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Desistance Approaches in Youth Justice – The Next Passing Fad or a Sea-Change for the Positive?

Kathy S. Hampson

Abstract

Youth justice in England and Wales has followed a risk-orientated model for almost two decades, requiring interventions with young people to mitigate assessed risk factors for offending. The desistance revolution evident in much of the adult system and research has been slow to influence change. The Youth Justice Board recently established the desistance-led AssetPlus assessment model, proclaiming that it will facilitate this change. However, youth justice practitioners appear not to have been able to apply desistance theory, resulting in 'business as usual' assessments and deficit-focused intervention plans. How can desistance be truly embedded in a system still dominated by risk?

Keywords

AssetPlus, desistance, risk factor prevention paradigm, youth justice

Introduction

For nearly 20 years, youth justice in England and Wales has been built on a risk-orientated system, established by the new Labour Government through the Crime and Disorder Act (Home Office, 1998). The systems which developed around this centred on the identification of risk factors for offending, with the Youth Justice Board for England and Wales (YJB) promoting Asset as the methodology for this. A perhaps unintended consequence of this was a massive increase in the numbers of young people being brought into the youth justice system, creating an unwieldy net-widening beast. More recent research has identified mere involvement with the youth justice system to be criminogenic (causes offending), and therefore inherently damaging for children and young people (McAra and McVie, 2010). This has been, to a certain extent, taken on board by policymakers who have made changes in a variety of areas (including police reporting criteria and routes for diversion from court for arrested young people), resulting in an impressive decline in the numbers of young people within the system over the past few years (YJB and Ministry of Justice, 2016). However, the reoffending rate for young people in the youth justice system is still rising (YJB and Ministry of Justice, 2016: 65), and while this might partly be a function of the fact that the young people now left in the system are more 'troubled and troublesome' than before the numerical decline, it still poses questions regarding the efficacy of interventions being used.

Desistance approaches to criminal interventions have been around for some time in the adult sector (McNeill et al., 2012a). Despite this, there has been, until recently, little crossover into the youth justice system, resulting in a paucity of research literature linking desistance-focused working with young people. It is possible that such factors as maturity might affect the application of an essentially adult model to youth justice. However, instances of desistance approaches have started to emerge (see, for example, Fitzpatrick et al., 2015; Nugent, 2014), and now the YJB have decided to embrace this growing tide, crystallised in the launching of AssetPlus, an assessment system purporting to support desistance approaches (YJB, 2014). As an aside, it is worth acknowledging that using the term 'desistance' could be seen as essentially negative (desistance being related to stopping),

whereas the process described is actually positive in nature. For this reason, it could be seen as self-defeating to refer to ‘desistance’ in favour of a more positive term (like, for example, the ‘Positive Youth Justice’ of Haines and Case (2015)). However, this article has deliberately stayed with ‘desistance’ because this is the (possibly inadvisable) language adopted by the YJB within AssetPlus.

AssetPlus has now been rolled out to youth offending teams (YOTs) across England and Wales, with an accompanying comprehensive training package, including a module on desistance. However, concerns have been raised by YOT managers (to the researcher) regarding whether this training package has been able to facilitate the changing of practice forged over a generation, which essentially requires YOT practitioners to completely alter their focus and direction (although it should be noted that those who have been in the system since pre-1998, and some who were youth-work trained, have commented – to the researcher through a training evaluation exercise – that this approach is familiar from the pre-Crime and Disorder Act era). These concerns were also highlighted by the first desistance thematic inspection report (Her Majesty’s Inspectorate of Probation (HMIP), 2016).

The North Wales Resettlement Broker Coordinator (Broker, who is also the researcher), provided through the Welsh third sector organisation Llamau (initially funded by the YJB Cymru and Welsh Government, but maintained by Llamau; for more on this, see the project website www.llamau.org.uk/resettlement/), has been working with the YOTs across North Wales on resettlement practice for several years and, as part of this, has promoted the use of desistance approaches. The Broker was asked, as a result, to look at the AssetPlus assessments being written to see how well desistance approaches were being applied and affecting the output, in terms of intervention plans. It was discovered that intervention plans bore a strong resemblance to Asset plans (the previous assessment system), with little discernible difference. The Broker made an examination of a range of AssetPlus assessments from different YOTs, and identified various points at which desistance theory was not being applied, resulting in the disappointing output. This learning contributed to a desistance training package which has now been rolled out across most of Wales. The training was evaluated by delegates, who responded to a number of questions on knowledge, usefulness and style. This article draws on data from the initial AssetPlus desistance-focused quality assurance exercise, and evaluation feedback from YOT delegates attending the ensuing desistance training sessions.

Literature Review

Risk-based youth justice

For many years, youth justice in England and Wales has oscillated between ‘welfare’ and ‘justice’, with one dominating, to be replaced by the other through successive governments (Hopkins Burke, 2008). However, the 1990s saw the emergence of a different direction, with *No More Excuses* (Home Office, 1997) being the new Labour’s response to the Audit Commission’s 1996 report *Misspent Youth*. Its proposed abolition of the *doli incapax* presumption for 10 to 13 year olds heralded a much more punitive and responsabilising system. The result was the *Crime and Disorder Act* (Home Office, 1998), through which the YJB and YOTs were created, and from which the remit to prevent children and young people from offending and reoffending was extracted as the mantra for these new bodies (Smith, 2014).

