Thomas et al., 2008), early adulthood (Bernburg and Krohn, 2003)?

The lack of consensus around precisely what constitutes 'early' introduces further ambiguity. If the nature of the input variable (early intervention), along with the nature of the output/outcome variable (offending), cannot be defined accurately or consistently, then it is impossible to reduce valid and reliable evidence-based conclusions regarding the efficacy of early intervention. It could well be that intervention is effective at different developmental stages, but a sensitivity to this is not permitted by the uncritical generic push towards a universally applicable menu of interventions for practitioners working with children and young people.

2. What outcome(s) should early intervention be seeking to prevent/reduce or promote? Should the focus be the prevention/reduction of first-time offending (Haines et al., 2013), reoffending (Sherman et al., 1998), reoffending seriousness or frequency (Sapouna et al., 2011), reconviction (YJB, 2009), other problematic behaviours and outcomes such as school exclusion, substance use, antisocial behaviour and social exclusion (Conrad Hilton Foundation, 2012), risk reduction (Action for Children, 2010), promoting resilience and desistance (Hine, 2005), facilitating restoration and reintegration/social inclusion (University of Birmingham, 2004), enhancing protective factors, strengths and capacities (Hawkins et al., 2003), promoting positive behaviours (Case and Haines, 2004)?

Early intervention across children's services has become increasingly targeted (Little, 1999; Puffett, 2013), arguably as a means of filling the void in universal welfare provision with short-term interventions and programmes (Haines, 1999). This approach has been supported by a vacillating mixture of welfarist, (purportedly) evidence-based, systems management and economic (resource management, cost effectiveness) rationales. However, there is an alarming paucity of empirical support for the efficacy of early intervention with children and

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young people, particularly when targeted on reducing risk (see Goldson, 2005); a situation that appears to contradict successive UK governments' prioritisation of 'evidence-based' policies and practices (Case and Haines, 2009; Clarke, 2009; Squires and Stephen, 2005).

3. At which *behavioural stage* is early intervention most appropriate? Should intervention be implemented once an individual is identified to be *at risk* of problematic behaviour (Independent Commission on Youth Crime and Antisocial Behaviour, 2010; Morgan Harris Burrows, 2003), once they have demonstrated *pre-offending* risky behaviour such as school exclusion, substance use and antisocial behaviour (Walker et al., 2007), once they have come to the *official attention of the YJS* for an identified offence (YJB, 2000), once they have been assessed as *in need* of support such as welfare provision (Statham and Smith, 2010)? Should early intervention, therefore, be implemented in a *targeted* way (Clarke, 2009) or as a *universal* provision available to all young people (National Assembly Policy Unit, 2002)?

The goal of early intervention with children and young people in many areas of children services has tended towards the targeted prevention of problems and negative behaviours, as opposed to the universal promotion of strengths, capacitors, potentialities, children's rights (e.g. to support from adults, to equality of outcomes) and positive, pro-social outcomes. The prioritisation of prevention of the promotion is precipitated by a risk-averse culture of interventionism across services and practices that has serious ethical implications if implemented uncritically and crudely. The growing interventionist preference of government to identify as eligible for ameliorative preventative intervention growing numbers of young people at younger and younger ages demonstrating a broadening range of behaviours fuels the net-widening and control/surveillance agendas (Harrison and Wiles, 2005), whilst potentially labelling, stigmatising and marginalising incrementally larger numbers of young people at accelerating speed (Cohen, 1985; Goldson and Muncie, 2006; Matza, 1969), for example, exposing them to the negative (even if unintended) consequences of contact with the YJS (McAra and McVie, 2007). Delineating a section of the youth population as failing, helpless and hopeless enough to 'qualify' for an intervention (Goldson, 2000), regardless of whether they have ever actually demonstrated a problematic behaviour/outcome, whether they welcome the intervention or whether they have been consulted as to its content, is unethical, a restriction of liberty, punitive and non-evidenced through any robust evaluation criteria. In the youth justice context, this subverts due process and the tenet of 'innocent until proven guilty' (Case, 2006; Goldson, 2005, 2000), whilst contravening article 17 of the UN Convention on the Rights of the Child (UNICEF, 1989). Targeted intervention also denies a ('low-risk') proportion of that population access to intervention (and related services, information, support etc.), merely because they are not considered problematic enough to be recipients. This stands in direct contravention of the aspirations of the Children Act 2004 to provide services for all children in a universal way (Case, 2006).

