

6. Developing Child First as the guiding principle for youth justice (Neal Hazel and Paula Williams)

Introduction

In this chapter, we chart the creation of Child First as the new guiding principle for youth justice practice in England and Wales (YJB 2021). In particular, we critically reflect on the wording of the principle and the subsequent steps taken to ensure that it gained acceptance and traction with policy and practice stakeholders as useful guidance. As a public policy case study, the development of Child First reveals the process of ‘discourse framing’ in a policy-level proposal in order to navigate the anticipated concerns and challenges of stakeholders. We are able to offer this insight because the authors led, with others¹, its development at the Youth Justice Board for England and Wales (YJB) to the point of published policy-level advice and beyond. Appropriating a ‘textual reflexivity’ methodological approach adopted from social science in order to consider our policy-level decision-making, we are able to provide here a candid analysis of the considerations and contradictions involved in formulating and presenting the policy-level proposal for guiding the youth justice system.

For criminology, this chapter shows that initial stakeholder concerns about Child First are more diverse than a discourse of ‘child’ vs ‘offender’ dichotomy often used to critically assess the youth justice policy. For policy science, we contribute a clearer understanding of the process of discourse framing in drawing up policy-level proposals, and how this incorporates the concerns of stakeholders prior to the point of active negotiation typically presented in models of policy initiative development. Finally, we show the usefulness of policy-level actors developing the methodology of textual reflexivity in the interests of both engagement with stakeholders and academic insight.

Background: The challenge of navigating a Child First policy

The aim of developing Child First as a policy-level initiative was to collate contemporary research understanding of what is important in effective youth justice in a single principle that is useful to guide decision making in the youth justice system. Much of this contemporary research has been critical of existing policy and practice, arguing for reform, most notably in texts that can be aligned (some closely, some more loosely) with the idea that youth justice should treat children as ‘children first, offenders second’ (CFOS) (see Case and Browning 2021 for a review of this research). The idea and phrase had made their way into youth justice parlance, but this was a chance to define them in a way that would ensure their applicability and usefulness within the context of policy and practice. The development of Child First as a policy-level proposal would mean framing the messages from academic discourses that have been critical, both in the sense of academic inquiry and judgement of policy sometimes to the point of abolitionism (cf. Case and Haines 2015 and 2021), into discourses that can be accepted and operationally constructive to youth justice stakeholders.

We must be clear at the outset that Child First is certainly not a ‘policy’ or ‘policy product’ in the civil service sense of a government product (Civil Service Learning 2013). Neither is the YJB an

¹ While we led the formulation of the Child First proposal, it was written with Board members Ben Byrne, Sharon Gray and developed collectively by the YJB Board and staff. From 2021, its ongoing development is led by Board member Louise Shorter.

organisation that makes such policies for youth justice - the Ministry of Justice (MoJ) does that. Instead, it is the YJB's statutory duty both to advise the Secretary of State and to "make known and...promote good practice" to the sector (Crime and Disorder Act s41). The Child First guiding principle falls primarily into the latter category. We are describing policymaking and policy makers in this chapter in the broadest academic sense of producing a product at the level of policy (as opposed to practice) and in the disciplinary sense because it is within the remit of policy science.

Introducing reforming ideas at both policy and practice levels in youth justice, and indeed in wider public policy, is challenging (see Drew in this book). It was very clear that assuming that Child First and its constituent concepts would be accepted by other stakeholders simply because they reflect contemporary evidence would be a naïve view of the policy making process. Even in the 2000s, when there was a government narrative of 'evidence-based policy making' (cf. Blunkett 2000), there was a healthy cynicism about the relative powerlessness of research messages in the face of political processes both within (cf. Naughton 2005; Hope and Walters 2008) and beyond criminal justice (Pawson 2006). It is clear thought that research evidence can be used to successfully reform criminal justice policies (Taylor S 2016). Indeed, the prevailing risk-paradigm in youth justice policy and practice criticised by texts aligned to CFOS (Haines and Case 2008) was informed by positivist 'what works' literature in the 1990s-2000s (cf. Stephenson et al 2011).

However, if a policy-level initiative, let alone a reforming one, is to be sustainable and have traction, the key challenge is navigating how problem-solving models "interact with the complexities of real life and politics" (Civil Service Learning 2013:7). Those developing policy-level proposals need to understand and manage the political context. A particular challenge for progressive evidence-led reform like Child First is navigating the reported "powerful forces" acting in favour the status quo, including within the civil service (Hallsworth et al 2011:39; Pollitt 2003). This is even more challenging with the need to involve large numbers of stakeholders, or "myriad of actors and factors" (Cairney and Weible 2017), with the result that such innovative new models run into difficulties and are not engaged with or do not deliver (Hallsworth et al 2011:59). The fact that the reforming policy-level proposal would come in the form of advice from the YJB as an arms-length body sponsored by the MoJ adds another layer of complexity to ensuring its traction. The YJB's role historically in presenting such proposals in its formation and presentation of advice to ministers has been described as a "contingent position" (Souhami 2014:147), requiring "delicate balance" (Souhami 2012:38) to gain and maintain political legitimacy.

There is developing interest but still limited understanding of *how* such political legitimacy is created and maintained as such policy-level initiatives are formulated and developed towards implementation (Hallsworth et al 2011; Miller 2020a). Traditional theories of policy making, which presented the process as a series of stages (cf. Hogwood and Gun 1984) or a cycle (cf. Bridgman and Davis 2003) solving a prescribed policy problem, have been criticised for being "naïve", failing to reflect reality (Hallsworth et al 2011:45; Otieno 2019). Contemporary critical and mainstream policy scientists have increasingly recognised that 'policy making' is more of a negotiated or deliberative process in which voices are heard and concerns are addressed (Toulmin 2001, Sanderson 2009). Within this field, it is now well established that support for, and traction of, a policy agenda can be affected by the framing or presentation of the problem (Druckman 2001) or proposed solution (Kingdon 1995). Furthermore, research has identified the challenges of finding politically acceptable framing when promoting an unpopular policy, noting the importance of narratives adopted (Cohen-Blankshtain 2008) and of a persuasive 'storyline' about the initiative emerging (Annison 2021). Indeed, it is acknowledged how such a frame would need to negotiate the concerns and values in various narratives from stakeholders (Lofaro and Miller 2021), sometimes leading a positive advocacy

coalition (Sabatier 1998), sometimes leading to the policy proposal adapting narratives (Dodge and Lee 2017) and other times suffering gridlock competing narratives (Miller 2020b). The development of Child First in youth justice provides a case study that allows us to analyse the discourse-framing processes (Hardy et al 2000) involved in turning a research evidence base, including critical research, advocating reform into a policy-level proposal acceptable and useful to stakeholders.