The interpretation of the Act’s aim of preventing offending by children was through the risk factor prevention paradigm (RFPP), originating from Glueck and Glueck’s (1939)

study of ‘juvenile delinquents’, but developed further through the Cambridge Study in Delinquent Development (Farrington et al., 2006), which has more recently stated a purpose for impacting youth justice practice: ‘Based on these results, risk assessment instruments could be developed and risk-focused prevention could be implemented’ (Farrington et al., 2006: i). This focused attention on risk, and interventions to mitigate it, essentially a *deficit* model of youth justice (Haines and Case, 2015). Asset has been the assessment instrument of choice for the YJB since 2000, and encompassed 12 areas for consideration, based on researched risk factors, with the additions of a self-assessment (for the young person), a section for identifying risk of harm and vulnerability and one for protective factors (positives) (Baker et al., 2003). The emphasis was definitely on addressing criminogenic need (risk factors which are malleable; Wilson, 2013) rather than working with the positives in any way, which appeared to have become a largely neglected area of Asset, possibly because there seemed to be no imperative to work with them, and there was less understanding about them (Haines and Case, 2008).

The RFPP has been criticised as being methodologically flawed, as it draws on aggregated data to predict the behaviour of individuals, also questioning the causal nature of risk factor influence (Haines and Case, 2008, 2015; O’Mahony, 2009). This, alongside doubts that concentrating on the mitigation of risk factors alone is effective, rather than picking up on and developing protective or positive factors, has caused the whole basis of the youth justice system in England and Wales to be re-evaluated. Echoing research showing youth justice system involvement to be damaging to children (McAra and McVie, 2010), more recent legislation through the coalition government sought to take children out of it wherever possible (e.g. the *Legal Aid, Sentencing and Punishment of Offenders Act* (2012) introduced a new system of cautioning to divert more children away from court), although whether this is due to research evidence or economic expediency, given the expense of an overloaded system in times of austerity, is a matter of debate (Haines and Case, 2015). This move has been accompanied (in time) by moves from the YJB, reflecting increasing research, to emphasise the importance of protective factors in children and young people’s ability to desist from committing crime, culminating in the design of the new desistance-orientated assessment model, AssetPlus.

Desistance-based youth justice

Desistance is, at its simplest, the ceasing of crime by those with previous patterns of criminal behaviour (HMIP, 2016). However, since this describes something of an event – the point at which criminal behaviour ends, from when should this be measured? It could begin from the last criminal act, or perhaps from a moment signifying a change of heart towards criminal behaviour (Maruna, 2001). This point of change has been termed by some as ‘termination’ (Laub and Sampson, 2001); however, thinking of desistance in these terms is to simplify a concept which is perhaps more usefully considered more like a journey than an event. Desistance is surely the maintenance of termination, since one could argue that all offenders terminate in between each criminal act (Maruna, 2001). This conceptualisation of what is essentially an absence of certain behaviour helps in terms of recognising what the would-be desister has to contend with in order to be successful. A rational choice view of desistance defines it as the moment in which someone decides to change his or her life from criminal to non-criminal (Cusson and Pinsonneault, 1986), but this belies the fact that an overwhelming percentage of people want to desist from crime when they are in prison, yet few are successful in maintaining their resolve (Maruna, 2001). In fact, the processes involved in the maintenance of desistance may bear little relation to initial causes of a choice to stop offending, since it requires a different set of

skills (Maruna, 2001). It could also be that through this process of desistance, different priorities emerge for the actors, from concern for basic needs in early desistance, to the seeking of 'redemption' and a way of 'giving back' to society in later stages (Porporino, 2010: 72).

Research has sought to find correlates with desistance, which were originally thought to be related either to finding stability in such entities as legal employment and marriage (Sampson and Laub, 1993) or simply to getting older, whether that included a maturation element or not (Glueck and Glueck, 1940; Gottfredson and Hirchi, 1990). However, more recently, research has concentrated on the mechanisms which might be behind desistance as a process. Giordano et al. (2002), through their Ohio Life-Course Study, identified a four-stage process, involving a general openness to change, 'hooks for change' (p. 1000), an appealing conventional alternative self, and a reassessment of previous attitudes to criminal and deviant behaviour. These elements seem to embrace initial decisions to change (some 'hooks for change' being the very correlates of employment and marriage) to those which could enable internal change commensurate with lasting behavioural change. Similar processes were identified by Bottoms and Shapland (2011) through their Sheffield Desistance Study, which included a trigger event, the desire for change, thinking to change regarding their identity, action taken to positively desist and overcoming barriers and obstacles, leading to a crime-free identity. These described processes also chime with Vaughan's (2007: 394) ideas of 'discernment' (reviewing available choices), 'deliberation' (weighing up the pros and cons) and 'dedication' (commitment to a noncriminal identity). Vaughan's three stages emphasise the role of the actor in being able to reflect on their own experiences and thoughts; so while they have similarities with the previously described mechanisms, they possibly indicate more of a rational choice approach.

The idea of a shift in personal identity was key to Maruna's (2001) findings from his work on the Liverpool Desistance Study, where he stated that a 'coherent prosocial identity' (p. 7) was a requirement of the process which is desistance maintenance. He developed this further with Stephen Farrall (Maruna and Farrall, 2004) to suggest that the very process of desistance can build on itself, by demonstrating the benefits of a non-offending lifestyle through experience, and in reducing the barriers associated with labelling by recognition of behaviour change from others (Maruna et al., 2004). This idea of personal identity shift has been developed by defining desistance into two stages – primary desistance, where criminal activity ceases for a time, or reduces in frequency/seriousness, and secondary desistance, which is a complete cessation due to the individual no longer considering himself or herself to be a criminal (McNeill et al., 2012a). Clearly, the attainment of secondary desistance is of interest to both researchers and criminal justice practitioners alike; therefore, how can this identity shift be facilitated and encouraged?

