



# Freedom From Symbolic Violence? Facilitators and Barriers to Participatory Practices in Youth Justice

Youth Justice

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## Abstract

The Child First Participation agenda in England marks a paradigm shift in youth justice. This solidifies a commitment to democratising decision-making processes with children. Drawing on interviews with children and professionals, this article explores the enablers and constraints to Child First participation in youth justice services, including how risk-oriented practices, managerialism and neo-liberal mechanisms constrain positive relationships with children. In this article, Bourdieu's concept of 'symbolic violence' is used to explore systemic problems when engaging children in co-producing youth justice interventions. The article suggests how participatory practices can provide freedom from symbolic violence for both children and practitioners.

## Keywords

Bourdieu, child first, habitus, participation, risk, symbolic violence, youth justice

## Introduction

Justice-involved children have legal rights to participate in decisions about their care and supervision needs, which are universal and unconditional under international children's rights legislation (Brown, 2020). In other words, professionals are required to respect children's rights to impart ideas and be listened to throughout contact with the youth justice system, as stated in Article 12 of the UNCRC, (UNICEF 1989). Embracing children's voices is a key theme in the General Comment No. 24 on children's rights in the justice system (UN Committee on the Rights of the Child, 2019: paras 45 and 46), and professionals in England have also been encouraged to implement a participation strategy (Youth Justice Board (YJB), 2016). This involves activating a strengths-based approach to service design and delivery, by building relationships which enables the priority of children's voices throughout assessment, planning and supervision

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(YJB, 2021). However, children's participatory rights are not being fully implemented due to existing 'risk' processes, notably ensuing uncertainty concerning how to manage 'high risk' children (Burns and Creaney, 2023; Peer Power/Youth Justice Board, 2021). Thus, there remains concern about the relative absence of children's voice and participation in youth justice service decision-making processes and professional practice.

A review of the Youth Justice System in 2016 recommended that children under supervision and subject to mandatory appointments need to be viewed and responded to as 'children first' (Taylor, 2016: 48). Furthermore, there was a call to transform responses to children and enact system change: from 'justice with some welfare, to a welfare system with justice' (Taylor, 2016: 49). Against this backdrop together with criticisms levelled at the risk paradigm for marginalising the voice of the child and a chorus of calls to be more rights-focused (Haines and Case, 2015), the Youth Justice Board developed and launched the Child First agenda (YJB, 2021). The Child First approach promotes constructive, non-criminalising and collaborative practices that are socially inclusive and respectful towards children's rights (Case and Browning, 2021).

Indeed, children are better able to exert influence when their knowledge and insights are seen as legitimate and 'of value' (Haines and Case, 2015). If children are encouraged to enter into collaborate partnerships with professionals who strive to connect with the child, positive outcomes are more likely. Advocates of Child First have drawn on a rich body of empirical research (see Case, 2018; Haines and Case, 2015; Hampson, 2018; Smithson et al., 2021) to characterise its potential as an antidote, or at least a persuasive alternative, to a deficit-based adult-led system, which has been in existence for two decades as a result of the 'new' youth justice formulated in the late 1990s (Goldson, 2000). Child First provides the foundations for the development of participatory practices, where children as 'rights-holders' (Kilkelly, 2019: 332) are in positions of power and have influence over processes, respected as 'experts' on their own lives, perceived as capable of meaningfully contributing to discussions on policy and practice matters. Participation (Article 12 of the UNCRC) refers to children 'having a say' in decision-making processes and being listened to regarding decisions that affect them (UNICEF, 1989). The nature of their behaviour should not be allowed to override the entitlements to a fair hearing and just treatment which should apply to all children and young people irrespective of their social circumstances or individual characteristics (Creaney and Smith, 2023). Collaborative participatory practice, in the sense of fully involving children in decisions and processes, is where children are viewed as capable co-producers, and this article argues that this is a fundamental feature of Child First youth Justice (Burns and Creaney, 2023; Creaney and Smith, 2023).

First, this article presents a critical perspective on participatory practices in youth justice, acknowledging the complex challenges involving children in decision-making processes. Second, an overview of Bourdieu's fundamental analytical tools is provided. Leading on from this, the article proceeds to critically discuss the aims of the study and methods of data collection, and following this, presents the findings and analysis. It ends by reflecting upon concluding thoughts, including implications for practice. This article is concerned with the application of the 'collaboration' principle as part of the Child First approach, which proposes to 'Encourage children's active participation, engagement, and

wider social inclusion. All work is a meaningful collaboration with children and their carers' (YJB, 2021: 11). This focus on children's participation is presented as a bulwark to exclusionary features of risk-oriented practices within an adult-led system. It can potentially mitigate against the effects of individualised/pathologising neo-liberal discourses, and a 'preoccupation with security' (Saar-Heiman and Gupta, 2020: 1). Particularly pertinent is the extent to which the participation principle of the Child First approach can be applied in practice. This article draws on empirical data that investigated children's involvement in the design and delivery of youth justice services. More specifically, it focuses on the lived experiences and perspectives of key stakeholders who participated in interviews, group projects, feedback forums and supervision meetings. Bourdieu's theory of practice is utilised as a heuristic or practical device to explore the perceived efficacy of participatory practices within youth justice processes. The habitus deployed by those 'in the thick of it' is shaped by external forces/field conditions and embodied dispositions, which direct the thoughts and actions of professionals operating within the field of youth justice (Bourdieu, 1977). For example, bureaucratic systems and dominant risk discourses (Smith and Gray, 2019) both shape and constrain front line professionals' ability to adopt participatory principles and practices.

