

## **Abstract**

The most visible differentiation between models of youth justice across Europe exists in tensions between welfare-based and justice-based approaches. Proponents of welfare-based interventions often find themselves conflicted by the current growth of a neo-liberal, nationalistic, and perhaps at times xenophobic political climate across Europe, calling for tougher sanctions and sentences for young offenders. As a consequence, the promotion of any primarily welfare-based approaches within youth justice settings across Europe has been slow to emerge within key strategies to develop effective interventions with young offenders.

This paper explores the merits of a youth justice model which embraces the welfare based '*young people first - offenders second*' approach, and examines the potential role that a hybrid model of youth work practice and social pedagogy theory might play in achieving one of the key principles of Council of Europe (2008) of integrating young offenders back into society, and not their marginalisation and social exclusion.

## **Youth work and social pedagogy: towards consideration of a hybrid model**

### *Introduction*

“A good social policy represents the best and most effective crime policy” (Liszt, 1905)

Within all professional fields of work with young people throughout Europe, perhaps the most contentious arena in relation to the implementation of ‘socio-educational’ interventions with young people is in the context of youth justice.

In the same way that youth work and social work history can be said to have been dominated by the ongoing “open access versus targeted work” debate (Davies 1999), so too has the development of youth justice work across Europe been characterised by antagonism between two dominant sociological paradigms:

The history of youth justice is a history of conflict, contradictions, ambiguity and compromise in a system that has traditionally pursued the twin goals of welfare and justice. (Muncie et al 2006: 1)

Against such a background, this paper explores the dynamics created by variations in convergence towards, or divergence from, these Janus-faced approaches by practitioners.

Hamilton et al (2016) and McNeil et al (2009) describe such compromises as creating a ‘governmentality gap’, where the rationales of frontline delivery with young offenders may be at odds with the new management culture of risk-assessment systems, top-down approaches and policy frameworks that don’t fit naturally with what workers are doing. This concept is referred to as workers being ‘street level bureaucrats’ exercising wide discretion in their practice delivery methods and approaches (Lipsky, 2010, p13). In addition, the challenges faced by policy makers and strategists in establishing effective youth justice models of intervention are considered in the light of an increasingly fragmented and contested political and economic backdrop. We here advance the case for at least considering the potential of a new ‘hybrid’ model for youth justice settings of social and educational work with young people that fuses a social pedagogical approach within a youth work delivery framework. Such a model would be anchored within what Case and Haines (2015) describe as a ‘Children First; Offenders Second approach’. This was, in fact, first mooted in youth *policy* by one of the present authors (Williamson): the All Wales Youth Offending Strategy (Welsh Government/Youth Justice Board 2004, p.3) identifies a range of principles that should inform the strategy, the second of which (after ‘Prevention is better than cure’) is that ‘Young people should be treated as children first and offenders second’. By the time a new youth justice strategy for Wales was launched (Welsh Government/Youth Justice Board 2014, p.50) not only was ‘Young people are children first, offenders second’ in pole position in the statement of principles, but the title of the strategy is telling: Children and Young People First.

Adding to this progressive, positive and principled intervention model of youth justice discussed and elaborated by Case and Haines (2015), this chapter builds on the ideology of the ‘Children First; Offenders Second’ approach to conclude with a further stretching,

positive, outcome-focussed youth work intervention model which is underpinned by social pedagogic theory and practice. The chapter also concludes with the premise that alternative models of practice need to be widely considered in facilitating a turning of the tide on the still prevalent 'culture of control' which, according to Muncie et al (2007, p2) has gathered momentum and shifted from discretionary welfare-focused interventions in the 1990s to more justice-based principles in the 21<sup>st</sup> century. The case, indeed need, for new youth justice models to be established, based on the 'Children First; Offenders Second' theory is further reinforced on account of assertions that although many trends in youth justice across Europe point to policy becoming more repressive (arguably what could be described as an offenders first; children second approach) they have not necessarily become more effective in tackling the challenges of youth offending (Junger-Tas and Decker 2006). The chapter concludes with the case for a paradigm shift towards to the Children first; Offender Second model and perhaps beyond that already being supported in the UK. Consideration of such a model could make an important contribution to the debate on current youth justice systems and inform policies directed towards youth crime across Europe.

It is, of course, worth noting here the degree of complexity at a European level that attaches to any cross-national debate seeking to identify a universal practice model for any socio-educative interventions relating to youth justice settings. The complications of defining exactly what is meant, and understood, by terms such as youth justice, youth crime, the remit of youth or juvenile courts, and what constitutes being a 'young offender' inevitably varies across European member states. As a result, endeavors to find a philosophical, let alone a workable, model about which there is widespread consensus are likely to face significant challenges. The very definition of a 'child' in the eyes of national legislation and outside the jurisdiction of criminal law (notwithstanding the almost universal definition adopted with the

United Nations Convention on the Rights of the Child – somebody up to the age of 18) varies dramatically, even within Europe. The age of criminal responsibility is 18 in Belgium, France and Luxembourg but as low as age 8 in Scotland, 10 in England and Wales, and 12 in Ireland (World Health Organisation, 2016). Consequently, the development, in policy and practice, of a ‘blanket’ socio-educative intervention across such an age spectrum becomes complex and perhaps unrealistic. However, common principles and values behind interventions can still prevail and seek to bridge these nuances and distinctions. The ‘cradle to grave’ mantra of social pedagogy and the holistic nature of the open-access youth work approach may contribute in this respect. Other difficulties lie in the differing classifications of crime or penal custody sentences for children, and the extent to which aspects of youth justice are recorded can vary enormously throughout Europe (Muncie et al 2006, p.295) e.g. Numbers of youth custodial sentences may be recorded up to age 18 in UK but in Belgium may be recorded up to age 21. According to the Howard League for Penal Reform (2008), most European systems have individual and distinctly different ways of recording crime and dealing with young people under the age of 21 who are in conflict with the law.