In youth justice, it has been recognised that there are competing pressures internal and external to a country that shape each youth justice system over time in a piecemeal way (Hazel 2008; Goldson et al 2021) and cycles of youth justice policies over time in any one jurisdiction (cf. Hagell and Hazel 2001, Bernard and Kurlychek 2010). However, there has been little analysis of the competing pressures on the initial development of a particular policy-level initiative (Case et al 2020). Where such analysis has taken place, it has generally been historic and focused on the story of development and role of key players (cf. Carlebach 1970; Case 2018) rather than an analysis of the competing pressures how they are considered and navigated. Academics have long called for a more nuanced analysis of the policy process beyond the identification of dominant discourses (such as the risk paradigm or Child First) and stages or actors in that process (cf. Fergusson 2007). Souhami's ethnography of the YJB in the mid-2000s perhaps came closest, considering the processes of policy making and the nature of policy itself (Souhami 2014). As part of their critical analysis, academics in qualitative interviews have asked policymakers to reflect back on their involvement in criminal justice policy making, generally retrospectively (cf. Annison 2017; Case et al 2020). However, it is unusual for those involved at the policy-level themselves to consider, record and write in a reflexive way about how they developed (let alone recently or contemporaneously) a specific initiative² (Annison 2017).

For Child First, our situation meant that we are both able to adopt a position of reflexivity in relation to our roles leading the development of a contemporary policy-level proposal. This chapter's first author is an academic who had a long-standing interest in reflexivity in research (cf. Hazel 1996; Hazel and Clark 2013) and who, since being appointed as a Youth Justice Board member, was engaging directly with policy-level initiatives for the first time. The second author was a YJB staff member with responsibility for organisational strategic objectives, who also was also conducting academic research on the influence of 'child first, offender second' ideas in practice. To help us explore the process of our own narrative or 'discourse framing', we have appropriated and applied a social science methodological concept of 'textual reflexivity' (Atkinson and Whitaker 2019) to policy-level proposal development. In social science, this refers to how the researcher can consider their own use of language as a constitutive function, including textual strategies deployed to persuade readers of the veracity of their texts (Atkinson 1990). Here, it meant critically analysing how the writing and presentation of Child First reflects our own attempts to ensure the evidence base is accepted by stakeholders. In practical terms, we³ chose to note down at the time the included concepts, the reasons for using particular words, and the wider policy and practice considerations for doing so. We have considered our notes together with reviewing our communication with YJB Board and staff at the time to present this frank reflexive account of the framing and development of Child First as a policy-level initiative.

² A notable exception considered school curriculum development in Canada (Orpwood 1985).

³ The use of the word "we" in this chapter refers to the authors (or sometimes to one of us) rather than the Youth Justice Board or any other group/organisation.

Initiating the policy-level development of Child First

The development of Child First as a distinct and explicit policy-level initiative (as opposed to academic or practice initiative) within the English jurisdiction can be traced back to the final report from Taylor's review of youth justice, presented to the UK Parliament in December 2016 (Taylor 2016a). In the previous year, Taylor had been asked by the Secretary of State for Justice to lead a departmental review that attempted "*to look at the youth justice system with fresh eyes*" (Taylor 2016b:2). Taylor's final report was the first departmental paper from the Ministry of Justice to call explicitly for a new youth justice system which sees "*the child first and the offender second*" (Taylor 2016a:3 &48). In doing so, Taylor adopted the phrasing used previously in critical criminological texts advocating CFOS reform (cf., Drakeford and Haines 1998:89; Haines and Case 2015), and later featuring in Wales policy planning (cf., Welsh Assembly Government 2004). Taylor's justification for this approach also reflects previous arguments, that offending should not mean children forfeit "*the right to childhood*" (or, presumably, being considered as a child) and that supporting them requires a focus on welfare "*rather than simply imposing punishment*" (Taylor 2016a:3). This latter argument presented CFOS primarily as simply choosing one side of the 'welfare or punishment' dichotomy for children, well established in youth justice debates worldwide (Hazel, 2008).

The concept of CFOS presented by Taylor was not immediately adopted by the MoJ in a response that discussed 'young offenders' (MoJ 2016). Nevertheless, the Secretary of State for Justice (Liz Truss) appointed Taylor as the new Chair of the Youth Justice Board (YJB), praising his review's "*compelling vision for reform*" (Truss, 2017:1).

At the YJB Board meeting in January 2018, Taylor brought CFOS as one of seven proposed principles for the organization. In this meeting, we highlighted how the concept was variously understood by policymakers and practitioners, a point supported by the Head of YJB Wales, where policy had long advocated this principle with practice lagging behind (YJB 2018:22). We agreed to lead on developing a definition of 'Children First, Offenders Second' for the policy and practice context across England and Wales, aware that this would also act as a useful summary of key concepts from contemporary academic research about effective youth justice.

This definition, titled Child First, Offender Second (later known just as Child First, as referred to in this chapter) was developed into four points (now known as Child First tenets 1-4), drawing together contemporary understanding in youth justice from a range of sources, but in particular from the content and structure of summaries provided in Byrne and Case (2016), Hazel et al. (2017), and Haines and Case (2015). The definition was presented and accepted at the June 2018 Board meeting (Hazel et al. 2018), with some small wording adjustments since. The following section of the chapter breaks down the wording of that definition (YJB 2021:10-11), exploring some of the considerations and decisions taken in translating academic concepts for the policy and practice context to ensure acceptance and usefulness for stakeholders.

The formulation of the Child First principle: concepts, considerations, and concerns

Preamble

The wording of the short preamble to the four tenets already includes an important conceptual statement and reflects considerations for how to ensure policy and practice level engagement:

A "Child First, Offender Second" approach means that all youth justice services:

The usual collective phrasing of ‘children first, offenders second’ (cf. Haines and Case 2015) was deliberately singularized to refer to ‘child’ and ‘offender’. This was intended to highlight the importance of treating children as individuals, challenging diversity blindness (cf. Bateman and Hazel 2014), and the importance of customized rather than generic support (Hazel and Bateman 2020).

The use of the phrase “all youth justice services” was intended to show the universality of the principle across every part of the youth justice system, and that it would be a ‘common language’ to encourage multiagency working. It was also intended to counter any inference that the principle was limited to an internal or YJB-only principle; it was intended that it should be adopted by the sector. However, it was decided not to include ‘should’ or similar directive wording for the sector at the end of this phrase for two reasons. First, the YJB wanted the sector to own the definition rather than it being seen as a paternalistic direction from above (as with national standards), which would encourage practitioners’ engagement and ownership. Second, not using ‘should’ felt more definite and ‘matter of fact’ rather than aspirational; it is an authoritative message that this is what the evidence points to being correct. A key concern for us politically was that an approach which challenges treating children as offenders should not be perceived as an ideological choice to be ‘soft on criminals’; this would be unacceptable to the electorate and consequently politicians. In contrast, the ‘matter of fact’ language would help show the definition as objectively evidence-led about what works in lowering crime (Case and Browning 2021), enabling politicians to support the approach as appropriate to a ‘law and order’ agenda that aims to have fewer victims.

The same concern not to be dismissed politically as ‘soft’ meant that the title kept the “offender second” element, even though the principle’s content advocates treating children as children, full stop. It was also felt that the full phrase would link more explicitly with the existing research literature that referred to ‘children first, offenders second’. However, it was determined that the “offender second” element would not be used when referring to the principle informally, and it would be dropped entirely once the principle was more widely known and accepted.