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THE 'SCALED APPROACH': DISPROPORTIONALITY, REDUCTIONISM AND NEGATIVITY

The government believes that risk factors can be clearly identified, justifying intervention from a very early age, and that it can and does work. (Blyth and Solomon, 2009: 3)

An attempt to peddle simplistic, but politically acceptable, solutions to remarkably complex social, economic and cultural problems. (Pitts, 2003: 14)

In practice, much early intervention in the youth justice arena takes place once a young person has been officially identified as 'anti-social' or as an 'offender'. Typically, such intervention is thought to be risk-focused, preventative and developmental (in accordance with the RFPP) and it is predicated on the master status of the young person as an offender, employing a range of offence and offender focused approaches. Risk-focused early intervention offers a commonsense, purportedly effective, efficient and economical preventative approach that has been central to the development of youth justice in England and Wales since the Crime and Disorder Act 1998. The central 'key element of effective practice' for youth justice practitioners has been Assessment, Planning Interventions and Supervision (APIS): the 'foundation activities which guide and shape all work with young people who offend' (YJB, 2003: 6). However, concerns have been expressed that practice has not been consistent or assiduous enough in linking Asset scores to planned interventions for young people. Rather than review or replace the assessment and intervention process, however, the government chose to revamp and expand its commitment to risk by introducing the 'Scaled Approach' in November 2009. Under the Scaled Approach assessment and intervention framework, youth justice practitioners are required to tailor or scale the frequency, duration and intensity of planned interventions to levels of risk assessed by the young person's Asset score: standard intervention/low likelihood (0-14), enhanced intervention/medium likelihood (15-32) and intensive intervention/high likelihood (33+). However, the Scaled Approach has been subject to serious critique.

A notable criticism has been the potential for young people to receive *disproportionate intervention* (excessive or insufficient) on the basis of measured risk and predicted (not actual) behaviour, such that a young person displaying low risk may receive minimal intervention, regardless of the actual need for support, whilst young people assessed as high risk could be exposed to excessive and prolonged intervention in a quite unappropriate and unnecessary form (Bateman, 2011; Paylor, 2010; Sutherland, 2009). It is an approach that privileges a process of dealing with young people on the basis of what they 'might do' as opposed to what they 'have done' (Goldson, 2005: 264), thus placing an inordinate amount of faith in a body of RFR evidence that is: lacking in validity (e.g. full of uncertain conclusions regarding the nature of the risk factor-offending relationship), unreliable (e.g. exemplified by a lack of consensus regarding appropriate input and

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output variables) and practically non-existent (e.g. there is very little empirical evidence that risk focused interventions are effective in youth justice).

The validity of the risk-based assessment and intervention of the Scaled Approach is further undermined by its preference for *reductionist aggregation*. Consequently, individual young people subject to the Scaled Approach receive intervention based on their (risk) group affiliation rather than on their individual profile or circumstances. Such intervention may not only be disproportionate to their assessed level of risk and the actual offence they have committed (as above), but also inappropriate (invalid, ineffective) because the intervention fails to target the real-life influences on their offending, meet their welfare needs and/or provide their human rights entitlements as children.

Indeed, the Scaled Approach ultimately pursues a negative and retrospective agenda, seeking to prevent problem behaviours and to reduce risks that have already been experienced by young people, at the expense of prospectively promoting young people's capacities, strength, potential for positive outcomes and children's rights (see also Bateman, 2011; Haines and Case, 2012; Paylor, 2010). The underpinning logic of risk-based assessment and intervention portrays young people as risky, flawed individuals suffering the irresistible effects of 'deficits' in their past and current lives; 'crash test dummies' exposed to risk and hurtling towards inevitable offending outcomes (Case and Haines, 2009). Young people are depicted as passive victims of deterministic (risk) factors in their lives as opposed to agentic, resilient and resourceful individuals with the capacity to resist and avoid risks. Such a negative view of young people serves as justification for correctional (early) intervention, whilst simultaneously neglecting an entire body of alternative RFR that offers an empirical rejection of such negative and restricted conceptualisations (France and Homel, 2007; Hine, 2005; MacDonald, 2007).