There needs to be a combination of this cognitive transformation with increased social capital, enabling access to opportunities available to people more widely, but which often excludes those who have offended (McNeill, 2009). Also highlighted as important through the Oxford Recidivism Study is the idea of hope. Those self-reporting optimism for success were more likely to be able to desist; there had to be some measure of optimism that goals were going to be achieved, which was stronger than just wishing (Burnett and Maruna, 2004). However, they noted that while optimism for success was necessary, it was not sufficient – other factors also play a role. Interestingly, like Maruna (2001) found earlier, over-optimism and an inflated sense of control over future success were actually

more likely to indicate desistance maintenance success, despite being something of a cognitive distortion (Burnett and Maruna, 2004). McNeill et al. (2011) applied this principle to working with offenders, suggesting that desistance-focused practice would build hope (through relationships), support strengths and resources, help them discover agency, build social capital and above all working 'with' not 'to'. These principles were further underlined in McNeill et al.'s (2012a) examination of effectiveness in probation practice.

Related to this is the further idea that desistance does not exist in isolation, so people need to 'desist into something', affirming the importance of social capital (via social integration) for success (McNeill et al., 2011: 8). Since Farrall's (2002) book on probation practice, which suggested the need for intervention to concentrate on supporting desistance rather than being focused on addressing criminogenic need, there has been increasing usage of more strengths-based approaches (McNeill et al., 2011, 2012b, 2013; Shapland et al., 2012), recognising that to entirely focus on past behaviour emphasises offending as the individual's personal identity, limiting opportunities for them to self-identify as a non-offender (McNeill et al., 2013). The risk agenda sees the past as potentially predictive of future behaviour, but desistance thinking allows future possibilities to reimagine the past, rather than letting past behaviour dictate future identity. This thinking has been particularly influential in the treatment of adult sex offenders, which has notably made good use of both the Old me/New me model (Haaven, 2006), involving the development of a positive personal identity, and being able to use prior behaviour as a way to categorise offending into the past, and the Good Lives Model (Ward, 2002) in which offenders look to obtain normal human 'goods' by the development of their strengths, skills and beliefs. Weaver (2013) also developed this theme of desistance-focused working, suggesting that worker-offender relationships were vitally important and should contribute towards a co-produced desistance, which also encompasses wider networks.

It is important to consider, since the research just discussed all hails from the adult sector, whether these principles, both of the mechanisms of desistance themselves and having desistance-focused intervention services, apply to young people and the youth justice sector. The age-crime curve, showing as it does that most youth offending does not continue into adulthood (Loeber and Farrington, 2014), could indicate that paths both in and out of crime differ for young people compared to adults. It is clear that some of the correlates related to desistance, like marriage and possibly even employment, are inappropriate when considering young people aged 10-18, and that maturation is likely to play a larger role, but potentially some of the processes discussed earlier may be even more pertinent for the young. For adults, their identities may be somewhat fixed, requiring significant change to become prosocial, but because young people's identities are still at a formational stage, they may merely need nudging onto a different trajectory. Nugent and Barnes (2013) have suggested that (similar to adults) young people need to be able to view themselves differently, develop confidence and hope, and gain access to opportunities generally available to non-offending young people (social capital).

However, youth justice practice has yet to really reflect desistance approaches, possibly because of the emphasis on adult-orientated studies in the literature, leaving the sector somewhat risk-dominated. This is not helped by secondary desistance often not being naturally evident until beyond its age remit (McNeill, 2009). In practical terms, findings from projects that have actively engaged young people in a desistance-led approach (whether they have used that terminology or not) give promising further indications of potentially effective practice. Two particular aspects of practitioner working seem to be

key in providing an environment for fostering desistance – having a strong relationship between the worker and the young person (in which the worker believes that the young person can change) and the identification of an action-plan towards personal goals (both of which have been echoed as methods of effecting personal identity change in the adult literature).

The first aspect is not new and has been extensively discussed, especially when considering successful engagement of young people in interventions (Mason and Prior, 2008). In this YJB report, a good relationship between the client and worker was identified as improving self-esteem and self-worth, empowering for action and increasing connectedness with others beyond that relationship – all of these being necessary precursors to change. The importance of this relationship as transformative has been evidenced in the ‘Moving On’ project in Scotland, which rejected offence-focused work for young custody leavers in favour of strong worker–client relationships and practical help (Nugent, 2014). Incidentally, this project also provided a good example of increasing social capital, as the workers actively helped the young people to engage with opportunities, also providing them with office space in which to work. More recently, the work by Johns et al. (2016) identified the vital importance of worker–young person relationships for positive development in even the most troubled and troublesome through their follow-up study of young people who had been designated Prolific and Priority Offenders in Wales.

The second strand is identifying and working towards personal goals, which can have an important role in enabling the transformation of personal narratives for young people (Fitzpatrick et al., 2015). Having a short-term focus (which is the only way offending makes sense) is associated with ‘emotional distress and hopelessness’, whereas feelings of well-being are associated with successfully pursuing goals (Fitzpatrick et al., 2015: 167). However, this is provided workers avoid the trap of falling for scripted responses, where young people give replies which are the product of having to answer surface-level questions about personal goals, enabling them to avoid proper engagement on the subject. If workers can get underneath these to *meaningful* personal goals for the young people, then this could be transformational; but a significant threat to this is uncertainty regarding the likelihood of success, which can result in destructive self-protective behaviours (Fitzpatrick et al., 2015). Workers therefore have a vital role in exploring with young people what their goals might be, enabling them to plan for success, and reducing uncertainty concerning the possibility of failure.