Child First tenet 1

The first of four tenets (as they have become known) of the Child First principle highlights the importance of the criminal justice system recognising and treating children as different to adults:

- 1. Prioritise the best interests of children and recognising their particular needs, capacities, rights and potential. All work is child-focused, developmentally informed, acknowledges structural barriers and meets responsibilities towards children.*

Highlighting this difference from adults upfront and clearly to stakeholders is important given that large parts of the youth justice system are essentially subsidiaries of dominant adult-focused organisations (cf. Youth Custody Service part of HM Prisons and Probation Service; youth courts part of HM Courts & Tribunals Service). We were conscious that there is a risk that children are subsumed within policies that are designed as generic to the criminal justice system, and which do not consider children’s particular characteristics; with commentators since noting the example of early release schemes during the COVID-19 pandemic, which reportedly saw hundreds of adults able to meet the generic criteria and be released, but no children (Harris and Goodfellow 2021).

Similarly, the under-18s in the youth justice system are deliberately described throughout the Child First principle as “children” rather than as ‘young people’ (and obviously not the offender-framed wording of ‘young offender’), which would imply just mini adult offenders rather than a separate category with peculiar vulnerabilities. The other, and perhaps even worse, phrase deliberately

avoided was “children and young people”, used for example in the health context and in statutes, which despite their legal status implies that only some under-18s are to be considered as children with associated vulnerabilities. We felt it crucial that stakeholders understand that all under-18s share these differences from adults (indeed, with age-related capacities often more compromised for those in the system [Hales et al 2018]), even if many have committed very ‘adult-like’ serious crimes. Use of the words “capacities” and “developmentally informed” underline the convincing and growing evidence-base around maturation which distinguishes children’s competency from adults (cf. Prior et al 2011).

The word “prioritise” at the front of the first tenet begins to underline the legal basis for children’s unique status, is a deliberate reminder to stakeholders that welfare of the child must be “paramount” (Children Act 1929 s1). Moreover, “the best interests” will be recognized by policymakers and practitioners as the precise legal wording from the United Nations Convention of the Rights of the Child (Article 3), which states that it shall be a primary consideration. However, the Convention is thus implied rather than stated, and “rights” is noted but not the phrase “children’s rights”; this is again cognizant of the political context for ‘landing’ the principle, when the phrase has been known to raise a distracting reactionary response (cf. Phillips 2008, in MailOnline).

The second sentence for each tenet was intended to help practitioners start to think about what this means for their own practice. By starting “All work is”, these sentences highlight again the universal relevancy of the principle, and also its intention to be applicable in practice now rather than as an academic aspiration.

The phrases “acknowledges structural barriers” and “meets responsibilities towards children” were introduced later to the Child First principle (in YJB 2021). Both phrases address criticisms of youth justice responsibilising children when the answers often lie with adults around them (Gray 2007; Haines and Case 2015), making a clear statement to such critiques (including academics) that this is recognised and understood. The former phrase was felt particularly important to state given the increased understanding both from the Black Lives Matter movement (from 2020) and the YJB Journey of the Child work (YJB 2019a) highlighting racial inequality, and also politically important in the context of the Commission on Race and Ethnic Disparities (2020-21). It is clear that a guiding principle for youth justice should not be blind to diversity and the effects of structural inequality.

Child First tenet 2

The second tenet of the Child First principle highlights the importance of practice with children working towards positive child outcomes:

2. *Promote children’s individual strengths and capacities to develop their pro-social identity for sustainable desistance, leading to safer communities and fewer victims. All work is constructive and future-focused, built on supportive relationships that empower children to fulfil their potential and make positive contributions to society*

The focus on positive outcomes for children as children rather than just managing their risks and trying to limit their deficits as potential offenders is a strong theme in contemporary academic literature in youth justice (see in particular Haines and Case 2015). We were conscious that this is a substantial shift in thinking for a system that has focused on trying to reduce offending by directly addressing children’s negative ‘risk factors’ (cf. YJB 2005). Speaking to that point for both policymakers and practitioners, this tenet separates cause and effect; if the youth justice system focuses on promoting children’s strengths to develop their pro-social identity, this will result in

sustainable desistance from offending that will in turn lead to inevitable indirect benefits around safer communities and fewer victims (Hazel et al 2017).

We anticipated the criticism from progressive academics that a Child First approach should see children's positive outcomes as a goal in itself, rather than leading to desistance and less offending (cf. Wigzell 2021). However, we were very aware that the context for Child First to be implemented is within a youth justice system that has an overall statutory aim of 'preventing offending' (Crime and Disorder Act [C&DA] 1998), under the overall governance a justice ministry. To omit the positive effect of this way of working on reducing offending would clearly have been to turn a strength of Child First into a weakness, and render it irrelevant to both the YJB's statutory role (C&DA 1998: 41[5f]) and ministerial and civil service constituencies and their concerns. The specific reference to "fewer victims" was direct assurance to expected political concern that the principle focused on children and forgot about their victims, which was certainly not the case and would have been particularly unpalatable in a political context with a statutory Victims Code (Ministry of Justice, 2020).

The way that this Child First tenet describes how to achieve positive outcomes is very different from most of the academic literature, which is perhaps the most significant step for the principle to ensure it is operationalizable in the current youth justice system. Literature arguing that children in trouble should be just treated as children has deliberately avoided discussing a 'theory of change' and downplayed any specific work with children who offend (Haines and Case 2015). Its inherent argument then is that youth justice specialist organisations or professionals are not needed to support development as children. However, in a system where there are such specialists, this lacked direction for their work (cf. sentence plans) or sufficient assurances to courts. We considered that this had limited the operationalisation and adoption of Child First ways of working within the sector, particularly in England. Instead, this tenet introduces the "development of pro-social identity" as the theory of change for youth justice agencies to work to (Beyond Youth Custody research project findings, cf. Hazel et al. 2017; Hazel et al. 2020), and enabling a common language to replace that of managing the deficit-focused "risk of offending" (the absence of the phrase 'risk of offending' intended to underline this). This research was at the time being translated from research into YJB policy guidance around children in leaving custody as the 'Constructive Resettlement' approach (YJB 2018b; written by this chapter's authors), the link to which was deliberately reinforced with the reference in the tenet to all work being "constructive". However, when incorporating it into the Child First principle, we moved away from any implication that children needed to have already offended (or admitted guilt) by changing the concept of 'shifting identity' to 'developing pro-social identity'. Most obviously, this allowed the principle's theory of change to apply to early intervention and prevention work, which some Youth Offending Teams (YOTs)⁴ had already started doing (Hazel et al 2020). It also tried to address likely criticisms from progressive youth justice reformers that the 'theory of change' had been drawn from adult-based 'desistance theory' (cf. Maruna and Farrall 2004) rather than research involving children; although in actuality this concern has persisted (e.g. Wigzell 2021).