***Convergence towards the ‘punitive turn’: The shift from doing things ‘with’ young people towards doing things ‘to’ or ‘on’ them***

In 2003, under the terms of Article 15.b of the Statute of the Council of Europe, REC 20 was produced containing a series of recommendations and ‘new responses’ for member States to consider in regards to the treatment of young offenders (Council of Europe 2003). The positive welfarist rhetoric behind the document acknowledged that young people in the youth justice system had different socio-educative needs from adults and that “the traditional criminal justice system may not by itself offer adequate solutions as regards the

interventions made with juvenile delinquents” (COE, 2003, article 15b). Further encouragement for the welfare approach was evident in a conviction by the Council of Europe that responses to youth offending should be multi-disciplinary and multi-agency in their approach, thereby opening the door for other sectors working with young people to contribute to the reintegration and rehabilitation of young offenders.

The start of the 21<sup>st</sup> century, however, heralded a reality in practice of a significant divergence from this approach. A report by the Directorate-General for Economic and Financial Affairs of the European Commission described the European economy as being ‘in the midst of the deepest recession since the 1930s’ and suggested that unless policy makers embraced ‘new challenges’ then a permanent downturn in economic growth would be the consequence (European Commission, 2009, p1). During this time of ‘new challenges’ much of Europe faced uncertain political trends, austerity driven economic measures and times of social unrest such as the riots in the banlieues of Paris in 2005, and the London riots in 2011. Much of this social unrest was linked to growing frustrations with successive political movements for failing to tackle high levels of exclusion and social disadvantages amongst young people within populations across Europe. Williamson (2013, p1) even envisaged “a scenario in which historically disadvantaged youth may connect with newly intellectually disaffected young people to produce either more toxic or more creative alliances”.

Such alliances did not emerge, or evaporated quickly and the political response, far from concluding that a great deal of the social unrest was the negative and destructive consequence of austerity policies across Europe, was to persist with public sector cuts. The UK saw large-scale reductions in spending on youth services and other public services. For example, a survey conducted by the Local Government Association in 2015 found that 90% of English councils had cut services for teenagers (Unison, 2016). The combination of episodic social unrest and media portrayals of escalating levels of youth crime in many parts of Europe led to

political pressures to address the 'youth' problem. As a result, according to Case and Haines (2015), many European juvenile justice systems, particularly that of England and Wales, reacted by implementing a 'punitive turn' (Muncie, 2007, p119) towards repressive and retributive (punishment-based) forms of juvenile justice rather than adopting the welfare ideology promoted by the Council of Europe (2003). Garland (2001) had previously described this trend as developing a 'culture of control' with terms such as zero tolerance, anti-social behaviour orders, group dispersal orders, curfews producing a punitive mind-set affecting not only the youth justice system but also influencing wider social arenas and public attitudes. As a result of this 'punitive turn' (Muncie, 2007) and the socio-economic factors that had generated it, the focus for youth policy interventions became based significantly on the perceived 'youth crime problem'. During the current neoliberal austerity drive being experienced across public sectors throughout Europe, any intervention measure not only had to consider tough fiscal restrictions, but also in light of the right wing dominance within neoliberalism, had to give consideration to producing a sentencing culture that highlighted the personal responsibility of young people and the need for them to be punished through appropriate levels of retribution. The political immediacy in dealing with the economic crisis has leant us towards a 'top down' style of policy development bringing new, tougher approaches without any consideration of what are now perceived to be the unsuccessful welfare and justice methods of the past. However, there is a paradox here in the fact that under previous more punitive and justice based models throughout the 1980s and 1990s, the diversionary and welfare-based models delivered by frontline youth justice workers or as referenced earlier by the 'street level bureaucrats' using their discretionary powers and introducing creative diversionary projects (Lipsky, 2010), did in fact bring costs down and were also successful in reducing custodial numbers for young people in the UK from 8000 per year in youth custody in 1980 to 2000 per year by 1990 (Haines & Drakeford, 1998, p34).

A prime example of the aforementioned 'top down' punitive philosophy was evident in the UK when a newly elected Labour government under the leadership of Tony Blair in 1997 had pledged in their manifesto to be 'tough on crime, tough on the causes of crime' and once elected introduced an unprecedented 3,500 new criminal offences within 50 Criminal Bills (Delves & Norfolk-Whittaker, 2013, p7). This was a far cry from some of the practitioner-led approaches that had previously shaped interventions during the 1960s, 1970s and 1980s and had focussed on the so-called '4 Ds' of diversion, decriminalisation, deinstitutionalisation, and due process (Dunkel, 2010).

Subsequently, this 'punitive turn' shifted intellectual thinking away from a more structural analysis of the causation of crime towards a more clinical, systems and surveillance ideology. Rather than rooting itself in any exposure of structural inequalities and socio-cultural deprivation factors, policy towards youth crime has shifted towards a more individualistic, psychoanalytical, risk-assessment, monitoring and surveillance approach. This has manifested itself in a way that many European governments now see their role within youth justice settings as the targeting and assessment of individuals and offenders who are most likely 'at risk' of offending/re-offending and aim to stop their criminality through a range of punishments and tougher sentencing. According to Delves and Norfolk-Whittaker (2013, p9) "spending on preventing offences is miniscule compared with the budgets given to courts, coppers [police] and incarceration".