These real examples start to offer a methodology for successful application of desistance approaches within youth justice, centring very much on the skills of the practitioner, and their abilities in building an effective relationship, believing in the young person to build hope, recognising and building their strengths and resources, exploring and action planning for individualised personal goals and facilitating opportunities within the community.

The recent thematic YOT inspection centring on desistance echoed some of this, summarising eight elements, which were the focus of their observations: a positive worker–young person relationship, acceptance of relapse as part of the desistance process, avoidance of labelling children that can be damaging, usage of social capital only when absolutely necessary as custody limits young people’s access to it, making sure interventions are utterly individual, ensuring that systems around the child are also worked with, encouragement of positive change and the creation of opportunities for the development of social capital (HMIP, 2016). For these elements to transform into an intervention plan,

they need to be effectively picked up through the assessment process, which leads on to the implementation of AssetPlus.

Methodology

Two research activities are detailed and analysed for this article – a desistance-focused examination of AssetPlus in practice and evaluations of desistance training provided for Welsh YOTs. The methodologies for each will now be described.

Desistance-focused examination of AssetPlus

In order to identify whether concerns raised by YOT managers regarding the utilisation of desistance-focused thinking in completion of the YJB's new assessment tool, AssetPlus, were justified, the Broker undertook an exercise of desistance-related quality assurance. AssetPlus assessments (n = 14) across three YOT areas were examined, covering prevention interventions, Referral Orders, Youth Rehabilitation Orders and Detention and Training Orders. The cases for examination were chosen by the managers in each YOT, and so were not selected by the researcher. In order to assess how well the assessments reflected desistance values, they were read through and all strengths and positives mentioned listed. These were then compared with 'factors for desistance' (a subsection of AssetPlus) to see how well they had been reflected, with the assumption that all strengths and positives *should* be reflected as a factor. The intervention plans were scrutinised to see whether strengths and positives were included as a basis for positive development (rather than plans simply comprising elements to avoid or stop doing).

The assessments were also examined to see how well they utilised other factors known to support desistance (see earlier discussion), like the use and development of personal goals and investigating opportunities within the community to build the young person's social capital. A narrative report on each case was written for the YOT, identifying specific areas where desistance had not been reflected in the assessment and ensuing intervention plan, but also highlighting where in places it had.

The structure of AssetPlus is quite different to that of Asset, and while the 12 areas of interest are still covered, these are contained within one 'personal, family and social factors' information section, which also asks the practitioner to identify the strengths and positives of each aspect (previously, positives were only covered at the end of the assessment, and in a way which allowed workers to give the section scant attention). One of the key sections of AssetPlus affecting desistance is 'foundations for change', which leads practitioners to identify both factors *for* desistance and factors *against* desistance, which are unpacked further later in the assessment, and subsequently pulled through (automatically) to contribute to the intervention plan. The end plan encourages practitioners to consider five areas: goals and life opportunities, not offending, not hurting others, keeping safe and repairing harm (YJB, 2014: 18). These categories reflect something of a desistance approach, with the inclusion of goals and opportunities, but also indicate a tendency to fall between two systems, by the inclusion of 'not offending' and 'not hurting others', which are negatively phrased, encouraging negative (deficit) targets. However, one important element missing from this, but apparently crucial according to the literature (and included as a major tenet of the HMIP thematic inspection), is a goal to specifically build the relationship between the worker and the young person. Since intervention plans are often used as a justification for session content (and used by managers to assess worker efficacy), this might encourage a 'glossing over' of this important element, denying the potential of the relationship to be transformatory *in itself*.

Training evaluations

The training on ‘desistance approaches in youth justice’ was initially delivered at the request of one YOT’s management, and quickly further requested by others; it was then offered to all Welsh YOTs more systematically. It comprised three sections: general teaching on desistance theory, exploration of youth justice examples and finally its application to AssetPlus for a desistance-focused output. The first section concentrated on the importance of facilitating young people to both create a new non-offending self-narrative and build greater social capital to increase opportunities for social inclusion. This was done by also providing an experiential space through which practitioners could see the current youth justice intervention and planning styles through the eyes of young people; this was designed to engage their emotions in order to really ‘get’ why positive approaches are likely to be more effective than those dealing with deficits. The youth justice examples used in the second part of the training concentrated on the projects referenced earlier of the personal goals work assessed by Fitzpatrick et al. (2015), which was based on 16–17-year-old young men, and the ‘Moving On Service’ in Scotland (Nugent, 2014), which encompassed the wider age range of 16–21-year-old custody leavers. It also drew on the ‘child first, offender second’ perspective of Haines and Case (2015), incorporating throughout the presentation findings from Johns et al. (2016) on the importance of worker– young person relationships for positive change. The final section of training concentrated on applying the principles outlined throughout the training to AssetPlus completion, drawing on the deficits found in completed assessments through the desistance-focused quality assurance exercise conducted across North Wales. Very practical suggestions were made through which assessments could be improved to produce positive-focused intervention plans (as opposed to risk-focused ones). The training has now been accessed by 13 of the 15 Welsh YOTs. This leaves only two Welsh YOTs that have not taken advantage of this training package. It has also now been requested by both of the Welsh secure estate establishments.