Habitus can be utilised to expose how frontline professionals navigate classic tensions between public protection, neo-liberal regimes, child welfare, rights-based, and punishment-oriented practices, and more concretely how battles between those who accrue/retain power and those who contest dominant discourses are 'played out'. These battles enshroud forms of 'symbolic violence', which can ultimately become a barrier towards participatory practices in youth justice. Thus, Bourdieu's conceptual instruments are used in this article to gain deeper insight into the perceptions and experiences of those practising in the risk-focused, managerially driven youth justice environment (Case et al., 2020). It is a system that has in part maintained a precautionary risk management and deficit ethos, which has been reiterated by HM Inspectorate of Probation (2020). At the practice level, 'offender management' orthodoxy retains a degree of influence and 'risk' continues to shape responses, with decision making underpinned by insights from Risk Factor Prevention Paradigm literature or undergird by the pseudo-science of risk factor analysis (Bateman, 2021; Smith and Gray, 2019). This focus on risk can result in children having limited choice, influence, control or power over processes, which contrasts from a rights-based approach (Article 12, UNCRC). With this in mind, the article will proceed to explore what 'participation' means in youth justice.

## **What Participation Means in Youth Justice**

Participation is a contested concept where meanings and measurements differ in various contexts. However, it is proposed that to participate is to be involved, consulted on matters that are of importance and to experience a sense of ownership of parts of the decision-making process (Shier et al., 2014). Extending to 'meaningful participation' involves the 'transfer' of power and choice from adults to children (McNeish, 1999). Rather than simply transforming individual children's lives, 'meaningful participation' offers potential for relational and social transformation as a solution to children's relative powerlessness

in an adult-centric society. Elsewhere, Lundy's (2007) model of participation exemplifies how crucial it is to reflect on the influence children's participation has. However, in youth justice, children's participation is often non-voluntary. Those under supervision have been mandated to attend appointments, often questioned about their attitudes to offending, problematic lifestyles, 'pro-criminal' peer relationships, while participating in intervention programmes and engaging in care needs processes (Stephenson et al., 2007). Therefore, within the youth justice system, it could be argued that the obligation to participate might not be fully in conjunction with their rights, as they have limited power and choice entering this particular context, resulting in difficulty in measuring practices of meaningful participation.

However, children's substantive involvement in the design and delivery of services can lead to positive outcomes (e.g. self-esteem/confidence) and reductions in further offending (Haines and Case, 2015; Weaver et al., 2019). Yet, there are distinct barriers to overcome in order to ensure children's participatory rights are realised in practice, including the 'adult knows best' mentality, and children presenting behavioural or intellectual difficulties who find it hard to express agency (Forde, 2018; YJB, 2016). Professionals may also not have sufficient knowledge or, awareness, alongside limited time or space, to meaningfully execute participatory or strengths-based agendas (McNeill, 2006; Peer Power/YJB, 2021). Most notably, youth justice professionals can be more inclined to execute restrictive as opposed to enabling strategies, fuelled by concern that some children present a risk of harm to others (Day, 2022; Farrow et al., 2007; Tuddenham, 2000). In these instances, children may not be consciously aware of symbolic violence being inflicted upon them and may even persuade 'themselves of the legitimacy of their exclusion' (Bourdieu and Passeron, 1977: 209) from broader decision-making processes. Consequently, within youth justice practice, it is imperative that each stage of the decision-making process involves the degree of possibility to share power with children (Peer Power/YJB, 2021).

### *Co-production: Equal partnerships and shared decision making*

Across a range of children's services (Brady, 2020; Slay and Penny, 2014), and more recently in the youth justice field (Smithson et al., 2021), co-production as a conceptual framework has been promoted and adopted in practice to promote participatory ways of working with children. Insights from co-production literature are useful to maximise the voice of the child through viewing children as capable and knowledgeable 'experts by experience' (Brady, 2020; Burns, 2019; Tisdall, 2017). This can transform relationships between professionals and children. By being receptive to notions of interdependency and reciprocity, this can help to nurture shared decision making. Shared decision making is characterised by a partnership of equal value, privileging collaborative, non-hierarchical relationship building, and the sharing of forms of power in decision-making processes (Martin and Feltham, 2020; Peer Power/YJB, 2021). Arguably, 'power is everywhere' in the sense that adults and children are submerged within fields of domination (Barnes et al., 2007). Of paramount importance is understanding how youth justice professionals can facilitate shared decision making and build partnerships to ignite a more transformative

mode of children's participation, especially when surveillance is a key part of supervision. Professionals still have authority to exert sanctions for non-compliance or trigger breach proceedings if dissatisfied with the nature of a child's input into processes, resulting in children still being relatively powerless (Creaney, 2020). Thus, there may still be a level of uncertainty regarding whether children feel entitled to a voice and enabled to share their expertise as co-producers with adult professionals.

Moreover, children in the Youth Justice System – especially those who are severely disadvantaged – may refrain from engaging in participatory practices, unconvinced that positive change to their circumstances is possible (MacDonald and Marsh, 2005). A further issue is children's knowledge being vulnerable to disproportionate scrutiny, their views contested or discredited due to age and emotional development. Indeed, youth justice professionals may deem their expert knowledge more credible, invoking a 'hierarchy of knowledge' mentality (Deakin et al., 2022). Subsequently, for children's participation to be more transformative, adults must reposition themselves as 'co-constructors of knowledge' (Percy-Smith, 2012). By doing so, it enacts a greater possibility of shared decision making and equal partnerships being forged between children and adult professionals. Adopting some ideas of co-production as a conceptual basis for participation in youth justice can support a reconceptualisation of both adults' and children's knowledge, capabilities and expertise. However, it is important to note that children may not feel entitled or deserving of the opportunity to input into the design and delivery of services they receive (Case et al., 2020). Children may feel they have forfeited participatory rights by being convicted of harm and ordered to repair the harm caused (Hart and Thompson, 2009). Therefore, it is important to approach co-production in youth justice with caution, as these potential barriers to participatory practices in youth justice may still elicit power imbalances and systemic harms to children, such imbalances and harms can, however, be subjected to critical examination with Bourdieu's thinking tools.