The use of the phrase "future-focused" was intended to ensure that practitioners re-evaluated their use of processes that may reinforce the child's offender identity and stigma by focusing them on what they have done in the past rather than developing their pro-social identity. For instance, we hoped

⁴ Although this book uses the term statutory term of 'Youth Offending Team', the YJB now prefers 'Youth Justice Teams' or 'Youth Justice Services'. In line with Child First tenet 4, these terms are less likely to foster criminogenic stigma (or impede engagement) by underlining the child's 'offending' status.

that this would trigger reconsideration of unconstructive or generic reparation work that underlined the child's specific offence (and offending identity). Relatedly, it is notable that this tenet, which focuses on what work should be done with children, omits any mention of sending them to any formal offence-focused programmes, like 'knife crime awareness' courses (e.g. MOPAC 2021). In fact, by not including it in "all work", this was intended as a signal to the sector that ideas of 'what works' had changed and sending children on stock programmes underlining their offences was no longer seen as good practice. Instead, the tenet makes it clear that empowering relationship-based work is the cornerstone of any intervention. This signal was felt necessary because, although research presented at practitioner conferences highlighted that a positive outcome from youth justice "depend on relationships, not set interventions" (McAra 2018; also McAra 2017; Hazel 2020), parts of the sector have been slow to change tack (Smith and Gray 2018).

Child First tenet 3

The third tenet of the Child First principle highlights the importance of collaborating with children if youth justice is to be relevant to them and successful in its outcomes:

3. *Encourage children's active participation, engagement and wider social inclusion. All work is a meaningful collaboration with children and their carers.*

The overall tone of this tenet was intended to move away from the conception that we could expect positive outcomes by having practitioners directly manage a child and their risk of offending (Haines and Case 2015). We cannot do youth justice *to* a child in this way, just as policymakers and professionals cannot prevent offending directly, without involving the child.

The three words "participation", "engagement" and "wider social inclusion" were a direct reference to the three stages of engagement highlighted in contemporary research (Bateman and Hazel 2013). This was in order for us to move policymakers and practitioners past the point of measuring success through participation rates in interventions or compliance, but towards focusing on ensuring that the child feels engaged and invested. The word "active" before participation was a signal to that practitioners should be enabled to involve children through tools and processes that build-in their involvement (see Burns and Creaney in this book).

The phrase "social inclusion" was a tricky in terms of our wording consideration. The phrase describes quite accurately what is needed to achieve a child's investment in their community and wanting to "make positive contributions to society", as the second tenet describes. However, but we had some concerns that the phrase may have been too closely associated in England and Wales with New Labour of the 2000s and so politically dated (e.g. Social Exclusion Unit; Charity Commission 2001), as a quick web search of the term shows. However, the term would best spotlight the problem with any practices where children were literally excluded from society, like being locked up in custody. In addition, the word "inclusion" is now more often understood by policymakers in relation to diversity (e.g. Civil Service 2022), with its use here also able to highlight the needs to remove structural barriers (as noted in the first tenet).

The first draft of the tenet had the word "co-created" (from Constructive Resettlement's 5Cs [YJB 2018b]) rather than "a meaningful collaboration". However, other YJB staff noted that this limited the usefulness of the Child First principle to practice, where children could play an equal role in creating their plans and intervention. The view was that using the word "collaboration" would allow this active engagement of children, as well as then the rest of Child First principle, to guide

policymaking as much as practice. The compromise in moving from a more active “co-creation” was to guard against tokenistic involvement of children by insisting that the collaboration is “meaningful”.

Child First tenet 4

The fourth tenet of the Child First principle highlights the of minimising criminogenic stigma from involvement with the youth justice system:

4. *Promote a childhood removed from the justice system, using pre-emptive prevention, diversion and minimal intervention. All work minimises criminogenic stigma from contact with the system.*

Although the negative effects of labelling from involvement in the criminal justice system is not a new academic idea (cf. Becker 1963), there has recently been a renewed and deeper academic understanding of (1) the criminogenic effects of involvement (McAra and McVie 2007; Gatti et al. 2009; Smith 2017) and (2) the need to limit stigma from any involvement to promote positive outcomes (Hazel et al 2020; Deakin et al 2020). This tenet was written in a way that the two sentences reflected these two insights, with the first sentence directed more at policymakers and decision-makers, and the second more at practitioners. We thought the positive benefits of diversion from criminal justice, against the negative effects of their involvement, fairly well accepted by criminal justice policymakers in the UK and beyond (cf. Welsh Government/YJB 2014; Council of Europe 2010), but considered that it was important to state clearly that children were better with their childhood “removed from the youth justice system”, with a verb that suggested action was needed for this to happen.

Although the logical conclusion of treating children as children rather than as offenders has been argued to be to abolish a youth justice system altogether (Case and Haines, 2021), we were clear that this principle was for the youth justice system framework that existed, while it could “promote” ways to remove children from it. Relatedly, we were conscious that the term “minimal intervention”, while supported by research, may be controversial in a policy landscape that had disavowed it in the 1990s following its interpretation as increasing cautioning (Bottoms and Dignan 2004:32). We tried to ensure that it was clearly linked with a more active “diversion” to other support to meet the child’s needs, for positive outcomes and behaviour.

The challenge of embedding Child First into wider policy

On accepting the proposed four-tenet definition of Child First, YJB Board members abandoned the idea that it should be just one of seven principles for the organization. Instead, it was felt that (a) this Child First was the primary principle, which would lead to the other six principles being followed, and (b) it would stand as the guiding principle for the sector (policy-level and practice) rather than just the YJB’s operations. Since then, it has been referred to as the ‘guiding principle for youth justice’ (e.g. YJB 2021).

The agreed next steps to ensure assimilation were both to consider the implications of Child First for the YJB and its own operations and guidance, and to gain buy-in from other stakeholders. Of course, these were interlinked – it was implausible to advocate Child First while advising incompatible approaches, and interaction with other stakeholders will help other guidance. This section outlines some of the most significant steps and the considerations and intent involved.

There was consensus on the Board that a simple ‘awareness campaign’ was not appropriate for two reasons. First, we were still unsure how Child First would land with policymakers, practitioners, and the public (despite our considerations in wording). Second, there was a danger that an awareness campaign risked being superficial and tokenistic. However, it was also clear that simply making Child First a ‘project’ or organisational ‘priority stream’ risked compartmentalising it and not achieving a principled change across all work. An options paper prompted a preference for a ‘soft launch’ of (1) testing with strategic stakeholders (e.g. children, policy, ministers, local authorities, MoJ officials) to explore concerns, and (2) internal activity consulting on the principle and embedding it in YJB work, before wider presentation. However, anticipating a move to a more public stance shortly, it was decided that the sector’s Youth Justice Convention later that year would have the theme of Child First.

Internal development of Child First

Internal consultation and discussion about the principle’s tenets (prior to any public presentation) presented an insight into likely stakeholder concerns (given the YJB staff background in both policy and practice environments), and informed how to further nuance presentation and address concerns before those stakeholders were actually engaged. This was notably at an all-staff workshop in September 2018, where concerns voiced were about three issues, neither opposed to a shift from seeing children as children first per se. First, does Child First mean that the YJB is adopting an abolitionist position calling for system change that might put us in opposition to government, such as removing all custody, raising the age of criminal responsibility, etc? Certainly we were conscious of the oppositional position adopted by the YJB Chair in the 2000s that led to a breakdown in trust with the MoJ (Souhami 2014). This concern enabled development of the position that the principle provides guidance within the existing youth justice system legislative framework, but could then be applied to larger system-wide questions if and when they required advice.