The training has been attended by a wide range of practitioners, including social workers, support workers, education workers, substance misuse workers, managers, volunteers (mainly Referral Order panel members), victim workers and some secure estate staff (n = 185). The evaluations (n = 182) of this training provided further insight into how prepared workers (both those who complete AssetPlus and those who do not) felt in incorporating desistance into their day-to-day thinking, planning and interactions with young people. The questions were either qualitative, requiring a narrative response, or quantitative using a pictorial Likert scale (with options displayed as cartoon faces, and interpreted into numerical coding between 1 and 5, where 1 (frown) translated as ‘very little’ and 5 (smile) translated as ‘a lot’). The findings have been analysed using combinations of these two data types. As is often the case when delegates are completing evaluations after training, many of the forms contained some blank answers, which have been recorded as missing values, alongside a record of the number of completed answers for each question as it is discussed.

Findings

The findings for the two research activities will be considered separately, before being explored together in the discussion.

Desistance-focused examination of AssetPlus

Positive factors which could support desistance were generally lost in the narrative of the

assessment, without being identified specifically in the ‘factors for desistance’ section. It was found that although plenty of positives and strengths were mentioned in passing through the AssetPlus assessments (198 identified by the researcher across all cases, constituting a mean average of over 14 each), these were not adequately reflected in ‘factors for desistance’ (mean average of under 3 per case, but with a median of 2 and a mode of 1; range 0–7). ‘Factors against desistance’, meanwhile, were well populated, with nearly twice as many detailed, and a mean average per case greater than 5 (and a range of 2–11). In only four of the cases did factors for desistance outnumber those against. This bias towards factors against desistance resulted in very negative intervention plans, concentrating on offence-focused work; none of the intervention plans mentioned meaningful work on personal goals, despite this being one of the target sections, and (perhaps unsurprisingly, since this did not feature in the plan headings) there was never any mention of relationship-building between the worker and the young person.

On further investigation, it was clear that the positives and strengths were being lost at a very early stage of the assessment. Throughout the information section, ‘personal, family and social factors’, in questions requiring *only* positives to be detailed, workers consistently went on to *also* cover factors which might negatively affect the positives. Since the next question asked for the negatives, these ended up being listed twice, resulting in the positives being lost at this point – mostly they never featured again, whereas to be useful they needed to be pulled through into the ‘factors for desistance’ section, to enable the worker to identify how each positive might be supported and developed (as part of the plan).

Opportunities for identifying and facilitating the increase of young people’s social capital were not being taken. The importance of social capital for desistance has already been identified, which is addressed in AssetPlus within the ‘foundations for change’ section, asking what *opportunities* exist within the community which could further support the young person. This is a chance for the worker to identify what agencies or other opportunities exist which could be relevant to the young person’s needs or to build their strengths (not considering at the moment whether they would actually engage with this support or not), but this section was universally simply used to note the agencies or resources (often within-YOT ones) which were currently being used, or for which they had been referred, but not engaged. This lost the chance to look to extending the young person’s social capital into other opportunities in the community and beyond, by finding out what exists, and listing them (these are then picked up later in the assessment, but because this first section was not utilised properly, nothing further was ever developed for the young people to access as a result).

So it can be seen that, while AssetPlus provides opportunities for desistance thinking to be brought into the process, this was not generally happening. This could be because workers had not sufficiently understood the thinking *behind* the assessment, resulting in the positives being lost, a lack of appreciation of the importance of building and working towards personal goals, the non-inclusion on relationship-building (since this is not explicitly identified as necessary for desistance in AssetPlus) and the missing of opportunities to identify how social capital could be built. It could also be because having focused for so many years on risk, and with YJB reporting criteria also requiring this, workers found it not only difficult to change their practice but managers may have also been reluctant to accept a focus shift. It is likely to be a mixture, with those working in the system before the *Crime and Disorder Act* having already experienced a more positive approach but not possibly appreciating the specifics coming out of desistance research, and others never having had a

taste of anything but a risk focus. However, as rightly stated by the head of YJB Cymru, ‘People deliver outcomes, not systems. Aim is AssetPlus facilitates’ (Kennedy, 2016). This growing picture helped to formulate the training session which was made available to all YOTs in Wales, and taken up by the vast majority.

Training evaluations

Many of the 185 participants had previously attended AssetPlus training, which incorporated desistance, but their assessment of their own understanding regarding this was generally quite poor (mean average 3.4; 15 missing values, n = 167) with 48 per cent identifying as being at 3 or lower on a prior knowledge scale. Some respondents (notably often those who were older, and had been working in the sector since before the current system was created) were both knowledgeable about, and agreed with, desistance approaches, which was reflected in comments such as ‘*I was looking forward to this training as it sings from my hymn sheet*’ and ‘*I work in the Prison Service who adopt a similar “enabling environment” approach focusing on “becoming new me” and “living as new me”*’. In describing their post-training knowledge, 91 per cent chose 4 or 5 on the scale (interpreted as ‘good’ or ‘very good’, 21 missing values, n = 161; compared with 52% for pre-training knowledge). Overall, 91 per cent of respondents found the training useful (choosing 4 or 5 on the scale; 46 missing values, n = 136 – the vast majority (40) of these missing values were with comments indicating what they had found useful) with several participants wanting more.