Despite assertions that the risk-focused early intervention of the Scaled Approach is 'evidence-based' (YJB, 2009) and grounded in a long-standing, reliable and validated body of empirical RFR (see Loeber et al., 2003b), there is, in fact, an alarming paucity of evidence that risk-focused early intervention actually achieves its objectives in practice⁵ (see Case and Haines, 2009; Goldson, 2005; Haines and Case, 2008; McAra and McVie, this volume). Indeed, the founders of RFR, Glueck and Glueck (1950), concluded that 'maturation' had the greatest influence upon desistance, providing a cogent argument for minimal/non-intervention with young people. Other noted RFR studies have evaluated the impact of long-term, risk-focused (early) interventions, with only very limited and inconsistent evidence of success (Bottoms and McClintock, 1973; Hawkins et al., 2003; Tremblay et al., 2003). The implication here is that the Scaled Approach has been promoted as an evidence-based intervention, when it is actually bereft of any substantive or coherent evidence-base at all. Worse still, it can be argued that there is empirical evidence linking risk-focused







⁵ There is even evidence that assiduous adherence to the Scaled Approach has produced detrimental outcomes for young people (see Haines and Case, 2012).

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early intervention to net-widening, the labelling, stigmatisation and criminalisation of young people and the exacerbation of attending behaviour (Goldson, 2000, 2008; McAra and McVie, this volume).

ASSETPLUS: A WAY FORWARD?

Whilst the echoes of the risk assessment, risk management and early intervention relationship continue to be heard in youth justice practice in England and Wales, there are encouraging signs of change in the form of the planned revision to the government's assessment and intervention framework. The 'AssetPlus' model, due to be fully introduced by September 2014, challenges (in part at least) traditional conceptions of risk assessment, risk management and early intervention within youth justice practice and reintroduces more holistic, sensitive and positive assessments and interventions with young people. AssetPlus represents an ongoing assessment cycle that spans the entire youth justice spectrum (from prevention to custody), driven by practitioner completion of a 'core record' for each young person, consisting of three stages: information gathering and description; explanations and conclusions; and pathways and planning.

The proposed 'information gathering and description' stage contains four inter-related quadrants/sections: personal, family and social factors; offending/ antisocial behaviour; foundations for change; and self-assessment. Moreover, the ratings and measures used in each of the sub-sections will not rely on crude numerical scores and instead signal a move away from the reductionist elements of Asset by avoiding the over-simplistic quantification of potentially complex life experiences and circumstances. Equally, the conceptual emphasis shifts towards prioritising a prospective focus on problems, needs and strengths (as opposed to risks) and resilience, desistance, engagement, participation and other positive outcomes (as opposed to the prevention of negative behaviours/outcomes). A more holistic assessment model containing a detailed exploration of 'foundations for change' and greater emphasis on 'self-assessment' is also evident. These step changes offer prospects for departing from adulterised and adult-centric assessments and the neglect of young people's voices and perspectives in the assessment process.

'Information gathering and description' data will feed into the 'explanations and conclusions' section of AssetPlus. The explicit intention is for practitioners to use the information to develop a more holistic understanding of young people's offending behaviour by considering both *contextual information* and temporally-sensitive *interactions* between the past and the present, life events, needs, positive factors and the various contexts in which young people demonstrate problems (YJB, 2013). Notwithstanding such welcome developments, problems potentially remain. It is unclear, for example, how the 'information gathering and description' data will avoid the psychosocial biases and inevitable individualisation/responsibilisation focusing, as it does, on predominantly psychological and immediate social

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(family, education, neighbourhood) issues at the expense of structural and socioeconomic influences. There is also a creeping re-emergence (by stealth) of quantification in terms of the extent to which different factors will be rated on a three-point scale: 'high', 'medium' or 'low' (YJB, 2013). This section, as currently conceived, signals the danger of regression into risk management and its attendant problems, a retreat incongruous with the more holistic, prospective and positive emphasis promised in the opening data gathering section of AssetPlus.

The final section, 'pathways and planning', is intended to use the 'explanations and conclusions' information to assist practitioners in designing interventions to achieve positive outcomes for young people, including young people's engagement, participation and positive behaviours, all appropriate to their assessed circumstance, experiences and perceptions (YJB, 2013). However, these progressive objectives also face the prospect of being compromised by proposals to retain the three levels of intervention prescribed by the Scaled Approach – 'standard', 'enhanced' and 'intensive' (YJB, 2013).