## Thinking with Bourdieu

Pierre Bourdieu dismantled the subjective/objective dichotomy through a theory of practice, spotlighting the interplay between intentions and external influences on the ability to think and act (Bourdieu, 1977). In other words, Bourdieu arguably sought to bridge an illogical gap between subjective experiences and social structures (Houston, 1992: 149). Although, as Bourdieu observed, 'structures never determine behaviour mechanically' (Bourdieu, 2021: 206), objective conditions govern, or at least impact a person's ability to exercise agency, either constraining or facilitating possibilities to navigate precarity. For example, people are able to take control of their own lives, and in so doing construct their own identities and mediate structural barriers. Crucially, however, there is an important caveat: despite any sense of personal agency, their choices are limited, as people can often be constrained by wider societal structures, 'regulated and reproduced through relations of power, legitimacy and authority' (Scruton, 2007: 7). In the youth justice context, it is vital that there is a focus on assessing the impact of external influences on behaviours, which can limit children's ability to shape decision-making processes. Moreover, contemporary criminological studies have made use of Bourdieu's thinking tools to empirically

uncover central concerns related to the treatment of adults in the criminal justice system (Bowden, 2014; McNeill, 2009), and to theorise young people's experiences of criminalisation (Barry, 2007), and perspectives on pathways into and out of offending (France, 2015). Despite criminological interest in Bourdieu's work, his thinking tools have been seldom used to investigate the experiences of youth justice professionals implementing participatory practices and children's involvement in decision-making processes. Therefore, we apply a Bourdieusian framework to explore this topic, drawing on findings from a study (see Creaney, 2020) that subjected participatory practices to rigorous investigation and analyses through empirical observation and in-depth interviewing.

### *Habitus*

Habitus is conceptualised as 'embodied history' wherein actions or responses become 'second nature', influenced by 'past experiences' shaping attitudes, beliefs and responses to situations (Bourdieu, 1977: 82–83). Thus, processes of socialisation over time shape lived and learned experiences within a field. 'Field' is a cultural, social or institutional space formed by a network of relations that exists among social positions of either 'domination' or 'subordination' (Segre, 2014). Habitus consists of a series of dispositions, which have been formed by, yet also direct the person's unconscious mind and conscious thought. While habitus tends to operate 'below the level of consciousness and language, beyond the reach of introspective scrutiny or control of will', people are still thinking beings, not 'mindless dupes' (Bourdieu, 1984: 466). Nevertheless, as a concept, habitus has been criticised for being deterministic, in that agents, constrained by social structures, act in unconscious, uncritical ways to maintain dominance and privilege in the field and reproduce inequalities (Jenkins, 1992). Jenkins (1992: 91) described Bourdieu's theory of practice and thinking tools as ultimately telling a depressing story that revolved around people being unable to 'intervene in their individual and collective destinies'. However, although people possess limited agency or space and awareness to challenge norms, entrenched values and beliefs, it is not a forgone conclusion that their situation remains the same.

There is some 'room for manoeuvre' as social agents have the ability to exercise agency, display a 'margin of freedom' and execute a level of discretion over the direction of proceedings (Bourdieu, et al., 1999). In particular, during challenging times, social agents can become hypervigilant and engage in reflexivity or consciousness raising and embark on a progressive project in an effort to overcome their precarious situation or disadvantaged position they find themselves in (Bourdieu and Wacquant, 1992). For instance, professionals may experience discomfort or suffering, as a result of expectations to comply with newer ways of working, such as with the implementation of Child First principles within youth justice practice, which in a Bourdieusian sense, can lead to the emergence of a cleft or split habitus (Bourdieu, 1990a). As Houston (2002: 157) notes, 'Habitus acts as a very loose set of guidelines to strategise, adapt, improvise or innovate in response to situations as they arise'. Subsequently, while there is inevitably a continuation of the status quo in varied shape or form, there is the prospect that transformation of practice can occur in the field. Resistance dispositions consciously activated by agents in the field who are not advantaged by the current system can provoke challenges to the dominant model



potentially forcing changes to norms and systems (Bourdieu, 1977). Thus, habitus can be used to explore how professionals in youth justice systems may be facilitators of participation, using their agency to challenge oppressive norms and practices that appear to be harming children either literally or symbolically.

### *Symbolic violence*

Symbolic violence is a non-physical, 'gentle invisible form of violence, which is never recognised as such' (Bourdieu, 1977: 192). Symbolic violence is a type of harm and concealed form of power, described through 'doxa', that is, 'unquestioned shared beliefs which constitute fields that explains which beliefs, truths, practices and relations are considered "natural" and appropriate' (Bourdieu and Wacquant, 1992: 108). Symbolic violence endures a process of misrecognition whereby domination is unperceived, as there is little challenge to relations of power, resulting in the social order continuing (Bourdieu and Wacquant, 1992). The dominated unwittingly accept their suffering, perceiving their treatment as natural, even at times with respect and fondness for those in authority (Bourdieu, 1990b). Those harmed can become desensitised to repeated exposure to unfair or degrading treatment, which often clouds their judgement during the interaction/exchange (Bourdieu and Wacquant, 1992; Jenkins, 1992). Professionals in a youth justice context may feel compelled to think in a certain way about a phenomenon and essentially adhere to orders and fulfil bureaucratic requirements to achieve particular outcomes, the criteria for which is often determined by the dominant or those who occupy seniority (Bourdieu and Wacquant, 1992; Crossley, 2017: 34).