The main themes which emerged from narrative answers concerning what the training delegates found most useful were application to AssetPlus, theory and the use of youth justice-related case studies, the importance of using positive strengths and personal goals and the importance of practitioner relationships with young people. In particular, delegates who are frequent users of AssetPlus seemed to find the training as helpful for them to understand better how they could complete an assessment, taking into consideration desistance approaches: ‘*Need to be more considered when completing the strengths boxes*’; ‘*The importance of not losing sight of desistance throughout the assessment and plan*’; ‘*Realistic goal setting focusing on positives*’.

Delegates also commented on the change this approach needs in terms of their whole direction of thought, ‘*change of looking at things from risk*’, ‘*different way of thinking*’, ‘*totally different approach*’, which perhaps indicates why the short session on desistance embedded in the wider AssetPlus training appears not to have been translated effectively into practice. Not only was desistance somewhat lost within the complexities of learning about a new assessment system, but it may well take more than this to change the thinking which has been shaped over decades to be risk-focused (and therefore suspicious of any approach which sidelines risk as being in itself risky!). The only staff attending who had real difficulties in accepting this approach as a valid and potentially effective new direction were two victim workers (from different areas). Since desistance is essentially positive and concentrates on the young perpetrator, they felt that there was no room for the victim: ‘*Where are the rights of the victim in this?*’; ‘*I am the victim worker so it is not very relevant to my role as the training focused on the “child” and my role I often work with adults*’. This is not an area which has been addressed much in the desistance literature, and therefore needs further exploration.

During the training, there was much discussion on the difficulties of applying desistance approaches within a system which was used to having a risk focus. Concerns were expressed as to whether magistrates would receive training to enable them to understand

(and accept) desistance-focused pre-sentence reports (*'Please train magistrates'*), which highlights that the structures of youth justice need to take a similar approach for real change to be feasible. The same concerns were also prevalent regarding Referral Order panel members, who many tend to take a formulaic view to contract content, with the few Referral Order panellists present concerned that they would be a lone voice. Others were worried about management scrutiny being made which would still be risk-focused, therefore not allowing practitioners to make changes: *'Hope structures change to enable full implementation and remove risk of negative accountability for practitioners'*. Despite the fact that the YJB has instigated the use of AssetPlus, there were still concerns that it is not wholly desistance-focused. The following quotes from the feedback illustrate these issues: *'Wholesale shift of YOT statutory practice, change of plans, needs to be passed up to managers, YJB'*; *'I would like to see this approach used more by higher management'*; *'I wish the YJB would get on board!'*; *'The need to move away from negativity highlighted – we all know this but how to put this into practice to satisfy management levels/employers, courts not clear'*.

Some delegates evidently took this evaluation exercise as an opportunity to communicate their frustration at some aspects of AssetPlus in a more general sense: *'I struggle to get past the thought that in its current form, AssetPlus is a barrier rather than aid to working with children/young people'*, *'I think AssetPlus needs to be remodelled and made shorter and user friendly'*, *'Battling ... contradictions with process, tickbox and targets'*, *'AssetPlus is too process-orientated and the desistance application is difficult'*. One worker took a more balanced point of view: *'AssetPlus is still a new concept, it will take time and practice and good understanding/guidance from managers'*. However, the importance of these changes was summed up well in one response: *'[it will] be a challenge to totally change the way we work in current environment – but we need to try'*.

Discussion

The feedback from the training events indicated that, in general, practitioners had felt unconfident about their knowledge of desistance, despite having in the main already undertaken training on the subject. Their response to the AssetPlus section of training also indicated that they had not necessarily been able to apply what knowledge they did possess to the completion of these assessments, which will almost inevitably have resulted in intervention plans which did not reflect desistance principles. The thematic inspection report on desistance concurred that knowledge in practitioners was lacking, but also observed that *'case managers sometimes felt pressure from their managers to concentrate on delivering offence focused interventions which they could evidence rather than focus on building relationships with service users'* (HMIP, 2016: 8). This was also a concern of those being trained through this programme, who felt that unless management was completely au fait and on board with the approach, they would be criticised for preferring desistance-related targets to risk-related ones. There were some managers present who all seemed to indicate that they backed this new direction, but unless *all* managers agreed, the possibility of staff criticism remains. Managers themselves might feel under pressure from YOT Management Boards, none of whom have currently been part of this training schedule, so it seems doubtful that they will have been included in the AssetPlus desistance-related training provision. It would be interesting to follow this training up by further desistance-based quality assurance on AssetPlus assessments to see whether they had been able to maintain a material difference to Asset, the previous system. It may be that such an about-turn in thinking needs a more sustained (and inclusive) approach of 'refresher' training, to counteract the years of risk-focused strategy; however, there are other issues muddying the desistance waters.

The youth justice inspectorate has conducted its first thematic inspection of desistance-based practice examining six YOTs across England and Wales, and reported on its findings in May 2016. This could be seen as encouraging in terms of the YJB, and indeed the wider youth justice system, truly turning its back on risk-based thinking. However, subsequent YOT inspections (13 ‘Short Quality Screenings’ and 7 full YOT inspection) appeared to virtually ignore desistance as a pertinent methodology to be encouraged in YOTs. Only two of those inspection reports even mentioned ‘desistance’ within the covers (both one mention each), preferring to concentrate on offending behaviour work, and other ‘risk-reducing’ activities (HMIP, 2017). This surely gives mixed messages to YOTs regarding what is expected of them – how can they pursue a desistance-based agenda if