At practitioner level this has led to a narrowing fixation in working on 'young people at risk' and assessment of risk to the point where now much of the youth justice work across Europe is focused primarily on assessment of young offenders in terms of the 'risk' that they allegedly pose either to the community or to themselves. This can be placed in contrast to the world wide agreement on young people's rights that can be found in the United Nations Convention on Rights of the Child (1989) which places the welfare and participation of young

people at the heart of any policy formation and advocates for their right to be involved in any decision-making processes affecting them, i.e. an emphasis on working ‘with’ young people and not ‘on’ them (UNCRC, Article 12, 1989). This is the perspective and position adopted by all representative youth organisations – with the mantra ‘nothing about us, without us’ – and there is no reasonable case that young offenders should be denied the participatory principle on account of their offending (though some have argued their participation rights have, necessarily, to be compromised or weakened). Indeed, one might contend that participation is, for young offenders who have probably previously been denied a voice, additionally important.

Despite the paradox of all European countries signing up to the UNCRC (1989) measurements of risk, assessment of risk, scaling of risk, tools for risk assessment, three strikes legislation, zero-tolerance, and criminalisation of anti-social behaviour have all become synonymous terms and approaches within youth justice settings. These have been introduced with little or no input from young people themselves in terms of how they are implemented. The UK has the wonderfully named ‘Risk Factor Prevention Paradigm’ (RFPP) and popular throughout Europe is the ‘European Assessment of Risk and Needs’ (EARN) tool used to identify the likelihood of a young person offending in the future in order that they can then be targeted through risk-focused interventions.

From the holistic and person-centred social pedagogy perspective these tools simply but surely reduce young people to being (and feeling) nothing more than a case to be worked on, to be measured, a score, a ‘risk factor’ that focuses on their offences and deficits. In crude terms, such measures can be described as state instruments of control (Garland, 2001) used for the monitoring and controlling of young people’s behaviour. It can therefore be argued that these mechanical and clinical tools could not be further from the core value base and principles of social pedagogy and youth work in terms of being acceptable socio-educative



interventions. Given these assumptions, the question must be asked; how can any youth justice role be envisaged for a social pedagogy based intervention within the current seemingly 'hostile to welfare' neo-liberal and austerity driven political and economic climate?

***Convergence towards a 'welfarist turn' - Shifting focus on 'what works' to 'who works'?***

The current obsession with measurement of risk, monitoring of outcomes, setting of targets and instrumental frameworks has led to an emphasis on 'what works' (instruments and methods) rather than a focus on 'who' works (practitioners). For those involved in open-access youth work and social pedagogy which each place a significant emphasis on the power of *relationships* with young people rather than any instrumental intervention, it is in the 'who works?' question that the answer may be found rather than in the 'what' works. There is perhaps no better demonstration of this sentiment than the declaration of social pedagogy expert and developmental psychologist Urie Bronfenbrenner (1991, p2) when he stated that "Every child needs at least one adult who is irrationally crazy about him or her". The more complex message behind Bronfenbrenner's simple statement is that in order to work effectively to meet a young person's needs, then the primary caregiver should also have the support of another adult from either a familial relationship or close acquaintance. The significance of such a relationship has been recognised by Williamson (2007), in his collection of short reflective pieces about youth work, talks repeatedly about the importance of 'critical people at critical moments'.

However, in modern European society, such a relational three-way alliance has been disrupted by increases in solo parenting, loss of extended families and communities in general have become more individualistic and less connected socially (Putnam, 1995). French philosopher Bernard Stiegler goes a step further than Putnam in accusing adults themselves of a kind of

‘flight from responsibility’ regarding the education, welfare and well being of our children and young people, a view also advanced by Côté (2000). Stiegler’s vision of European society is one where we have cut young people off from an intergenerational ‘sense of culture and community’, with “people, having abdicated their majority” (Stiegler, 2010, p38). By majority, Stiegler is referring to passing on of wisdom, maturity, and in development of a critical consciousness in our young people. Adults have, he claims done this passively and without resistance to external social influences such as social media, technology and the consumerist culture which he claims enables these ‘industries’ to “capture the available brain-time” of young people (Stiegler, 2010, p38).

This ‘flight from adult responsibility’ combined with the tough economic measures of austerity has led Standing (2011) to define a new class of young people as ‘The Precariat’. Precariats see themselves as denizens (strangers to a community) rather than citizens, unwittingly creating a barrier to the essential sense of belonging and connection to places and people that young people need as a foundation for any sense of wellbeing. The precarious nature of young people as denizens becomes even more toxic when we look at it in the context of increasing rates of mobility of young people and in particular in the case of young migrants across Europe. At a recent EU-Council of Europe Youth Partnership conference, Beyond Barriers, held in Malta in November 2014, one youth participant observed that there is “no difference between dying inside and really dying”. The Partnership even commissioned a report on the barriers to the social inclusion of young people entitled *Finding a Place in Modern Europe* (Markovic et al 2015) – finding a home, finding a job, finding an identity.

Such tortured responses to the social condition of young people send clear messages to services working with young people about the high level of vulnerability and exclusion being experienced by more disadvantaged young people across Europe (those whom the European

Commission has, for some time, rather euphemistically called ‘young people with fewer opportunities’). Indeed it can be argued that we are not only talking here about those young people ‘at risk’ or those facing most disadvantage and exclusion. Faced with insecurities around employment, lack of affordable housing, and voluntary or forced relocations, even young people deemed to be doing well might feel a lack of community affiliation (belonging) and therefore a degree of impoverishment in the relationships around them. According to Barret-Lenard (2013, p.43) this creates “an aggregate of people – each in survivor mode or looking out for number one”. With such young people no longer feeling safe or secure in a single, stable community, the question which therefore arises is one that might consider whether indeed **any** model of socio-educative intervention can begin to re-capture the ‘brain-time’ (Stiegler, 2010, p.43) or the re-engagement of our young people? Young people are now framing themselves in what has been described as a ‘denizen (alien-like) state of mind’ rather than in a ‘citizen state of mind’, a dangerous contradiction in the age of globalisation (Scanlon and Powell, 2016, p18).