Nonetheless, the dominated are not just 'slaves to rules' (Wolfreys, 2000: 5). It is possible agents become aware of their mistreatment and challenge the status quo. They may embark on a project of resistance, challenging the legitimacy of certain claims perpetuated by those who hold superior knowledge and status in the field (Bourdieu and Wacquant, 1992). Those with status in the field have accrued capital and fought to retain symbolic power. Those challenging, often in capital deficit, may act against expectations and question authority figures (Bourdieu and Wacquant, 1992: 174). In the field of youth justice, this can apply to professionals being reluctant to comply with certain agendas and attempt to resist order by breaking away from the formulaic risk-led bureaucratic system and managerialist discourse (Phoenix, 2016; Robinson et al., 2014). This may involve not completing copious amounts of paperwork and instead substituting an obsession with 'writing about children' to one that involves spending more time working *with* them as partners for transformation. However, front line practitioners may also be subject to symbolic power deployed by senior authority to secure their compliance. This results in front line professionals being denied the opportunity to meaningfully shape organisational matters and ways of working that they internalise as being out of their control (Bourdieu, 1998a, 1998b). How professionals act is influenced by structural constraints affecting their ability to be sufficiently innovative, creative, or bespoke with children when supervising them and delivering interventions.

Children perhaps also misrecognise that they are recipients of symbolic violence. They may remain complicit, feeling unable to provide a competent viewpoint, unaware of the

implications of being subjectively judged and classified as ‘high risk’ with forfeited rights to a voice in their service delivery. Children accept this judgemental, ultra-negative focus and ‘exclude themselves’ from processes and systems that should concern them, feeling their influence is extremely limited (Bourdieu and Wacquant, 1992: 74). It is possible children refrain from levelling criticism at authority figures and avoid challenging the legitimacy of knowledge associated with the dominant position operating in a field that is more favourable to adult perspectives or top-down practitioner-led practices (Bourdieu and Wacquant, 1992). In other words, children may have an acute sense of what ‘can’ and what ‘cannot be said’ (Bourdieu and Wacquant, 1992: 257). These responses by children can be captured as forms of symbolic violence. Freedom from this could entail professionals and children working in partnership to transform their relationship.

Bourdieu (1977) recommends undertaking detailed, in-depth investigations, with a focus on capturing direct knowledge of lived and learned experiences to provide rich and insightful accounts of what lies behind the actions or motivations of individuals in the field. This involves detecting or uncovering the habitus that individuals ‘play out’ in practice. This article now reports from a 15-month study between 2016 and 2017, informed by a Bourdieusian framework.

## Methods

A critical social analysis of children’s participation was conducted across one large youth offending service in the Northwest of England. To explore perceptions and experiences of youth justice supervision and the efficacy of children’s involvement in the design and delivery of services, a qualitative approach was adopted. This article reports on discussions from in-depth interviews. The study was approved by Liverpool John Moores University ethics committee. Ethical principles (see Beauchamp and Childress, 2001) were integral to how the research was undertaken. It was pertinent to treat all participants with respect and sensitivity, demonstrating active listening skills in a non-judgemental manner. In a Bourdieusian sense, the researcher respected the principle of empathic perspective taking, interacting with participants using language free from technical jargon (Bourdieu, et al., 1999).

Formal permission and negotiation into the field was sought by writing to a youth offending team (YOT). Access was gained through the YOT’s management board and the practitioner forum. A constructive relationship was formed with several gatekeepers (including managers and senior practitioners) who supported the project by actively promoting the study among the workforce and children alike. Participants were recruited for interviews using a blend of purposive, snowball and convenient sampling techniques (Silverman, 2013). This enabled a rich contextualised understanding of the facilitators and barriers to children’s participation in youth justice. Children interviewed were subject to a Referral Order, Youth Rehabilitation Order, Intensive Supervision and Surveillance or a Detention and Training Order. Notably, children’s case files, including demographic data, were not accessed due to data protection concerns and due to the study being focused on children’s *own accounts* of participation and involvement in decision-making processes. Professionals and managers were from diverse backgrounds, including health,



speech language and communication, and social work. The researcher interviewed front line professionals ( $n=14$ ), operational managers ( $n=6$ ) and children under youth justice supervision ( $n=20$ ). All 20 of the young people ( $N=17$  male and  $N=3$  female) interviewed for the study were White British, aged between 13 and 18 years old and living in the Northwest of England. The 20 practitioners interviewed were employed within one large youth offending service within the Northwest of England and their experience of working within the youth justice service ranged from 2 months to 30 years. Interviews, audio recorded and transcribed verbatim, ranged from 1 to 3 hours in length and were conducted during working hours. Data were gathered/co-constructed with participants through interviews, observations of practice supervision, group work projects and feedback forums.

Children were interviewed in a comfortable space with freedom to express deeply held views, without judgement or prejudice. This was made possible through the forging of participative and non-hierarchical relationships, consciously disrupting real and perceived imbalances of power (Bourdieu, et al., 1999). It was explained to participants that participation in the study was voluntary. Children were periodically reassured that non-attendance at interviews was not recorded as non-compliance with their court order requirements (Hampson, 2017). Researchers have a responsibility to protect research participants from harm and exploitation (Hammersley and Atkinson, 2007). It was explained to children by the researcher and reinforced by their YOT supervisor that they would not be pressured to answer a question, not least due to the perceived risk their response would then incriminate or be upsetting for them. Non-verbal cues were also observed, including body language, accessing participant understanding, expectations and readiness or willingness to engage. These observations formed part of a reflexive practice used throughout fieldwork to determine the influence of the researcher. This practice intends to overcome bias, validate subjectivities and increase trustworthiness of qualitative research (Bourdieu and Wacquant, 1992; Madden, 2010). The researcher maintained a commitment to uncovering how a researcher's presuppositions, prejudices and social world can influence ways of knowing.