the criteria upon which they will be judged by the inspectorate is still (for general inspections) firmly risk-focused? Another quandary for YOTs is that they are judged on a binary ‘reoffended or not’ basis for statistical returns – and yet the thematic inspection stressed the importance of accepting relapse (reoffending) as part of the desistance process. These do not sit easily together. Indeed, one of the thematic report’s recommendations was that the YJB should revise their practice guidance to make it reflect desistance theory, but one could add to this that their reporting criteria should also be made desistance-friendly. These difficulties are not eased by the fact that AssetPlus and the desistance thematic inspection stress different aspects of desistance, to the expense of others – AssetPlus emphasises the importance of personal goals, without mentioning worker–client relationships as a potential plan target, whereas the inspectorate looked at the relationship, but did not consider personal goals work as something to be particularly examined. Somewhat surprisingly, neither the inspectorate nor AssetPlus has identified the creation of a new, non-offending personal narrative as a pillar of desistance, and yet this comes through very strongly in much of the desistance literature, as outlined earlier. This highlights the difficulties which ensue from a lack of universally agreed desistance ‘factors’, with each body using different criteria.

Conclusion

The picture in youth justice regarding the adoption of desistance approaches is far from clear, with the YJB purporting to have enabled this through the introduction of AssetPlus, and yet, inspections being conducted along RFPP theoretical underpinnings. Youth justice staff do not appear to have had a good understanding of what desistance theory is all about, and less about what it really means for them on the ground, working with children and young people. This, despite training to facilitate understanding, implies that changing practice is a long-term, more complex task than initially anticipated, and needs to be understood and accepted by all aspects of the youth justice system, including the courts.

However, the training feedback examined here found practitioners often very happy to action a desistance-based working environment, as many felt instinctively that to concentrate on the positives rather than the negatives would be more effective, and certainly make interventions significantly more pleasant to deliver (and surely by extension, for the young people to attend). In this sense, this call to change is pushing against an open door. However, fully integrating this approach will never be achieved while those creating policy and guidance for those on the ground present a confused picture, mixing up desistance and RFPP approaches – surely oil and water in many respects. This sea-change requires positive and emphatic change from the top, which will enable inspectors to change their criteria and YOT managers to have different expectations of staff, who in turn will be able to justify working differently, and *positively*, with children and young people.

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References

- Baker K, Jones S, Roberts C and Merrington S (2003) *The evaluation of the validity and reliability of the youth justice board's assessment for young offenders*. Available at: <http://yjbpublications.justice.gov.uk/engb/Scripts/fileDownload.asp?file=ASSETReport2003.pdf> (accessed 22 August 2016).
- Bottoms A and Shapland J (2011) Steps towards desistance among male young adult recidivists. In: Farrall S, Sparks R, Maruna S and Hough M (eds) *Escape Routes: Contemporary Perspectives on Life After Punishment*. London: Routledge, 43–80.
- Burnett R and Maruna S (2004) So 'prison works', does it? The criminal careers of 130 men released from prison under Home Secretary, Michael Howard'. *Howard Journal of Criminal Justice* 43(4): 390–404.
- Cusson M and Pinsonneault P (1986) The decision to give up crime. In: Cornish D and Clarke R (eds) *The Reasoning Criminal*. New York: Springer-Verlag, 72–82.
- Farrall S (2002) *Rethinking What Works with Offenders: Probation, Social Context and Desistance from Crime*. Cullompton: Willan.
- Farrington D, Coid J, Harnett L, Jolliffe D, Soteriou N, Turner R and West D (2006) *Criminal careers up to age 50 and life success up to age 48: New findings from the Cambridge study in delinquent development*. Home Office Research Study 299. Available at: www.crim.cam.ac.uk/people/academic_research/david_farrington/hors299.pdf (accessed 22 August 2016).
- Fitzpatrick E, McGuire J and Dickson J (2015) Personal goals of adolescents in a youth offending service in the United Kingdom. *Youth Justice* 15(2): 166–181.
- Giordano P, Cernkovich S and Rudolph J (2002) Gender, crime and desistance: Towards a theory of cognitive transformation. *American Journal of Sociology* 107: 990–1064.
- Glueck S and Glueck E (1939) *One Thousand Juvenile Delinquents*. Cambridge, MA: Harvard University Press.
- Glueck S and Glueck E (1940) *Juvenile Delinquents Grown up*. New York: The Commonwealth Fund.
- Gottfredson M and Hirschi T (1990) *A General Theory of Crime*. Stanford, CA: Stanford University Press.
- Haaven J (2006) Evolution of old me /new me model. In: Blasingame G (ed.) *Practical Treatment Strategies for Forensic Clients with Severe and Sexual Behavior Problems among Persons with Developmental Disabilities*. Oklahoma City, OK: Wood 'N' Barnes/Safer Society Press, 85–114.

Haines K and Case S (2008) The rhetoric and reality of the ‘risk factor prevention paradigm’ approach to preventing and reducing youth offending’. *Youth Justice* 8(1): 5–20.

Haines K and Case S (2015) *Positive Youth Justice – Children First Offenders Second*. Bristol: Policy Press.

Her Majesty’s Inspectorate of Probation (HMIP) (2017) Joint inspection of Youth Offending Teams. Available at: www.justiceinspectorates.gov.uk/hmic/our-work/joint-inspections/joint-inspection-of-youthoffending-teams/ (accessed 9 May 2017).

Her Majesty’s Inspectorate of Probation (HMIP) (2016) Desistance and young people. Available at: www.justiceinspectorates.gov.uk/hmiprobation/wpcontent/uploads/sites/5/2016/05/Desistance_and_young_people.pdf (accessed 22 August 2016).