These circumstances are further exacerbated for young people in the public ‘care’ system. In England, statistics in relation to the disproportionate number of young people who are ‘Looked After Children’ (LAC) – those under the age of 18 in the care of local authorities – who are prosecuted for offending and then held in Secure Training Centres (custodial establishments for younger and more vulnerable young offenders) give profound cause for concern for those working within both care organisations and youth justice settings. Drawing on Youth Justice Board research data, the Prison Reform Trust (PRT) reports that whilst less than 1% of under 18s in England are in the care system, they account for 38% of all young offenders in Secure Training Centres (STCs), the custodial provision for younger and more vulnerable young offenders (Prison Reform Trust, 2017). Other areas of concern expressed by the PRT in relation to young people in STCs included a more than 100% rise in the

number of young people being assaulted whilst in secure accommodation over a six-year period, rising from 9 assaults per 100 young people in 2010 to 19 per 100 in 2016.

Additionally, a recent survey by HM Inspectorate of Prisons (2016) revealed that 46% of young people in Young Offender Institutions (the most probable destination of young offenders sentenced to custody) said that they had felt 'unsafe' at some point, the highest figure ever recorded by inspectors. Paradoxically, the increases in assaults, self-harm and lack of feeling secure and safe are growing at a time when numbers of young people (under 18) being to being committed to custody have reduced by 70% in the ten year period 2006-2016 (Prison Reform Trust, 2017). There may be a number of reasons for this (a greater 'hardcore' of more serious offenders; staff shortages) but even with reduced numbers, the custody environment is still shown to be unsafe. It is therefore reasonable to suggest that efforts made by practitioners to promote the Children First; Offenders Second Approach (Case and Haines, 2015) are preparing the ground for a reappraisal of the youth justice models developed during a period when under neoliberal cost-saving measures. As evidenced by the PRT these measures are clearly failing young people in custody and may even be breaching their rights to a safe and secure environment. From a welfarist perspective what young people in custody need are professionally trained state guardians looking after them not untrained state guards policing them.

Perhaps therefore, the answer to this apparent paradox lies in a return to the '*who works*' rather than '*what works*' agenda. For the youth justice field a focus on something less instrumental, less clinical and less 'top-down' than has previously been invoked in policy development might be pursued. [Indeed, at the beginning of June 2018, the UK government announced plans for future 'secure schools' to be modelled on children's homes; draft guidance indicated that these would be run by "not-for-profit child-focused and creative

providers who will put education, healthcare and purposeful activity at the heart of their work to rehabilitate young offenders” (Puffett 2018).]

Recent operational shifts have also increasingly embraced delivery of interprofessional practice, where knowledge and information are exchanged within more integrated delivery models with influence from other professionals that place the needs of young people at the heart of their practice. Whilst there are reported tensions with this approach, such as lack of interprofessional education to prepare workers to operate in such integrated systems (Lorenz, 2009), this approach does offer up opportunities for other professionals such as youth workers and social pedagogues to influence work with young offenders. This in turn can trigger convergence towards a more ‘welfarist turn’ in the youth justice setting.

An appreciation of the value of the collaborative approach between professions is necessary in order to acknowledge the complex multiple needs and social factors underlying the lives of young adults. There is a developing evidence base as to the effectiveness of youth work contribution to other professional arenas such as social work and youth justice (Ofsted, 2015; Atkinson et al, 2007). A concurrent theme throughout this ‘interprofessional’ practice model is that of working with young people holistically across a range of their needs together rather than under the previous, and often still prevailing, ‘silo’ mentality where professions undertook forms of intervention without collaboration or information sharing with partners (though see Williamson and Weatherspoon 1985; Williamson 2017). As a result, so-called partner organisations were in fact working in isolation with the same young people or their families leading to either duplication or a failure to address potential gaps in services needed (Laming, 2003),

Case & Haines (2015) have advanced the welfare versus justice debate in the UK with their innovative and evidence-based proposals for the implementation of a ‘Children First:

Offenders Second' approach. Advocacy for this approach begins with the nature of the relationship between practitioner and young offender and returns us to some aspects of the 'old welfare models' linked to diversion, desistance and decriminalisation. Desistance is linked to interventions and processes that encourage young people to cease criminal behaviour and live a more positive life. Advocates of desistance theories direct attention not at immediate change in behaviour but have a more long-term view in transformation of a youth offender's behaviour based on promotion of positive outcomes in the form of individual and structural changes. In the UK this approach has been gathering momentum since leading proponents of the 'children first' approach in youth justice policy and practice such as Howard Williamson, a member of the Youth Justice Board for England and Wales (2001-2008), who advocated a stronger 'preventative' approach (through education, health, social services, housing and wider opportunities) and for an understanding of youth justice that acknowledged that young people were often both victims and offenders at the same time and should have a voice in the youth justice process. Promotion of such a participative approach enables engagement and contributes towards desistance and positive outcomes. Such a view was outlined by HM Chief Inspector of Probation, Dame Glenys Stacey, in a 2016 report into effective practice within youth offending teams. In the report, she states that "One positive and sustained relationship with a youth worker can make all the difference in helping young people leave crime behind" (HM Inspectorate of Probation, 2016). Building on this emphasis on relationships and within the current policy drive for integrated practice there may be opportunities for those professions steeped in relationship building to contribute to the youth justice arena. This is part of the argument currently being developed by Deering and Evans (2018) in their critique of the Risk Factors Prevention Paradigm and promotion of Desistance Theory.