Braun and Clark's (2006) approach to thematic analysis was drawn upon as guidance for analysing data. An inductive approach involved formulating initial codes to aspects of the data that appeared insightful or significant. Open coding was then utilised to organise data, identifying mundane details including descriptions of the setting. Data were cross checked, and themes were constructed and revised, being immersed in 'the depth and breadth of the content' (Braun and Clarke, 2006: 1). At this point, Bourdieu's social theory was particularly helpful, allowing the researcher to advance 'beyond the data, thinking creatively with the data, asking the data questions and generating theories and frameworks' (Coffey and Atkinson, 1996: 30). Using Bourdieu's core concepts of symbolic violence, habitus, capital and field, as heuristic devices or guiding theoretical constructs, the themes were checked and verified by (re) examining the sample and (re) analysing the findings, and this iterative and reflexive process provided deep insight into the realities of youth justice practice and supervision.

In particular, Bourdieu's notion of habitus was useful when seeking to understand what drives a child or professional to act in a certain way or when attempting to detect the

micro/macro forces that prevent compliance with a particular agenda in the field. It was a powerful analytical tool, providing insight into how past experiences or memories of events, whether knowingly or otherwise, impacts on present and future practice. Bourdieu's other analytical tools were similarly pivotal when interpreting the data. For instance, symbolic violence and the related concept of misrecognition were drawn upon as a lens to 'think through' forms of soft power in operation. Throughout the open coding phase, this conceptual framework assisted in the search to depict degrees of unfairness or levels of uncertainty in the accounts and narratives of stakeholders. As discussed, symbolic violence, exerted by those who are perceived to hold superior knowledge, can be imposed and inflicted on the vulnerable and least advantaged with remarkable agreement due to the subtle nature of harms being imposed (Bourdieu, 1977). From the analysis, this article now presents some of the findings to demonstrate facilitators and barriers to participatory practices in youth justice supervision.

## Findings and Analysis

### *Children's involvement in decision making*

Children's participation in decision making has become a feature of recent policy developments (see YJB, 2016, 2019, 2021). Pivotal to this is the acknowledgement that children are equal partners in the process, who have the right and the ability to co-construct knowledge and shape decision-making processes (YJB, 2021). Yet this study has raised critical concerns about how children's involvement in decision making can be meaningful in a youth justice service context. During time spent within the local YOT, it was found that some children were invited to share concerns with their worker and shape some of their interventions and activities, as illustrated by Ben:

Well yeah, I guess you get to choose what you wanna do. What you wanna work around. And you get treated nicely. (Ben, 16, Referral Order)

However, one child shared how opportunities to input into his own intervention plan were limited. He commented on how the service tended to impose their vision, compelling him to adhere to their agenda and its requirements. In an interview with Tommy, his perception was that his participation rights were subordinate to organisational priorities:

It should be, but what it is and what it isn't is two different things, innit. Like, obviously I'd like to have more of a say in what I'm doing . . . What meetings I'd go to, and stuff that I think's productive for me. But obviously they've got the way they work. (Tommy, 16, ISS)

Similarly, Callum, subject to a Youth Rehabilitation Order,<sup>1</sup> was interested in securing an apprenticeship near to when his order was complete and wanted to be more involved in decisions on matters that affected his life. Specifically, he wanted to have more of a say on how often he was required to attend meetings with his YOT Officer:

. . . cos it would give me more of a say, wouldn't it? Like I could say, like, once every two weeks . . . But, dunno – they choose innit. Not me who chooses. (Callum, 15, YRO)

Elsewhere, Justin reflected upon his experiences of being on an Intensive Supervision and Surveillance court order.<sup>2</sup> He expressed during an interview how sometimes it would be nice to influence his timetable of activities devised by his worker. Justin felt he provided minimal input into deciding the content of supervision sessions:

. . . I get a timetable, like, for a week, and it shows me what I've got to do in the week . . . Obviously, like, they'd listen to my opinion. But it's not up to me to choose. (Justin, 15, ISS)

When asked about what improvements could be made to policy and practice, Tommy felt unqualified to pass judgement:

I don't think it's up to me to say that, is it? I don't think . . . I don't get a say in what the YOT do, do I?. (Tommy, 16, ISS)

Tommy appears to accept this form of symbolic violence, associated with the unequal power inherently built into relationships between children and professionals within youth justice services, whereby authority figures wield significant control over decision-making processes, which limits opportunities for co-production to occur. Indeed, one professional acknowledged some of these issues:

I've just written a Referral Order<sup>3</sup> report today, after an interview with the young person, and he's in panel tomorrow, and I've made suggestions of what should go on his contract, and I'm pretty sure that when I look at the contract on Thursday, after panel, that whatever I've put will be on the contract. And the young person won't have had much input into that, really. But that's because the panel procedure that's a bit of a tick box. And I think it needs to be improved so young people can say, 'Well no actually, I'd like to do this', or, 'I'd like to do that'. But there isn't that much opportunity at the moment for them to do that. (Evelyn, YOT Officer)

Likewise, children also described limited opportunities to feed into discussions during the referral order panel process:

They said, 'Well you can pick up litter'. And I just didn't . . . I just didn't talk, really. They didn't ask me to talk. They didn't say, 'Well, what's your points on this. They didn't say that'. (Baden, 15, Referral Order)

The quote from Baden is akin to a form of symbolic violence, 'accepting' a subordinate position (Bourdieu, 1977, 2019) by not sharing his views in this decision-making process. It is important in non-voluntary participation contexts that professionals provide explicit opportunities for involvement and views to be voiced and inform children how their perspectives and knowledge are of equal value, ensuring partnerships are built, with the voice of the child prioritised throughout intervention planning and supervision (Duke et al., 2022). The professionals tended to demonstrate an awareness of this, moving beyond notions of misrecognition (Bourdieu, 2020: 145), as they identified barriers within the process of referral order panels, but appeared to also be subject to symbolic power by not being able to transform the Referral Order panel process. Another area where a participatory approach was particularly challenging to practice was during 'High risk' panels.