Second was the question of how a shift away from the ‘risk paradigm’ is plausible when services need to assess the risk of harm to the public. We were able to refine the position (previously in YJB 2018b) that ‘risk of offending’ discourse needed to be separated from ‘risk of harm’, with the former avoided as treating children as potential offenders and the latter necessary but less stigmatising if framed more positively as ‘public protection’ or safeguarding. It is a concern that has endured in practitioners, particularly that moving away from risk would not satisfy inspections (see Day in this volume), leading to a joint statement with the probation inspectorate reiterating this position on risk (HM Inspectorate of Probation / YJB 2022).

Third, and relatedly, where does the shift from the ‘risk paradigm’ leave how we deal with all our knowledge-base about ‘risk factors’ for offending. The answer developed (with the counsel of other academics, notably Stephen Case) was that there needed to be a thorough re-evaluation of such research through a Child First lens with its theory of change (cf. Hazel and Bateman 2020 for research on resettlement) and then, if still appropriate, reframing ‘risk factors’ in terms of barriers to positive child outcomes.

Public presentation and consultation

The first public declaration of the Child First principle was its inclusion in the draft national standards for youth justice, which were put out for consultation in October 2018 (YJB 2018c). In addition to listing the four tenets in the front of the document, this was also the Board’s first attempt to publish regulations or advice that was based on Child First, and to that extent was clearly a work in progress and tentative. The idea of a single standard measuring Child First compliance had been rejected as, again, this was felt to risk compartmentalising what should be an overarching principle. In essence,

the standards incorporated phrasing from the principle fairly directly into the specifications for the various criminal justice stages, to explicitly prioritise children's best interests, encourage their active engagement, minimise potential damage from contact, etc. It also listed the aim of the standards in positive terms, such as improving child outcomes, rather than deficit-focused risk management. However, the rest of the wording of the standards had not been changed to reflect the practice implications of this wording, leading to some obvious contradictions including an emphasis on risk management informing intervention.

Positively, however, the consultation feedback received widespread support for Child First (mainly from practitioners and third-sector stakeholders), with calls for further emphasis throughout the standards (YJB 2018d). This provided reassurance that the sector was receptive to incorporating the implications of Child First. Consequently, revisions for the final standards (MoJ/YJB 2019, published February 2019) included:

- Changing “children and young people/persons” references to just “children”, which we were conscious moved away from the legal discourse used in governing statutes.
- The status of Child First tenets changing from being the YJB's aim for itself to what it will ensure agencies adhere to, and stating that the services should monitor that adherence.
- More regular emphasis on planning and interventions that promote pro-social identity and positive outcomes rather than managing risk of offending in each standard.
- More focus on opportunities for meaningful collaboration, including children's voices and understanding being assured in court.

Perhaps the most significant change from integrating Child First into the standards was dropping the requirement of practitioners to supervise orders in line with the YJB's Scaled Approach model. Introduced by the YJB in 2009 (YJB 2009), this framework required services to scale the level of intervention according to a child's risk of offending. Arguably, it inadvertently targeted vulnerability and those disadvantaged by structural barriers, leading to disproportionality in sentences (Bateman 2011; Haines and Case 2012).

We were also reassured that the considered wording in Child First had gained political approval. Not only had the MoJ signed-off the standards, but the youth justice minister also added a specific statement of support for the principle inserted into his foreword. We also noted how ministerial language had shifted to “children”, showing some immediate impact of Child First (MoJ/YJB 2019: 2). Importantly, we had also suggested to the Secretary of State (and he agreed) that the MoJ add its branding to the national standards for the first time, which enabled us to demonstrate publicly that Child First and the standards were published and endorsed by the ministry as much as by the YJB.

The YJB's strategic plan, published a few months after the final national standards (YJB 2019b), included two further statements important to Child First's developmental journey. First, the Board's vision statement was changed from one where preventing offending would allow a positive future (offender first, child second), to recognising that positive child outcomes will prevent offending (child first, offender second) in line with the principle's tenet 2. Second, the Board made a clear statement that Child First means moving beyond a focus on managing risk of offending. Language such as “We *now* understand the criminogenic effects” (our emphasis), almost restorative in tone, was a deliberate message for practitioners to draw a line under a past where the YJB had been the strongest advocate of the risk paradigm (e.g. YJB 2005). It was hoped that this would allow us to answer any argument or accusation that the YJB was still advocating managing risk of offending rather than constructively

helping children move forward. One reason for doing this was that we were aware that YJB itself still occasionally slipped into language previously used.

A further step was our encouraging an independent academic report that collated the research evidence base for Child First in one place (Case and Browning 2021). This was recognised as an important missing piece for meetings with policy stakeholders where the YJB was advocating a Child First decision.

Child First's journey at the policy level is ongoing, both internal and external to the YJB, with considerations around how Child First is embedded and presented. From 2020 to 2022, there have been three main mechanisms for these considerations. First, the Case Management Guidance for YOTs is being revised, with every section being rewritten to be in line with the Child First evidence base and the 2019 national standards. We have been leading a forum where stakeholders (including practitioners and academics) are considering the most difficult issues. For instance, Child First principle (tenet 1) would imply engagement and compliance as the responsibility of YOTs, with a breach of compliance prompting asking what more could be done rather than immediately returning to court because the child has not engaged. Second, the library of guidance and documentation previously issued by the YJB is being reviewed for its compliance with Child First, leading to some being revised, some archived, and some including a disclaimer about the validity of content. Third, the Board and staff are creating position statements on elements of the youth justice system (e.g. gangs, girls, custody, trauma, resettlement), based on contemporary evidence and each related explicitly to Child First. These will be used to provide clear and consistent messaging externally and provide the core of the YJB's organisational identity.

Stakeholders' concerns about Child First

There have been very few objections or concerns expressed by stakeholders about the Child First principle, overall or in detail. We'd like to think that this was perhaps due to the anticipation and careful consideration of possible concerns taken when wording the four tenets. Certainly, we know that on reading in Board minutes that the Child First principle had been adopted, a tabloid requested and received a copy of our definition paper, so we were anticipating objections, but none were published. On the contrary, perhaps the strongest objection was that the second part of the principle's title of 'Child First, Offender Second' was "child-damning" labelling (Crook 2018), which we took as supporting tenet 4 on stigma (the YJB had already started to drop the "Offender Second" element in presentation, like the YJ Convention). This section lists the few key concerns expressed:

"Child First" and the status of victims

We had anticipated political concern with the place of victims in Child First, stating explicitly in tenet 2 that following the theory of change found in contemporary research would lead to "*safer communities and fewer victims*". Nevertheless, in the Commons Select Committee, Rob Butler MP (former YJB member) observed to YJB Chair, Keith Fraser, that, "Some people would say, 'Shouldn't it be victim first?'" (Justice Select Committee 2020: Q16). This is a reasonable observation given that the victims code in England and Wales issued under statute states that service providers, including YOTs, "must have the victim's best interests as their primary consideration" (Ministry of Justice, 2020:3), seemingly somewhat in conflict with the Crime and Disorder Act 1998 and Children Act 1989. However, Fraser argued that these priorities should not be pitted against each other, both equally important, and reiterated that following the evidence-base would bring fewer victims because of reduced offending and reoffending.