## **The Hybrid Model of Youth Work and Social Pedagogy - PETAL**

Recent evidence points us towards a number of factors that should be present in working towards positive outcomes for young people in youth justice settings. Young people interviewed by HM Inspectorate of Probation in the UK provided an insight into several issues that they believed had contributed to a reduction in their offending or even moving away from offending altogether. These perspectives would not have taken those working in youth work and social pedagogy fields by surprise. ‘A balanced, trusting and consistent working relationship with at least one worker’ was a significant theme along with ‘emotional support, practical help and a worker that clearly believed in the capacity of the young person to desist from offending’ (HM Inspectorate of Probation, 2016, p7). These two observations take us forcefully back to the ‘who works?’ agenda and to Bronfenbrenner’s assertion for young people requiring an adult who is ‘irrationally crazy’ about them. In contrast, we are drawn away from some overarching technicist, performance-focused and managerial position, when we learn that what the young people interviewed found less helpful were ‘objectives in plans not being personalised to their assessed needs’ and poor relationships with case managers, including frequent changes of their case manager’ (HM Inspectorate of Probation, 2016, p8). These unhelpful aspects are clearly more related to the current preoccupation with ‘what works?’ and with more clinical assessment processes and subsequent failure to identify or meet individual needs. This adds weight to the suggested shift towards a focus on ‘who works?’, with an approach that seeks to ensure a relationship-based, holistic view of the young person linked to their individual goals and needs.

Such a holistic and personalised socio-educative model can be found in the marrying of the youth work and social pedagogy professions into a ‘hybrid’ model which features five elements: Participation, Education, Transitioning, Advocacy and Love. Whilst these are not specifically exclusive to each profession each of the elements listed draws from the purposes

and principles of the two professions (youth work on the one hand, social pedagogy on the other) and combined, they constitute a new hybrid approach, on which the model is to be positioned. The PETAL model of socio-educational intervention combines some of the intentionality, values, and more outcomes focussed elements of Youth Work with some of the theories, principles and life space requirement to show love (irrational craziness) for young people within social pedagogy. It is important to state at this point that the 'love' being written about here is not linked to that of any liberal or romanticised notions of love but to what Paulo Freire referred to as 'armed love', based on being present with the young person and not derived from any expectations of reciprocity from the young person. Rather, it is, as Freire declared, the "fighting love of those convinced of their right and duty to fight and denounce and announce" (Freire, 1998, p42). For some leading youth work protagonists, the shift towards more targeted work where young people are worked 'on' rather than 'with' has arguably taken away any such notion of 'armed love' or 'being present' with the young person. The political desire for pre-fixed outcomes and meeting of organisational targets can easily outweigh any focus on what the more holistic and emotional needs of the young person might be.

Youth work has at times been charged as being virtually devoid of attachment to any educational or learning theories, and according to Williamson (2015, p.3), "it has rested its case on assertion that is plausible to the converted but subject to profound doubt amongst those who are more skeptical as to its intentions, actions and impact".

Social pedagogy, on the other hand, does attach itself to the learning theories and educational learning theories which Williamson claims are often absent within the youth work approach. Social pedagogues demonstrate intentional use of learning theory such as the classic learning model of the Zone of Proximal Development (Vygotsky, 1978) or the more recent Diamond Model (Eichsteller & Holtoff, 2012) and these methods can perhaps offer youth work a more



scientific and theoretical framework around which to position itself. Social pedagogy primarily concerns itself with the spaces beyond schooling, within informal places and on occasions where learning takes place with young people. However, in the case of social pedagogues it takes place not necessarily because they are deemed to be in a 'deficit' situation, but as a normal part of their socialisation and almost upbringing (Lorenz, 2006). In recent times, working with young people in such a 'deficit' or 'denizen' situation is increasingly becoming the domain that youth workers across Europe are finding themselves (especially so in the UK). It might therefore be apposite to propose that youth work should adopt a more social pedagogical approach. This would involve a return to youth work being more holistic in its outlook, starting with where the young person is and considering their wider needs not just the needs with highest social risk. Additionally, any outcomes for this work cannot be pre-fixed but have to be determined by whatever transpires in the period originating from starting point in that young person's life space. In short, an outcome is a reversal of the same word and is what will 'come-out' and by the very nature of (truly) participative work we cannot know in advance what that will be. Indeed, recent reflection and discussion about youth work throughout Europe has agreed that it is about engaging with young people "on their terms and on their 'turf'" (2<sup>nd</sup> European Youth Work Convention 2015, p.58) and that it is concerned with both supporting and defending *space* for young people and contributing to the *bridges* that enable young people to move (transit) to the next steps and stages in their lives.

#### The PETAL model

**P = Participation is key.**

**E = Education is everything.**

**T = Transitioning is crucial.**

**A = Advocacy is necessary.**

**L = Love – where is it?.**

**Participation is key.**

Perhaps the best known and one of the most significant European and worldwide documents linked to promotion of a participative and right-based model of working with young people is the UN Convention on the Rights of the Child 1989. Following an almost universal acceptance and ratification of the UNCRC (exceptions being the USA and South Sudan) the Convention's principles give rights to young people in countries including the right to be consulted with and participate in the decision making of agencies providing services to them. Two of the articles in particular are of interest to those in youth justice work across Europe. We have already made reference to Article 12, while Article 3 states that 'in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be of primary consideration' (UNCRC, 1989).