### *Professional perspectives on ‘high risk’ panels*

High-risk management panels are a multi-agency co-ordinated approach to monitor concerns related to behaviour, harm, safety and well-being. Specialist workers and senior managers involved in these processes provide guidance and support to those managing cases. This includes identifying the resources needed to manage risk. It also includes monitoring safeguarding concerns, or responding to intelligence received, that, for example, children are judged to be displaying harmful behaviours and/or presenting as a ‘high or very high risk’ of harm to themselves (see Burns and Creaney, 2023; see also Peer Power/Youth Justice Board, 2021: 61). During fieldwork, one YOT manager explained why children were *not* invited to attend ‘high risk’ panels:

Because we might be talking about some, you know, information in relation to the victim. Protective exclusion zones around victims’ houses and all that kind of stuff . . . it would be quite difficult practically to see how that would work . . . (Jackson, YOT Manager)

Jackson did acknowledge the sensitive and confidential nature of the discussions being a barrier to enabling the child to voice their opinions or perspectives in these processes. Intelligence may be shared between professionals, which may be confidential or sensitive in nature and not appropriate for the child to hear. Nevertheless, there were consequences from this strategy to not allow children to be physically present at the meetings, which resulted in some frontline professionals struggling to secure ‘buy in’ from those under supervision:

Because, really, you’re making big decisions, particularly around risk and vulnerability on someone, when you’re not really getting any kind of buy-in. The problem with the high-risk meetings is you can make these big decisions – everybody’s like, ‘Yep. I think that’s the way to go’. It’s down to me then to go and sell that to the young person. And what if they don’t buy it? I’ve got to do it to them, haven’t I, really? . . . I can tell them ‘We’ve assessed you as high-risk, for these reasons’, but I don’t think it really means anything to them. But if they’re in a meeting, with maybe a small number of people saying, ‘Right, we think that, you know, at the moment you’re high-risk because of these reasons’. It might just bring it home to them and help with the interventions as well. (Scarlett, YOT Officer, England)

As Scarlett demonstrates in her explanation of high-risk meetings, it becomes a strategy concerned with forms of surveillance and control, rather than upholding the principal of ‘collaboration’ and having a Child First ethos at the forefront of youth justice practice for these children. Those under youth justice supervision are not able to be physically present at the meetings. Professionals are expected to gather children’s views about perceived risk, harm and safety. In these situations, the child’s case manager or other trusted professional is given responsibility to represent those views at the meeting. There is at least some consideration regarding the inclusivity aspect of participation within these processes given the paucity of the opportunities for children labelled ‘high risk’ to input into this aspect of service delivery:

I think it's a bit bizarre actually . . . I've got one upcoming with – social care are coming, management here are coming, I'm coming, obviously. I've invited the support worker. So, but the most important person is not there . . . how can we change anything if that child's not included and able to give their views? I find it a bit bizarre, that we're making decisions about the young person, who's not attending . . . (Esme, YOT Officer)

I think it's morally indefensible, actually, to discuss people without them being there for at least part of it. (Hayley, Health Worker)

This is also a case of symbolic violence in that there are constraints on expressions of agency with children being denied sufficient freedom to express themselves and to co-design or even partially input into the 'high risk' panel process. This example highlights symbolic violence of front line professionals, as they recognise the necessity of children's participation but are also being denied the opportunity to meaningfully shape high-risk meetings with children and internalise this as being out of their control instead of challenging the status quo (Bourdieu, 1998a, 1998b). It is important to note that the organisation did previously pilot an approach that involved enlisting the help of a professional, who was care and criminal justice experienced, to act as an 'advocate' for the child:

he . . . absolutely represented that young person's views in a fantastic way. And altered the way that the case manager, and me as the chair of the risk meeting, had his risk management plan, intervention plan, you know. In terms of where he was seen, erm . . . you know. (Jackson, YOT Manager)

Jackson did acknowledge that children are informed of outcomes/judgements concerning 'risk' and encouraged to input into and critique professional decision making. It is of note that a study by Peer Power/YJB (2021) problematised the application of the 'high risk' term. The authors of the report recommended a re-think concerning language, in the light of forthcoming changes to the participation strategy and the introduction of Child First as a guiding principle (YJB, 2021). It was also argued that if children are encouraged to enter into collaborate partnerships with professionals who strive to connect with the child, positive outcomes are likely to result. In the present study, several barriers to such partnership building were identified, which will now be discussed.

### *Barriers to partnership building*

It is important that professionals project empathy and encourage children to reflect on their feelings and emotions during supervision meetings. A consistent, trusting adult/child relationship, underpinned by an emphasis on listening with care and compassion, is vitally important (Burns and Creaney, 2023; Wigzell, 2021). Mutual respect also plays a pivotal role in bolstering children's participation, reducing passive compliance and increasing active participation. This type of relationship-focused practice is conducive to children's meaningful participation (Duke et al., 2022). However, it was found that practice continued to be predominantly computer-based, interpreted by practitioners as overly focused on 'getting everything on the system' (Esme, YOT Officer). As a result, this negatively

impacted ‘professional time and space to form supervision relationships with young people’ (Ugwudike and Morgan, 2019: 6). This is exemplified through interviews with professionals:

So what difference are we making to a child’s life if we’re just sitting purely behind a computer? . . . there is an over-focus on paperwork. (Esme, YOT Officer)