“Minimal intervention” and complex needs

Although the HM Chief Inspector of Probation, Justin Russell, has declared his full support for the Child First tenets 1-3, he has stated that he is “increasingly sceptical” about tenet 4’s “minimal intervention”, concerned that children with complex needs would not be screened or be linked with other services (HMI Probation 2022: 5). This is a helpful reminder to ensure that minimising stigmatising contact with youth justices should not be interpreted by practitioners to mean they should not assess the needs of children brought into the youth justice system. We hope national standards and case management guidance make this clear. As the second half of the tenet implies, some children will need to be on YOT caseloads; for these children, services should take steps to minimise criminogenic stigma.

“Future-focused” and interventions looking back

The key concern from practitioners has been that Child First tenet 2’s statement that “all work is constructive and future-focused” would not allow them to continue with work that draws information from the past. In particular, this has been related to using information about a child’s background in assessment and trauma informed work, and some mediation or reparation in restorative justice (RJ). It has been important to clarify that “-focused” does not prohibit drawing on the past, but is about using that information to inform how to move the child forward for positive outcomes rather than for underlining or redressing the past. We did intend that this would involve some reassessing and reframing of interventions, including some trauma-informed work (e.g. YJB 2020). Similarly with RJ, if used at the right time and in the right way may help a child move on from a pro-offending identity, but used as a blanket approach or to reinforce crudely the child’s responsibility for their crimes (as YJB RJ training at the time implied) would underline this identity and so limit positive development (Hazel et al 2020).

“Child First” and staff authority

New prison officers in training relayed to us the objection (allegedly voiced among colleagues on the wings) that the Youth Custody Service adopting Child First had undermined their authority, and consequently their safety. In particular, they mistakenly attributed to Child First, changes to regulations that meant they were no longer able to use pain-inducing techniques in behaviour management (actually introduced after an independent review [Taylor 2020]). Although this underlines the importance of communicating effectively with the sector about Child First, the first tenet does include the recognition of children’s rights and needs.

Conclusion

This chapter has charted the formulation and development between 2018 and 2022 of Child First as the guiding principle for youth justice in England and Wales. From our position of leading the development of this policy-level proposal within the YJB, we have been able to use the methodological lens of ‘textual reflexivity’ to analyse from the inside the steps taken to ensure that a proposal based on research evidence, much of it critical, gained traction by being acceptable and useful to policymakers and practitioners. In particular, this chapter has showed the considerations taken in framing discourse to navigate the anticipated concerns and challenges of stakeholders.

The Child First initiative collated contemporary research evidence on ‘what works’ in youth justice into a four-tenet principle for the youth justice sector in England and Wales. At this point in its development (in 2022, four years on from its formulation), we can reflect that the aim of being accepted and useful has been successful to the point that it has already been embedded at the policy level in a number of ways. The chapter has noted how Child First now underpins strategic and

business planning for the YJB, the national standards for youth justice, a revision of the case management guidance, and YJB position statements on issues across youth justice. In addition, the Youth Custody Service adopts a Child First approach in any new policy framework (e.g. MoJ 2022), Child First is now integral to effective practice training for staff in the youth justice system, and YOTs must assess their statutory youth justice plans against the principle. Also, the cultural shift from changing wording from ‘young person’ or even ‘young offender’ to ‘children’, particularly when now adopted in ministerial documents, should not be underestimated. Equally, we are very aware of areas that need ongoing work to reflect the principle, including assessment tools and court reports. Given the recognition in this chapter of political considerations in the formulation of Child first, we have also been conscious all along that the politics can change quickly with events and the election cycle; the political robustness of Child First’s framing will be tested further.

This chapter has demonstrated the potential for a ‘textual reflexivity’ methodology to be used by actors themselves at the policy-level for understanding their discourse framing, and we call for its further development in the policy-academia nexus. Within the wider call for more reflexivity in policymaking (Annison 2017), textual reflexivity has allowed us to move beyond just reflection for self-evaluation (Schippers and Rus 2021), to allow better appreciation of the relative power of research evidence against concerns of different stakeholders. Furthermore, the insight that reflexivity can bring can itself be used to further engagement with stakeholders; in relation to Child First, these insights gained have been shared and at both internal and external events to help stakeholders understand decisions, while perhaps reassuring them how their interests helped shape our thinking even before consultation. Overall, by applying textual reflexivity to policy making context, we contend that we have answered the call from policy researchers to “grow a methodology” that is able to understand the origins of [youth justice] policy-level rhetoric, recognising the premise and tensions in formulation and presentation, and to ensure that we no longer “remain puzzled” by them or their apparent contradictions (Fergusson 2007:16-17).

For youth justice specifically and policy science more generally, this chapter contributed a clearer understanding of the process of narrative or discourse framing in drawing up policy-level proposals, in particular how wording is chosen to convey those messages from research including a critical discourse in order to be acceptable and useful to stakeholders. Importantly, it has revealed how, while the way that Child First was always the dominant ‘storyline’ (Annison 2021), this process tries to navigate the various concerns of stakeholders in the initial considerations of drafting. Existing models of policy-level initiative formation, even those more recent realist ones, tend to frame the formation of policies as interactive, with active negotiation between interested parties (cf. Toulmin 2001, Sanderson 2009; Rubin and Phelps 2017). While that has happened with Child First, with stakeholder challenges during presentation and consultation affecting development and presentation, the influence and interests of stakeholders on policy development was present before this stage. Their anticipated concerns play a significant part in drafting ideas and wording, both substantively or in terms of influencing discourse and presentation before they are formally involved in the process. As such, we call for a reframing of the process of policy-level formation in policy science research to include the role of such anticipation of stakeholder concerns in the developing understanding of narrative or discourse framing in policy-level development. Moreover, highlighting the role of anticipation of stakeholder concern prompts a re-evaluation and inclusion of the influence of groups who may not have obviously played a part in the policy process. Policy scientists have long argued that ‘policymaking’ is influenced and made by a few, with consultations and other participatory arrangements are staged performances (Hajer 2005). However, if the concerns of interested parties are understood and already ‘built in’ to policy-level proposals, even if this analysis of staging during

formal interaction is accurate, researchers need to reconsider whether the influence of stakeholders is greater than previously understood.

For criminology, particularly for academics and others advocating Child First or similar reforming initiatives globally, lessons should be learned from the considerations in our framing and the few specific concerns raised by stakeholders. These did not speak to the discourse dichotomies usually presented in the youth justice literature as contested; of child vs offender, or welfare vs punishment (cf. Hazel 2008; Haines and Case 2015; Case and Bateman 2020). These core conceptual elements of Child First were accepted relatively unchallenged by stakeholders. Instead, concerns were focused on how implications from specific elements of the principle may affect stakeholders' own interests and agenda, including: the status of victims, the complex needs of children, the professional practice of YOT workers, the authority of custodial staff. While the dichotomies may be helpful for modelling youth justice systems or assessing policies, they appear less useful for understanding policy-level discourse and explaining individual initiative development. Current critical frameworks for youth justice require a thoroughgoing reflection on the multiplicity of agendas and concerns of those involved in policy-level formation, which in themselves may or may not be about children in the justice system per se.