A participative approach entitles young people to be a part of the solution as well as at the same time being a part of the problem. This dichotomy is not easy when played out in practice for some professionals in the application of sanctions and procedures around a punitive sentence and this in turn can lead to young people portraying a submissive and disengaged role in youth justice processes. The vital role of the youth worker in this arena is in protection of the right for young people to be involved and consulted in decision-making processes even if they are not the ones ultimately making final decisions.

This clearly has implications for the 'rights-based' principles that underpin each stage in the youth justice process. There are also challenges for such a progressive decision-making model

to be acknowledged and understood by young people in the criminal justice system. Young people may feel that due to their criminal status, that they are unable to influence (or, indeed, disabled from influencing) decision-making processes within youth justice settings and this reinforces their own sense of being powerless in such an adult-dominated power environment where they are required to comply and adhere to practitioner requirements and requests.

### **Education is everything**

According to Cameron and Moss (2011, p13) social pedagogy can be understood as meaning 'education in its broadest sense' and the social pedagogical approach is defined by them as being 'the space where care and education meet' (ibid). For youth workers, there has long been a similar intention in the work being 'educative' through use of broader informal and non-formal learning approaches, although in the UK statutory youth work is increasingly becoming more involved with formal schooling which seemingly restricts its parameters to only contributing to the 'one-size fits all' philosophy of a narrow national curriculum. Indeed, one of the key outcomes desired within the National Youth Work Strategy for Wales (2014-18) is that youth work organisations should encourage a 'strengthening of the strategic relationship between youth work organisations and formal education on a national basis' (Welsh Government, 2014, p2). The paradox here of course is that the more that youth workers become valued by other professions in helping improve the formal educational achievement of young people, the more potential there is for the dilution of youth work's own professional identity around core values such as voluntary engagement, and of its long standing association with a philosophy that starts with what young people themselves want to learn in terms of their social and personal development. The PETAL model by its 'young person first' nature proposes a radical democratic education approach which requires the young people to be seen as the co-creators of their knowledge and involves developing a reciprocity of engagement with them in whichever community they are being taught. No easy

task in large institutions such as high schools but one that must be embraced if we are serious about our commitment to a democratic engagement of young people. For youth work practitioners, the relationship is the foundation upon which all else is built (Young, 1999) and we can therefore assert that education in its broadest sense for youth workers begins with helping young people to live in personal relation to other people. Failure to learn this fundamental ability leaves young people vulnerable to disengagement and therefore any sense of the connectedness or belonging necessary to feel part of a community as mentioned earlier is lost. In summary, a hybrid youth work/social pedagogue would mean a re-imagining exercise by youth workers of their understanding of what we mean by the ‘educative’ role of our work.

### **Transitioning is crucial**

Transitional stages of young people’s lives are also periods of heightened risks and the current pre-occupation with identifying risk factors goes into overdrive when we talk about children and young people transitioning from early years to junior school, from junior to senior school or from senior school into college, university or employment. This can be highlighted for example by research evidencing the decline in academic performance of ‘at-risk’ children between junior and senior schools (Jackson & Sachdev, 2001). However, these ‘heightened risk’ periods can be de-escalated with interventions from workers with the professional knowledge, expertise and awareness of the counter measures needed to improve a young person’s resilience and ability to cope with the stresses and strains endured during transition periods. Significant reversal of any fear of an adverse experience can be achieved by a focus on improving the ability of a young person to acknowledge positives (appreciative inquiry) rather than worrying too much about the potential risk. A simplistic and uncomplicated viewpoint perhaps, but one that is far too often overlooked. These positive

insights can be built upon in order to promote social learning and personal development through any transition periods. It requires the worker to be consciously aware and sensitive to whatever transitions a young person may be going through at any one time whether it be from junior school to high school or from custodial accommodation to home. The use of the social pedagogy related Zone of Proximal Development (Vygotsky, 1978) is vital here and involves the youth worker / social pedagogue hybrid applying the model individually with each young person so that effective learning can take place. It requires relational skill to move the young person from their 'comfort zone' and into the 'learning zone' (Zone of Proximal Development) ensuring at the same time that the young person does not find themselves in the stressful and self-defeating 'panic-zone' which would see the young person retreat quickly and potentially lose their confidence and self-esteem. This is the 'art' of working with young people at times of transition for them and why the affirmation of positive resilience factors during life stage transitions are a crucial building block to a successful and positive future rather than a passive and negative one.

### **Advocacy is essential**

Over recent years youth workers have placed great emphasis on building work with young people that is 'empowering' in its ideology and fostering approaches in which young people are encouraged to take the lead role. Many might quite rightly interpret this in a positive way and it is difficult to make an argument against anyone supporting the notion of 'empowering' young people. However, it is also a legitimate claim to say that this has perhaps indirectly led to a passiveness in those working with young people thus resulting in the 'flight from adult responsibility' raised by Stiegler earlier in the chapter (2010, p38). When seen alongside claims by the Prison Reform Trust (2017) of unsafe custody environments for young people, this could further be interpreted as an abdication of the practitioner's ethical duty to challenge the oppression and inequality faced the young people that they work with. The decline in