It’s all the paperwork, yeah. That is why. And I guess it has to be like that. And in most services, it’s like that as well. Even in social care. (Freya, YOT Officer)

We didn’t do this job just to sit around a computer, we did this job because we want to make changes in children’s lives, and families’ lives. And it just feels like we’re not even touching the surface anymore. Which is quite sad. (Scarlett, YOT Officer)

One professional discussed how children’s participation rights and principles of co-production may not be in the mind of front line professionals in their day-to-day decision making:

. . . making anything that is properly participative, just takes a lot more planning, a lot more time. It’s just a lot harder. The truth is . . . with why participation isn’t at the top and the User Voice isn’t central, is because it slows everything down and makes everything a lot more difficult to do. And when we haven’t got much time and we’ve got a million things to do, the stuff that’s hard to do slips down the list, doesn’t it?. (Jackson, YOT Manager)

A noticeable barrier to facilitating participatory practices related to practitioners having the ability to spend time with children, be creative in their work and have the space to ‘think through’ how to implement Child First principles into practice. The combination of a risk-focused, managerialist and bureaucratic field is indicative of a habitus that invokes symbolic violence, on both children and youth justice professionals, especially those in subordinate and precarious positions (Bourdieu, 1990a).

### *A risk-focused, managerialist and bureaucratic field as the ‘status quo’*

Profound changes had been introduced at the fieldwork site during the course of the fieldwork, such as the new assessment tool ‘AssetPlus’ and information systems, designed to overcome formulaic and bureaucratic processes. AssetPlus is utilised as an assessment-intervention tool that collects information about the child, including personal family and social factors, offending and anti-social behaviour, foundations for change, and self-assessment (YJB, 2014). This can be time consuming to complete and limits children’s involvement in supervision arrangements. AssetPlus appeared to constrain practitioner expertise, discretion and innovation:

[AssetPlus is] the most long-winded, repetitive thing I’ve ever seen in my life . . . if a child’s got really complex needs, it opens up all sorts of boxes. So, it’ll open up speech – is there an issue with speech? Well, if there is, then this whole dropdown comes down. Is there mental health? That comes down. Alcohol? Comes down. If they’ve ever been detained, that comes



down. So, you know, you get to the point where you think, ‘Do I actually want to tick “yes”?’ You do. Because obviously, you know, you need to make sure that everything’s correct for that child. But actually, there’s stuff on there that doesn’t need to be there. It’s repetitive . . . (Esme, YOT Officer)

Some practitioners felt the new assessment tool subjected children to more intrusive questioning, rather than creating space for equal and reciprocal partnerships to be built:

Suddenly you ask them all these questions, and it’s quite, Whoa, what’s going on here? (William, YOT Officer)

This response considers how the intrusive questioning is recognised as another barrier for power imbalances to be addressed and meaningful participation to occur. The new assessment tool was meant to enhance self-assessment,<sup>4</sup> but professionals feared the tool exacerbated children’s feelings of disempowerment, worsening the feeling of being ‘assessed to death’ by ‘an “instrument of symbolic violence”’ (Schubert, 2014: 189; see also Bourdieu, 2019: 94). This resulted in professionals spending more time in front of a computer screen, increasing the difficulty for trusting relationships with children to form. This relational aspect of their work, considered key to effective participatory practice, was almost seen ‘as a luxury they could rarely afford because of other (“bureaucratic”) demands on their time’ (Robinson et al., 2014: 130), as expressed by Scarlett:

. . . participation is kind of like the cream of the crop. The goal that you always want to achieve, but realistically we know we can’t always get it. Because those – safeguarding, risk of harm to the public, you know, risk of reoffending – is just so high, that we do have to focus our energies there. (Scarlett, YOT Officer)

Although systems and processes do not categorically determine how agents respond in a given field, dominant discourses, including processes of risk-focused practice, can constrain professional’s desire to implement participatory practices with children. This became evident in discussions around the updated assessment tool. Furthermore, workers occupying a subordinate position in the field described too much pressure from managers in dominant positions, with an expectation that they ‘just get on with it’ and not react against the dominance of ‘top-down decision-making’. Their accounts depicted forms of symbolic violence:

. . . across the team, there is uneasiness about the workload and what’s expected of us, for what money that we get, for the wages that we get. So, we’re expected to drive the whole of [the Borough], we’re expected to do all these AssetPlusses within the national framework, we’re expected to have quite high caseloads. (Esme, YOT Officer)

These practitioners felt uncertain about how to navigate demands of the changing system or how to effectively participate in the ‘game’ (Bourdieu, 2020: 82). The status quo remained structured in a way for children’s voice, knowledge and expertise to be dismissed at the expense of a risk-focused, managerialist and bureaucratic field. However, the Child First approach has potential to inject a cultural change in practice, by privileging

children's power and choice to meaningfully contribute to their own care and supervision needs. Despite the anxiety, tension and conflict amid the constraints in the youth justice field, professionals still appear willing to implement Child First principles as they emphasise care about the children they work with:

We do this job because we want to show tolerance and compassion and care for the young people we work with. But since the cuts I think . . . the pressure is actually quite intense. (Scarlett, YOT Officer)

As discussed, Child First promotes effective relationship building throughout assessment and supervision processes. As some of the quotes illustrate, those working on the front line do want to practice this, harrowing the urgency for systems change so professionals have agency to prioritise the child's voice and facilitate shared decision-making processes. Perhaps more resistance dispositions consciously activated by agents in the field are required to provoke effective challenges to the dominant model, forcing change and freedom from symbolic violence.