References

- Annison H (2017) Interpreting influence: Towards reflexivity in penal policymaking? In S Armstrong, J Blaustein and A Henry. *Reflexivity and criminal Justice*. London: Palgrave Macmillan
- Annison H (2021) The role of storylines in penal policy change. *Punishment & Society*, 24, 3, 387-409
- Atkinson PA (1990) *The ethnographic imagination: Textual constructions of reality*. London: Routledge
- Atkinson P and Whitaker EM (2019) Reflexivity. In *The Sage encyclopaedia of research methods*. London: Sage
- Audit Commission (1996) *Misspent youth: Young people and crime*. London: Audit Commission for Local Authorities and the National Health Service in England and Wales.
- Avis HH (2018) *Engaging the Incarcerated Mind: An Autoethnography of an Educator in a Juvenile Justice Facility*. ProQuest Dissertations Publishing.
- Bateman T (2011) Punishing poverty: The 'Scaled Approach' and youth justice practice. *The Howard Journal of Crime and Justice*, 50, 2, 171-183
- Bateman T and Hazel N (2013) *Engaging young people in resettlement: Research report* London: Beyond Youth Custody/Nacro
- Bateman T and Hazel N (2014) *The resettlement of girls and young women: Evidence from research* London: Beyond Youth Custody/Nacro
- Becker, H. (1963) *Outsiders: Studies in the Sociology of Deviance*. New York: Free Press.

- Bernard TJ and Kurlychek MC (2010) *The cycle of juvenile justice (2nd edition)* Oxford: Oxford University Press
- Blunkett, D. (2000) *Influence or Irrelevance: can social science improve Government?* Speech to the ESRC 2 February 2000.
- Bottoms A and Dignan J (2004) Youth justice in Great Britain. *Crime and Justice*, 31, 1, 21-183 University of Chicago Press.
- Bridgman, P and G Davis 2003 'What use is a policy cycle ? Plenty, if the aim is clear', *Australian Journal of Public Administration* (62)3 98-102
- Byrne B and Case S (2016) Towards a positive youth justice. *Safer Communities*, 15, 2, 69-81
- Cairney P and Weible CM (2017) The new policy sciences: combining the cognitive science of choice, multiple theories of context, and basic and applied analysis. *Policy Sci* 50, 619–627 (2017).
- Campoy RW (2005) *Case study analysis in the classroom becoming a reflective teacher*. London: Sage
- Carlebach J (1970) *Caring for children in trouble*. London: Routledge and Kegan Paul
- Case S (2018) *Youth justice: A critical introduction*. London: Routledge
- Case S and Bateman T (2020) The punitive transition in youth justice: reconstructing the child as offender. *Children and Society* 34, 6, 475-491
- Case S and Browning A (2021) *Child First Justice: The Research Evidence-base*. Loughborough University.
- Case S and Haines K (2021) Abolishing youth justice systems: Children First, Offenders Nowhere. *Youth Justice*, 21, 1, 3-17
- Case S, Creaney S, Deakin J and Haines K (2015) Youth justice: Past, present and future. *British Journal of Community Justice*, June 2015
- Case S, Drew J, Hampson K, Jones G and Kennedy D (2020) Professional perspectives of youth justice policy implementation: Contextual and coalface challenges. *The Howard Journal of Crime and Justice*, 59, 2, 214-232
- Charity Commission (2001) *The promotion of social inclusion*. London: Charity Commission
- Civil Service Learning (2013) *Policy profession skills and knowledge framework*.
- Civil Service (2022) *Civil Service diversity and inclusion strategy: 2022 to 2025*.
- Cohen-Blankshtain G (2008) Framing transport-environmental policy: The case of company car taxation in Israel. *Transportation Research Part D* 13, 65-74
- Council of Europe (2010) *Guidelines of the Committee of Ministers of the Council of Europe on Child Friendly Justice*. Strasbourg: Council of Europe.
- Crook F (2018) [Twitter] 16 December.
(<https://twitter.com/francescrook/status/1074310593870475266>)

- Deakin, J., Fox, C. and Matos, R. (2020) Labelled as 'risky' in an era of control: How young people experience and respond to the stigma of criminalized identities. *European Journal of Criminology*, 19, 4, 653-673
- Dodge J and Lee J (2017) framing dynamics and political gridlock: The curious case of hydraulic fracturing in New York. *Journal of Environmental Policy and Planning*, 19, 1, 14-34
- Drakeford M and Haines K (1998) Young people and youth justice. London: Bloomsbury Publishing
- Druckman JM (2001) On the limits of framing effects: who can frame? *The Journal of Politics* 63, 1041–1066.
- Gatti U, Tremblay RE and Vitaro F (2009) Iatrogenic effect of juvenile justice. *The Journal of Child Psychology and Psychiatry*, 50, 8, 991-998
- Goldson B, Cunneen C, Russell S, Brown D, Baldry E, Schwartz M and Briggs D (2021) Youth justice and penalty in comparative context. London: Routledge.
- Gray P (2007) Youth justice, social exclusion and the demise of social justice. *The Howard Journal of Crime and Justice*, 46, 4, 401-416
- Hagell A and Hazel N (2001) 'Macro and micro patterns in the development of secure custodial institutions for serious and persistent young offenders in England and Wales.' *Youth Justice* 1, 1, 3-16
- Haines K and Case S (2008) The rhetoric and reality of the 'Risk Factor Prevention Paradigm' approach to preventing and reducing youth offending. *Youth Justice*, 8, 1, -20
- Haines K and Case S (2012) Is the scaled approach a failed approach? *Youth Justice*, 12, 3, 212-228
- Haines K and Case S (2015) *Positive youth justice: Children First, Offenders Second*. London: Policy Press
- Hajer MA (2005) Setting the stage: A dramaturgy of policy deliberation. *Administration & Society*, 36, 6, 624-647
- Hales H, Warner L, Smith J and Bartlett A (2018) *Census of young people in secure settings on 14 September 2016: characteristics, needs and pathways of care*. London: Central and North West London NHS Foundation Trust / St. Georges University of London.
- Hallsworth M, Parker S and Rutter J (2011) *Policy making in the real world: Evidence and analysis*. London: Institute for Government
- Hardy C, Palmer I and Phillips N (2000) Discourse as a strategic resource. *Human Relations*, 59, 9, 1227-1248
- Harris M and Goodfellow P (2021) *The youth justice system's response to the COVID-19 pandemic*. London: Association for Youth Justice.
- Hazel N (1996) 'Elicitation techniques with young people.' *Social Research Update* no.12
- Hazel N (2008) *Cross-national comparison of youth justice*. London: Youth Justice Board