number of youth clubs in the UK (Unison, 2016), lack of any significant collective political and social action by youth workers, and political indifference of vulnerable young people is perhaps further evidence of this retreat. Tania de St Croix highlights a number of significant power shifts within youth work stating that grassroots workers are now too far removed from the decision making processes and ‘are not getting themselves adequately involved in decisions that affect their work’ thus having little influence on the setting of any agenda in favour of the young people they represent (de St Croix, 2016, p.178). Within the PETAL model is a challenge to workers reclaim that power space and advocate on behalf of young people by speaking truth to authority. A further challenge is something that may feel counter-intuitive to workers and that is in accepting that young people may be ok with feeling disempowered initially (especially in a crisis situation) and may need an adult to take control for them, advocate on their behalf and take the lead role. As the relationship develops and grows there may be a foundation for the young person to feel more confident and begin steps to self help and self advocacy. A radical social pedagogy / youth work model in which advocacy (initially at least) holds agency and currency over empowerment will go some way to redressing the balance for the ‘precariats’ (Powell & Scanlon, 2015), who over the past twenty years have faced a degree of generationism like no other previous generation. Young people across Europe are under pressure from low wages, precarious employment, high housing costs, student debt, and high taxation. They see the welfare state created for their parents is now retreating from their generation and those young people are also made to feel that it is somehow their fault as we hear terms such as the ‘snowflake generation’, ‘latte generation’ or ‘generation whinge’ (Kingman, 2016). Empowerment for some young people is a fine aspiration but the reality for the twenty first century ‘precariat’ is that they need advocacy and a helping hand from workers first.

**Love – Where is it?**

*“People killin' people dyin', Children hurtin', I hear them cryin', Send some guidance from above, 'Cause people got me, got me, Questioning (Where is the love)”*  
*The Black-eyed Peas (2003).*

The above lyrics from a hit song in UK 2003 questions where is the love? The famous educator Pestalozzi claimed that ‘Love of those we educate is the sole and everlasting foundation in which to work. Without love, neither physical nor intellectual powers would develop naturally’ (quoted in Smith, 2009, p123). However, in the risk averse environment that is the children and young people workforce, the term ‘love’ can ring alarm bells and currently work with young people across Europe in 2018 is dominated by high profile safeguarding measures, risk assessments and necessary child protection legislation and vetting procedures. As a consequence workers are uncomfortable with the notion that they should ‘love’ their young people and can shy away from use of the word and consequently away from any thoughts of the ‘armed love’ (Freire, 1998) mentioned previously in the chapter. ‘Love’ or talk of love is deemed to be unprofessional in the UK yet the contention here is that we should be able to say that we ‘love’ our young people and that we reach out to young people with the “fighting love of those convinced of their right and duty to fight and denounce and announce” (Freire, 1998, p42). Understandably there will be boundary issues but youth workers and social pedagogues work by necessity, on the very margins of the professional boundary and that is because it is in this space between the personal and the professional that the ‘magic’ happens and that professional ‘love’ combined with application of the 4 other elements of the PETAL model can conquer all before it. Think of the warmth and affection which we are greeted with by those young people that we meet years after having worked with them. That affirmation of ‘love’ is testament to our very human condition and we should be cognisant of the power of ‘armed love’ in naming and denouncing the oppression and structural inequalities that young people across Europe are facing. Yes indeed, where is the love?

Having made the case for such a young people friendly, youth work-social pedagogy hybrid as the PETAL Model and in light of the growing support for the Children First; Offender Second positive youth justice model (Case & Haines, 2015) is there now merit in placing such a high welfare-based model into the youth justice arena? Such a step would move to a point on the welfare spectrum beyond the one offered even by the Children First; Offender Second Model (ibid), and for some this may be a step too far into the welfarist corner and be seen as too idealistic. Whichever way we move along the welfare-justice spectrum in the future, for such a young person-friendly, positive approach to youth justice to be effective, it first requires the formation of trusting relationships between children and practitioners that facilitate children and young people's meaningful participation and engagement with decision-making processes. Essential to these relationships is the importance attached to each of the PETAL model elements and if attention to any one of these elements is missing then it cannot work.

### *Bibliography*

2<sup>nd</sup> European Youth Work Convention (2015), *Similarities in a World of Difference*, Brussels: Flemish Government

Atkinson, M., Jones, M. and Lamont, E. (2007), *Multi-agency Working and Its Implications for Practice: A Review of the Literature*. Reading: CfBT

Barret-Lennard, G. (2013) *The Relationship Paradigm, Human Being Beyond Individualism*, New York, Palgrave MacMillan

Bronfenbrenner, U. (1991), 'What do families do?' *Institute for American Values*, Winter / Spring

Cameron, C. and Moss, P. (2011), *Social Pedagogy and Working with Children and Young People*, London, Kingsley Publishers

Case, S. and Haines, K. (2015), *Positive youth justice: Children First Offenders Second*, Bristol: Policy Press



Côté J. (2000), *Arrested Adulthood: The changing nature of maturity and identity*, New York: New York University Press

Council of Europe, (2003), Article 15b of the Statute of the Council of Europe, Rec20; *Concerning new ways of dealing with juvenile delinquency and the role of juvenile justice*, Strasbourg: Council of Europe

Davies, B. (1999), *From Voluntaryism to Welfare State: a history of the youth service in England Vol 1 1939-1979*, Leicester: Youth Work Press

Deering, J. & Evans, J. (2018) 'Desistance Theory: a new Paradigm for Youth Justice Practice?', Annual Conference of Welsh Centre for Crime & Social Justice, Gregynog, Powys, April/May 2018

Delves, F. & Norfolk-Whittaker, R. (2013), *Reducing offending in England and Wales*, Cambridge, The Wilberforce Society

De St Croix, T. (2016) *Grassroots youth work: Policy, Passion and resistance in practice*, Bristol, The Policy Press

Dunkel, F. (2010), *Juvenile Justice in Europe – Reform Developments in the Light of International Human Rights Standards*, Greifswald, Greifswald University

European Commission, (2009), *Economic Crisis in Europe: Causes, Consequences and Responses*, Luxembourg: Office for Official Publications of the European Communities

Eichsteller, G. & Holthoff, S. (2012), 'The Art of Being a Social Pedagogue: Developing Cultural Change in Children's Homes in Essex', *International Journal of Social Pedagogy*, 1(1), 30-46