## **Concluding Thoughts and Implications for Practice**

The purpose of this article was to offer a critical perspective on participatory practices in the field of youth justice. Bourdieu's framework has been overlooked by those with an interest in researching participation, despite playing a more important role in criminological research (see Fraser and Sandberg, 2020). Therefore, using Bourdieu's thinking tools, practitioner perspectives of participatory approaches and children's experiences of supervision were subjected to analytical scrutiny. Most notably, through the concept of 'symbolic violence', the purpose was to reveal types of harm and concealed forms of power within youth justice supervision. This article has highlighted how, to an extent, there has been commitment to involve children in decision-making processes. However, there were concerns raised that children were not being meaningfully included in high-risk panel meetings. Here, agendas seemed to clash in that a culture to involve children in decision making did not match the processes in place to manage 'risk', which devalued children's knowledge, restricted opportunities for children to participate in shared decision making and maintained unequal power relationships. By professionals referring to children as a risk to others, this cautiously veers into a deficit lens, resulting in children under supervision acquiring limited power and agency to meaningfully participate, which contributed to a form of symbolic violence.

Moreover, the ability of professionals to utilise Child First principles was constrained by a habitus of risk-based systems and forms of managerialism, exacerbating workload pressures. Despite being afflicted by anxiety-provoking restructures, unmanageable caseloads and the perennial threat of redundancy, professionals reacted, at times, by internalising rather than externalising such pain and suffering. Subordinate professionals, also on the receiving end of symbolic violence, perceived the experience as necessary and accepted the harms caused by 'just getting on with it'. This demonstrates how symbolic violence is endured by both children and professionals, albeit in different forms, as the system and processes within youth justice services appear to

create noticeable barriers to progressing collaborative decision making or embedding a Child First and participatory rights-based approach. A recent project also identified challenges implementing participatory approaches within YOTs and uncovered similar barriers to children's involvement in 'high risk' management processes (Peer Power/YJB, 2021). Thus, it is recommended that for 'high risk' panels to be inclusive and participative, there is a need to align the purpose and strategy of these processes with a Child First ethos. More specifically, this involves professionals raising their consciousness of the intersecting power imbalances due to age, knowledge and professional authority within the supervision process and prioritise treating children as equal, reciprocal partners with their own expertise who are capable of contributing to shared decision-making processes. We recommend that youth justice services involve lived experience professionals as co-producers in 'high risk' management processes. As the findings in this study reveal, they can be an authentic and credible voice and act as 'advocates' for the child. This potentially progressive and principled practice is an approach that places value on *expertise borne of experience* (Burns and Creaney, 2023; Lister, 2000). Moreover, high-risk management panels are a multi-agency co-ordinated approach to monitor concerns related to behaviour, harm, safety and well-being. It also remains important that suitable justification or reasoning is provided to the child on how decisions are reached in order to maximise positive outcomes (Creaney and Smith, 2023).

Furthermore, it is pivotal that consideration of children's non-voluntary participation involves professionals self-assessing their readiness to provide structural and individual support to children, which includes an emphasis on their rights and interests being at the heart of decision-making processes, alongside an ethic of care and a commitment to collaboration and co-production. It is clearly vital that children's strengths are promoted and that they are encouraged to participate through a relational approach, including a proactive commitment to facilitate child friendly spaces to break down power inequalities (Duke et al., 2022). Relationships between children and professionals are inherently unequal. As identified in this article, children may not consciously detect forms of soft power being inflicted upon them. They may feel uneasy about sharing their views within adult-led risk-focused environments, which includes modes of control and surveillance to monitor perceived harms or safety concerns. Thus, in a Bourdieusian sense, children may 'accept' (Bourdieu, 2020: 130) the legitimacy of their exclusion and existing power relations. They can remain distrustful of authority figures due to prior disempowering experiences of system contact. Thus, adults in positions of power must recognise their privilege, which grants them real and symbolic authority in the field.

To invoke freedom from symbolic violence, the Child First approach necessitates a re-imagining of youth justice service assessment and supervision processes, alongside reconstructing the role of professional from one who instructs or dictates, to one who facilitates or empowers to cultivate truly child-centred and equitable partnerships. Participation is an integral component of Child First, alongside the equal importance of co-creation, which is pivotal to sustain positive outcomes (Hazel et al., 2017). Children must be enabled to contribute to the full cycle of delivering services throughout all stages of the process. This means that regardless of perceived risk, children are treated

as co-producers and partners, awarding equal value to both children and professionals' knowledge and experiences.

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## Notes

1. A Youth Rehabilitation Order (YRO) is a community sentence. As part of the court order, the child is required to attend appointments with professionals and comply with certain requirements such as unpaid work or a curfew (Sentencing Act, 2020 c. 17).
2. The Intensive Supervision and Surveillance Programme (ISSP) was introduced by the Youth Justice Board (YJB) in 2001, as an alternative to custody for children in 'serious' and 'persistent' conflict with the law (Gray et al., 2005). ISSP can be a requirement of a YRO, which would include the child participating in various activities or interventions, such as education, training or arts-based programmes.
3. Referral orders (ROs) were introduced in the Youth Justice and Criminal Evidence Act 1999 as a statutory community-based order in which the court 'refers' the child to a youth offender panel. The panel will agree a contract of work with which the child is expected to comply (YJB, 2018).
4. An AssetPlus process evaluation raised concerns that the updated self-assessment component to AssetPlus remains underutilised (see Picken et al., 2019). This can result in children being unable to fully express their perspective on their care needs and experiences of supervision.

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Dr Samantha Burns is a Lecturer in Criminology within the Department of Sociology at Durham University. Her research interests focus on participation and co-production, exploring services and interventions to improve outcomes for children, young people, and families which inform policy across health, social care, education, and criminal justice sectors. Samantha is currently Deputy Chair of the National Association of Youth Justice (NAYJ), an advisory board member for Peer Power Youth, and member of the Risk Work in Young Lives network.