- Hazel N (2020) *Child First concepts*. Paper to the Child First YJB Live event for the youth justice sector, Online, 30th November 2020)
- Hazel N and Bateman T (2020) Supporting children's resettlement ('reentry') after custody: Beyond the risk paradigm *Youth Justice*, 21, 1, 71-89
- Hazel N and Clark A (2013) Negotiating doorstep access: Door-to-door survey researchers' strategies to obtain participation *International Journal of Social Research Methodology* 16, 4, 307-321
- Hazel N, with Goodfellow P, Liddle M, Bateman T, and Pitts J (2017). *'Now all I care about is my future'. Supporting the shift: framework for the resettlement of young people leaving custody*. London: Nacro.
- Hazel N, Byrne B and Gray S (2018) *Proposed YJB definition of "Children First, Offenders Second"*. Information paper to the YJB Board meeting, 6 June 2018
- Hazel N, Drummond C, Welsh M, and Joseph K (2020) *Using an identity lens: Constructive working with children in the criminal justice system*. London: Nacro
- Hill M and Hupe P (2002) *Implementing public policy*. London: Sage
- HM Inspectorate of Probation (2022) *2021 Annual report: Inspections of youth offending services*. Manchester: HM Inspectorate of Probation.
- HM Inspectorate of Probation / YJB (2022) *Joint statement from HM Inspectorate of Probation and the Youth Justice Board*.
- HMPPS (2022) *Early and late release for detention and training orders policy*. MOJ/HM Prison and Probation Service.
- Hogwood BW and Gunn LA (1984) *Policy analysis for the real world*. Oxford University Press
- Hope T and Walters R (2008) *Critical thinking about the uses of research*. London: Centre for Crime and Justice Studies
- Justice Select Committee (2020) *Formal meeting (oral evidence session): Children and young people in custody*. 2 June 2020.
- Kingdon JW (1995) *Agendas, alternatives, and public policies*. Boston: Little Brown
- Lofaro RJ and Miller HT (2021) Narrative politics in policy discourse: The debate over safe injection sites in Philadelphia, Pennsylvania. *Contemporary Drug Problems*, 48, 1, 75-95
- McAra L (2018) *Child friendly youth justice*. Presentation to the Youth Justice Convention. Birmingham, 27 November 2018.
- McAra L (2017) Child-friendly youth justice? In T Bateman, P Goodfellow, R Little and A Wigzell, *Child-friendly youth justice?* London: NAYJ
- McAra L and McVie S (2007) Youth Justice? The Impact of Agency Contact on Desistance from Offending. *European Journal of Criminology*, 4, 3, 315-45.

- McAra, L. and McVie, S. (2015) 'The Case for Diversion and Minimum Necessary Intervention '. In: Goldson, B. and Muncie, J. (eds) *Youth Crime and Justice*. Pp. 119-135. London: Sage.
- Miller HT (2020a) Policy narratives: the perlocutionary agents of political discourse. *Critical Policy Studies*, 14, 4, 488-501
- Miller HT (2020b) *Narrative politics in public policy: Legalizing cannabis*. Palgrave Macmillan.
- MoJ (2016) *The government response to Charlie Taylor's review of the youth justice system*. London: Ministry of Justice
- MoJ/YJB (2019) *Standards for children in the youth justice system 2019*. London: Ministry of Justice
- MoJ (2020) *Code of practice for victims of crime in England and Wales*. London: Ministry of Justice.
- MOPAC (2021) *Brave space knife crime toolkit*. London Mayors Office.
- Naughton M (2005) 'Evidence-based policy' and the government of the criminal justice system – only if the evidence fits! *Critical Social Policy*, 25, 1, 47-69
- Orpwood GWF (1985) The reflective deliberator: A case study of curriculum policymaking. *Journal of Curriculum Studies*, 17, 3, 293-304
- Otieno JO (2019) The public policy process: *A conceptual framework for understanding policy processes and opportunities for influencing policy outcomes*. Leibniz Information Centre for Economics.
- Pal LA (2005) Case study method and policy analysis. In Geva-May I (ed) *Thinking like a policy analyst*. Palgrave Macmillan.
- Pawson, R. (2006) *Evidence Based Policy Making: A Realist Perspective*. London: Sage Publications.
- Phillips M (2008) Children's rights? What about the rights of those who live in fear of young thugs? *MailOnline Comment column*, 19 February 2008
- Pollitt C (2003) *The essential public manager*. London: McGraw-Hill.
- Prior, D., Farrow, K., Hughes, N., Kelly, G., Manders, G., White, S. and Wilkinson, B. (2011) *Maturity, young adults and criminal justice: A literature review* University of Birmingham
- Rubin A and Phelps MS (2017) Fracturing the penal state: State actors and the role of conflict in penal change. *Theoretical Criminology*, 21, 4, 422-440
- Sabatier PA (1998) The advocacy coalition framework: revisions and relevance for Europe. *Journal of Public Policy*, 5, 98-130
- Sanderson I (2009) intelligent policy making for a complex world: Pragmatism, evidence and learning. *Political Studies*, 57, 4, 699-719
- Schippers MC and Rus DC (2021) Optimizing decision-making processes in times of COVID-19: Using reflexivity to counteract information-processing failures. *Frontiers in Psychology*, 12:650525
- Smith, R. (2017) *Diversion in Youth Justice: What Can We Learn from Historical and Contemporary Practices*. London: Routledge.

- Smith R and Gray P (2018) The changing shape of youth justice: Models of practice. *Criminology & Criminal Justice*, 19, 5, 554-571
- Souhami A (2014) Creating the Youth Justice Board: Policy and policy making in English and Welsh youth justice. *Criminology & Criminal Justice*, 15, 2, 152-168
- Souhami A, Earle R, Solomon E, Case S and Haines K (2012) Was the re-creation of the Youth Justice Board a good thing? *Criminal Justice Matters*, 88, 1, 38-40
- Stephenson M, Giller H and Brown S (2011) *Effective practice in youth justice*. Abingdon: Routledge
- Taylor C (2016a) *Review of the youth justice system in England and Wales* London: Ministry of Justice
- Taylor C (2016b) *Review of the youth justice system: An interim report of emerging findings* London: Ministry of Justice
- Taylor C (2020) *Independent review of the use of pain-inducing techniques in the youth secure estate*. London: Ministry of Justice
- Taylor S (2016) Evidence based policy? The re-medicalization of cannabis and the role of expert committees in the UK, 1972-1982. *International Journal of Drug Policy*, 37, November, 129-135
- Toulmin, S. (2001) *Return to Reason*. Cambridge MA: Harvard University Press.
- Truss E (2017) *Youth Justice statement*. House of Commons. 24 February 2017, UIN HCWS502
- Welsh Assembly Government (2004) *All Wales youth offending strategy* Cardiff: Welsh Assembly Government / Youth Justice Board
- Welsh Government / YJB (2014) *Children and Young People First*. Cardiff: Welsh Government/YJB.
- Wigzell A (2021) *Explaining desistance: looking forward, not backwards*. London: NAYJ
- YJB (2005) *Risk and protective factors*. London: Youth Justice Board
- YJB (2009) *Youth justice: The scaled approach*. London: Youth Justice Board
- YJB (2018) *Minutes of the 6 June 2018 Board meeting* London: Youth Justice Board
- YJB (2018b) *How to make resettlement constructive*. London: Youth Justice Board
- YJB (2018c) *Draft standards for children in youth justice services 2019*. London: Youth Justice Board
- YJB (2018d) *Standards for children in the youth justice system 2019: Consultation response*. London: Youth Justice Board
- YJB (2019) *Journey of the Child Presentation* London: Youth Justice Board
- YJB (2019b) *Youth Justice Board for England and Wales Strategic Plan 2019-2022* London: Youth Justice Board
- YJB (2020) *Enhanced case management and Child First principles*. London: Youth Justice Board