Freire, P. (1998) *Teachers as cultural workers; Letters to those that dare to teach*, Boulder, CO: Westview

Garland, D. (2001), *The Culture of Control*, Oxford: Oxford University Press

Haines, K. & Drakeford, M. (1998) *Young people and Youth justice*, London, Macmillan Press

Hamilton, C., Fitzgibbon, W., and Carr, N. (2016), 'Punishment, youth justice and cultural contingency: Towards a balanced approach', *Youth Justice: An International Journal* DOI: 10.1177/1473225415619500

HM Inspectorate of Prisons (2016), *Children in Custody 2015–16*, London: HM Stationery Office

HM Inspectorate of Probation (2016), *Desistance and young people*, Manchester: Her Majesty's Inspectorate of Probation

Howard League for Penal Reform (2008), *Survey of Criminal Responsibility and Approaches Across Europe*, London: Barbed

Jackson, S. and Sachdev, D. (2001) *Better Education, Better Futures: research, practice and the views of young people in public care*, Ilford: Barnardos.

Junger-Tas, J. and Decker, S. (2006) (eds), *International Handbook of Juvenile Justice*, Dordrecht: Springer

Kingman, D. (2016) *Generations Apart? The growth of age segregation in England and Wales*, London, Intergenerational Foundation

Laming, L. (2003), *The Victoria Climbié Inquiry*, Norwich: The Stationery Office

Lipsky, M. (2010), *Street-Level Bureaucracy, Dilemmas of the individual in public services*, New York, Russell Sage Foundation

Liszt, F. (1905). *Crime as a Social-Pathological Phenomena*, in *Criminal Law Essays and Lectures*. Berlin: Guttentag

Lorenz, W. (2006), 'Education for the Social Professions', in K. Lyons and S. Lawrence, *Social Work in Europe: Educating for Change*, Birmingham: Venture Press

Lorenz, W. (2009), 'Europe, the professions and interprofessional education: An exploration in inter-culture relativity', *Journal of Interprofessional Care* 23:5, 432-441

Markovic, J., Garcia Lopez, M. and Dzigurski, S. (2015), *Finding a place in modern Europe: Mapping of Barriers to Social Inclusion of Young People in Vulnerable Situations*, Strasbourg: Partnership between the European Commission and the Council of Europe in the field of youth

McNeill, F., Burns, N., Halliday, S. Hutton, N. and Tata, C. (2009), 'Risk, Responsibility and Reconfiguration: Penal Adaptation and Misadaptation' *Punishment and Society* 11 (4) 419-442

Muncie J., Hughes J., and McLaughlin E. (2006). *Youth Justice; critical readings*, London: Sage

Muncie J. (2007), *The 'Punitive Turn' in Juvenile Justice: Cultures of control and rights compliance in Western Europe and the USA*. Milton Keynes, Open University Press

Ofsted (2015), *Royal Borough of Windsor and Maidenhead; Inspection of services for children in need of help and protection, children looked after and care leavers*, London: The Stationery Office

Powell, F. and Scanlon M. (2015), 'The Youth Precariat; 'Generationism' in the austerity city', *Perspectives on youth, Healthy Europe; confidence and uncertainty for young people in contemporary Europe*, Vol 3 pp15-26

Prison Reform Trust (2017), *Prison; The Facts*, Bromley briefings, Summer

- Puffett, N. (2018), 'Secure schools "to be modelled on children's homes"', *Children and Young People Now* [[http://www.cypnow.co.uk/print\\_article/cyp/news/2005379](http://www.cypnow.co.uk/print_article/cyp/news/2005379)]
- Smith, M. (2009) *Rethinking Residential Care, Positive Perspectives*, Bristol, The Policy Press
- Standing, G. (2011), *The Precariat: the new dangerous class*, London: Bloomsbury
- Stiegler, B. (2010), *Taking Care of Youth and the Generations*, Stanford: Stanford University press
- The Black-eyed Peas (2003) *Where is the Love?*, CD single, A&M records. USA
- Unison (2016), *The UK's youth services: how cuts are removing opportunities for young people and damaging their lives*, Unison, London
- Vygotsky, L. (1978), *Mind in Society*, Cambridge, MA, Harvard University Press
- Welsh Government (2014) *National Youth Work Strategy for Wales (2014-18)*, Cardiff: National Assembly for Wales
- Williamson, H. (2007), *The Thoughts of Chairman How!*, Leicester, National Youth Agency.
- Williamson, H. (2013), 'Radicalisation to retreat: responses of the young to austerity Europe', *International Journal of Adolescence and Youth* No. 19, pp1-14.
- Williamson, H. (2015), *Finding Common Ground, Mapping and scanning the horizons for youth work in 21<sup>st</sup> Century*, Brussels: European Youth Work Convention
- Williamson, H. (2017), 'A precarious equilibrium – Working together in youth policy and practice, in M. Nico and M. Taru (eds), *Needles in Haystacks: Finding a way forward for cross-sectoral youth policy*, Strasbourg: Council of Europe
- Williamson, H. and Weatherspoon, K. (1985), *Strategies for Intervention: An approach to youth and community work in an area of social deprivation*, University College, Cardiff: Social Research Unit
- World Health Organisation (2016), European Health Information Gateway [online] [https://gateway.euro.who.int/en/indicators/cah\\_20-minimum-age-of-criminal-responsibility/](https://gateway.euro.who.int/en/indicators/cah_20-minimum-age-of-criminal-responsibility/) accessed 14<sup>th</sup> April, 2018.
- Young, K., (1999) *The Art of Youth Work*, Dorset, Russell House Publishing