Home Office (1997) No more excuses – A new approach to tackling youth crime in England and Wales. Available at: <http://webarchive.nationalarchives.gov.uk/+http://www.homeoffice.gov.uk/documents/jou-no-more-excuses?view=Html> (accessed 22 August 2016).

Home Office (1998) Crime and Disorder Act. Available at: www.legislation.gov.uk/ukpga/1998/37/pdfs/ukpga_19980037_en.pdf (accessed 22 August 2016).

Hopkins Burke R (2008) *Young People, Crime and Justice*. Cullompton: Willan.
Johns D, Williams K and Haines K (2016) Ecological youth justice: Understanding the social ecology of young people’s prolific offending. *Youth Justice* 17(1): 3–21.

Kennedy D (2016) Twitter message, 1 July. Available at: <https://twitter.com> (accessed 23 August 2016).

Laub J and Sampson R (2001) Understanding desistance from crime. *Crime and Justice* 28: 1–69.

Loeber R and Farrington D (2014) The age crime curve. In: Bruinsma G and Weisburd D (eds) *Encyclopedia of Criminology and Criminal Justice*. New York: Springer, 12–18.

McAra L and McVie S (2010) Youth crime and justice: Key messages from the Edinburgh Study of Youth Transitions and Crime. *Criminology & Criminal Justice* 10(2): 179–209.

McNeill F (2009) What works and what’s just? *European Journal of Probation* 1(1): 21–40.

McNeill F, Anderson K, Colvin S, Overy K, Sparks R and Tett L (2011) Kunstprojecten en ‘what works’: een stimulans voor desistance?’ [‘Inspiring Desistance? Arts projects and ‘what works?’]. *Justitiële verkenningen* 37(5): 80–101.

McNeill F, Farrall S, Lightowler C and Maruna S (2012a) Reexamining evidence-based practice in community corrections: Beyond ‘a confined view’ of what works. *Justice Research and Policy* 14(1): 35–60.

- McNeill F, Farrall S, Lightowler C and Maruna S (2012b) How and why people stop offending: Discovering desistance. *Insights* 15. Available at: <https://www.iriss.org.uk/sites/default/files/iriss-insight-15.pdf> (accessed 9 May 2017).
- McNeill F, Farrall S, Lightowler C and Maruna S (2013) Desistance as a framework for supervision. Available at: http://blogs.iriss.org.uk/discoveringdesistance/files/2013/09/McNeill-etal_Desistance_Frame.pdf (accessed 9 May 2017).
- Maruna S (2001) *Making Good*. Washington, DC: American Psychological Association.
- Maruna S and Farrall S (2004) Desistance from crime: A theoretical reformulation. *Kolner Zeitschrift für Soziologie und Sozialpsychologie* 43: 171–194.
- Maruna S, Lebel T, Mitchell N and Naples M (2004) Pygmalion in the reintegration process: Desistance from crime through the looking glass. *Psychology, Crime & Law* 10(3): 271–281.
- Mason P and Prior D (2008) Engaging young people who offend. *Youth Justice Board*. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/356204/Final_EYP_source.pdf (accessed 22 August 2016).
- Nugent B (2014) Reaching the ‘hardest to reach’. *Youth Justice* 15(3): 271–285.
16 *Youth Justice* 00(0)
- Nugent B and Barnes P (2013) Desistance and young people: Includem’s work with children and young people and the limitations of desistance theory. *Scottish Justice Matters* 1(2): 21–23.
- O’Mahony P (2009) The risk factors prevention paradigm and the causes of youth crime: A deceptively useful analysis? *Youth Justice* 9(2): 99–114.
- Porporino F (2010) Bringing sense and sensitivity to corrections: From programmes to ‘fix’ offenders to services to support desistance. In: Brayford J, Cowe F and Deering J (eds) *What Else Works?: Creative Work with Offenders*. Cullompton: Willan, 61–86.
- Sampson R and Laub J (1993) *Crime in the Making: Pathways and Turning Points through Life*. London: Harvard University Press.
- Shapland J, Bottoms A, Farrall S, McNeill F, Priede C and Robinson G (2012) *The Quality of Probation Supervision – A Literature Review*. The University of Sheffield. Available at: www.shef.ac.uk/polopoly_fs/1.159010!/file/QualityofProbationSupervision.pdf (accessed 22 August 2016).
- Smith R (2014) *Youth Justice – Ideas, Policy, Practice*. Abingdon: Routledge.
- Vaughan B (2007) The internal narrative of desistance. *British Journal of Criminology* 47: 390–404.
- Ward T (2002) Good lives and the rehabilitation of offenders – Promises and problems. *Aggression and Violent Behavior* 7: 513–528.

Weaver B (2013) Co-producing desistance: Who works to support desistance. In: Durnescu I and McNeill F (eds) *Understanding Penal Practice*. Abingdon: Routledge Frontiers of Criminal Justice, 193–205.

Wilson E (2013) Youth justice interventions – Findings from the Juvenile Cohort Study.

Available at:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/266405/juvenile-cohort-study.pdf (accessed 22 August 2016).

YJB (2014) AssetPlus model document. Youth Justice Board. Available at:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/364092/AssetPlus_Model_Document_1_1_October_2014.pdf (accessed 23 August 2016).

YJB and Ministry of Justice (2016) Youth justice statistics 2014/15. Available at:

www.gov.uk/government/statistics/youth-justice-annual-statistics-2014-to-2015 (accessed 22 August 2016).

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