In sum, on one hand the proposed AssetPlus assessment and intervention framework could constitute a major shift in focus away from the measurement of (psychosocial) risk factors and the prevention of offending through risk-focused early intervention, towards a more clearly defined emphasis on *needs* in personal, family and social domains, *strengths* that promote desistance and change, and *positive* outcomes such as well-being, safety, engagement and participation. On the other hand, however, the enduring presence of risk/likelihood of reoffending assessments appears contradictory to this shift. Despite its potential, AssetPlus is particularly vulnerable to the problems outlined above because, like the Asset tool that preceded it, it is a technique without an overarching purpose or philosophy (see Haines and Drakeford, 1998 for a broader discussion). It is to the broader question of philosophy that we now turn by way of conclusion.

CHILDREN FIRST, OFFENDERS SECOND: CHILD-FRIENDLY YOUTH JUSTICE

Criminologists are frequently criticised, particularly by those in policy and practice domains, for always being negative: for saying what is wrong (with a particular policy or practice), but never saying what should be done instead. Although much of this chapter has engaged in a critical analysis of existing notions and practises associated with risk management and early intervention, we also want to say something about how we think youth justice policy and practice generally, and AssetPlus specifically, can be progressed along a more positive trajectory.

Risk, as we have shown in this chapter, is now largely discredited – in academic, policy and practice realms – and is no longer sufficient theoretically, empirically, in policy or practice terms to animate youth justice. Instead, we wish to argue the case for a broader philosophical approach underpinned by the principles of

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'children first, offenders second' (Haines and Drakeford, 1998; see also Drakeford, 2010; Haines et al., 2013; Welsh Assembly Government and YJB, 2004).

Children first, offenders second (CFOS) de-emphasises offence/offender-focused youth justice guided by risk assessment, instead prioritising a focus on the inherent 'child' status of children in conflict with the law (hence 'children first'). All youth justice practices (including assessment and intervention) should therefore be *child*appropriate and focused on the whole child, examining the full complexity of their lives, experiences, perspectives and needs. It is imperative that offending be seen as a part of the child's broader social identity (Drakeford, 2010) rather than their defining master status and that any responses are appropriately whole-child as a consequence. This necessitates seeing children as part of the solution, not part of the problem - with practitioners and policy-makers working in partnership with children to hold their interests, needs, rights and views as paramount throughout the youth justice process. CFOS demands that adult practitioners view themselves as working for the children they engage with, rather than as representatives of other interest groups (the YJS, community, victims). Thus, the priority for adults must be to engage closely and regularly with children to ensure that they are facilitated in expressing their views on issues that affect them (cf. Article 12 of the UNCRC), that they can participate equitably in decision-making regarding their futures and that they are enabled to access their universal entitlements as set out in progressive policy statements and international conventions. These features coalesce to produce a model of partnership working that can be viewed as *legitimate* to children, thus increasing the likelihood of them investing in, and committing to, the approach. In this way, children's engagement with youth justice practitioners goes deeper than the fundamentals of voluntarism, trust, respect and fairness (although these remain essential building blocks of the engagement relationship) and moves towards more progressive notions of partnership, reciprocity, investment and legitimate participation in decision-making processes.

Reductionist, retrospective, risk assessment, risk management and risk-based early intervention strategies are anothema to child-friendly, child-appropriate youth justice. However, the CFOS approach is not a clarion call for radical non-intervention, but rather for principled diversionary responses that focus on promoting positive behaviour and outcomes for children and enabling access to universal entitlements to services, opportunities, support and information (Goldson and Muncie, this volume). Therefore, we are not arguing for non-intervention per se, we are arguing for non-formal intervention. CFOS enables children to participate in and contribute to assessment outcomes and intervention plans that are futureorientated and that address their self-assessed needs, rights, strengths and potentialities. CFOS posits an approach to youth justice working with children that has a coherent *philosophy* (children first), an explicit sense of *purpose* (prevention is better than cure, children are part of the solution not part of the problem), clear goals (responsibilising adults, evidence-based partnership working) and clearly articulated, desirable outcomes for children (positive behaviour, access to rights/ entitlements). Practitioners must understand why they come into work every day, what it is that they are employed to do, to have singularity of purpose - but an

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essential element is freedom in selecting what methods they employ in achieving this purpose. At its core, CFOS seeks to establish key principles for youth justice policy and practice that establish a consistency to *how* practitioners and the YJS can work with children in ways that are appropriate, principled, valid and legitimate from the perspectives of children and thus can increase the chances of creating effective assessment practices and responsive, appropriate interventions.

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