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Supporting children's resettlement ('reentry') after custody : beyond the risk paradigm

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**Supporting children's resettlement ('reentry') after custody:
Beyond the risk paradigm**

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| Abstract: | In response to policy concerns in England and Wales and internationally, a considerable knowledge-base has identified factors statistically associated with reduced recidivism for children leaving custody. However, despite resulting guidance on how to support resettlement ('reentry'), practice and outcomes remain disappointing. We argue that this failure reflects weaknesses in the dominant 'risk paradigm', which lacks a theory of change and undermines children's agency. We conceptualise resettlement as a pro-social identity-shift. A new practice model reinterprets existing risk-based messages accordingly, and crucially adds principles to guide a child's desistance journey. However, successful implementation may require the model to inform culture change more broadly across youth justice. |
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Supporting children's resettlement ('reentry') after custody: Beyond the risk paradigm

Abstract

In response to policy concerns in England and Wales and internationally, a considerable knowledge-base has identified factors statistically associated with reduced recidivism for children leaving custody. However, despite resulting guidance on how to support resettlement ('reentry'), practice and outcomes remain disappointing. We argue that this failure reflects weaknesses in the dominant 'risk paradigm', which lacks a theory of change and undermines children's agency. We conceptualise resettlement as a pro-social identity-shift. A new practice model reinterprets existing risk-based messages accordingly, and crucially adds principles to guide a child's desistance journey. However, successful implementation may require the model to inform culture change more broadly across youth justice.

Increased attention on resettlement; limited results

The current article aims to resolve an apparent conundrum in youth justice: In spite of a considerable body of evidence, and associated practice guidance, in relation to the transition of children from custody back into the community, levels of reoffending remain extremely high. The paper deals primarily with England and Wales, but the logic of argument and the model developed from it are likely to have wider international relevance, given that a range of jurisdictions continue to have stubbornly poor recidivism rates alongside a plethora of initiatives to improve support for children leaving custody (O'Neill, 2018; Development Services Group, 2017). This conundrum also has relevance for the research-practice nexus and issues of academic impact more generally: Why might a body of research on 'what works' that has informed practice guidance from policymakers not see that influence translated into impact on outcomes?

At a policy level, the focus on resettlement (also known internationally as 'reentry' or 'aftercare') into the community after a period of custody has become more pronounced in recent years, particularly as regards children. Indeed, in England and Wales, better facilitating resettlement was part of the rationale for introducing the detention and training order (DTO) as the standard custodial penalty for children; the youth offending team (YOT) officer responsible for supervising the community element of the order "would also be involved in the planning and supervision of the custodial element" (Home Office, 1997, para 6.17). The DTO was intended to ensure a seamless intervention that offered a continuity of provision from the point of entry to the custodial institution, into the community (Hazel et al., 2002). A clear indicator of the importance attached by central government to making the transition back to the community smoother was the publication by the Youth Justice Board of a framework for resettlement in 2005 (Youth Justice Board, 2005). This document was updated five years later in the form of resettlement management guidance which attempted to clarify some of the implications for practice of the framework (Youth Justice Board, 2010a). In 2018, the Board confirmed that resettlement remained one of its priority areas (Youth Justice Board, 2018a).

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3 This growing attention was in large part a consequence of a recognition that recidivism rates following a
4 custodial sentence were historically poor and had shown little improvement over time, and that this was
5 particularly true for those below the age of 18 years (Hagell and Hazel, 2001). The Crime and Disorder
6 Act 1998 established that preventing offending by children and young people was the principal aim of
7 the youth justice system. Since 2010, reducing the 12-month rate of reoffending has been one of the
8 three high level targets by which the performance of the youth justice system has been measured – the
9 other two being reductions in the number of first-time entrants and in the child custodial population.
10 While it should be acknowledged that reoffending is a blunt measure of effectiveness (Bateman, 2010),
11 there is little doubt that, based on this indicator, resettlement provision has been found wanting. In
12 spite of the increased profile of resettlement, any progress against the target has been muted. In 2010,
13 the one-year reoffending rate for children subject to custodial sentences of six months or less (which
14 account for the majority of such disposals) was 74.1%; by 2015, it had risen to 79%. While there was a
15 modest fall over the subsequent two years, to 71.5%, there is, given developments hitherto, little reason
16 to suppose that this represents anything other than a statistical fluctuation (Youth Justice Board /
17 Ministry of Justice, 2019). In any event, it would seem unlikely that the recent decline can be attributed
18 to changes in resettlement policy or practice given that, as outlined above, resettlement has been a high
19 priority for more than a decade.
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26 The paradox of enduring poor outcomes

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29 Such disappointing outcomes cannot be explained simply in terms of policy not drawing on findings from
30 research; equally, it would appear that they cannot be dismissed as being a straightforward failure of
31 practitioners to implement policy. Over the past twenty years, a considerable body of evidence on what
32 constitutes effective resettlement has been established (for an overview, see Bateman, Hazel and
33 Wright 2013). Moreover, a number of practice initiatives, which have both reflected and added to the
34 existing knowledge base, have demonstrated that high quality resettlement practice can yield promising
35 results (see for instance, Galahad SMS, 2010; Hazel et al., 2010; Hazel et al., 2012; Hazel and Liddle,
36 2012; Wright et al., 2012; Ellis et al., 2012). To a large degree, guidance published by the Youth Justice
37 Board has reflected the research base and attempted to draw on learning from promising practice. And
38 yet the overall picture remains gloomy; successes have tended to be localised and short-lived, and
39 restricted to pilot initiatives; attempts to mainstream effective resettlement have not yielded the
40 anticipated benefits (Bateman, 2016).
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43 Thus, while research has confirmed that meeting individual needs can make a marked difference to
44 outcomes, an extensive overview of the evidence published in 2013 found that relatively few children
45 leaving custody had access to appropriate education, training, or employment. Similarly, although it was
46 clear that a sizeable proportion of the child custodial population would not be able to live with their
47 families when they return to the community, alternative accommodation arrangements were rarely in
48 place until shortly before release (Bateman et al., 2013).
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51 Even in some of the pilots, where elements of promising practice were identified, support services were
52 not closely aligned to assessed need. Despite clear evidence of the importance of education, training
53 and employment to successful resettlement, the evaluation of the DTO found that only 40% of young
54 people leaving custody were engaged in any form of educational activities during the custodial element
55 of their sentence (Hazel et al., 2002). More recently, the RESET (Resettlement, Education, Support,
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3 Employment and Training) initiative, which ran in three areas between 2005 and 2007, was able to
4 demonstrate the benefits of a dedicated resource to co-ordinate packages of care but children's
5 identified needs were, nevertheless, adequately addressed in only a minority of cases (Hazel et al.,
6 2010).
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9 In the face of such findings, policy makers' frustration has become apparent. A thematic inspection of
10 resettlement in the youth justice system, undertaken by HM Inspectorate of Probation in 2015,
11 highlighted what it considered to be a paradox. On the one hand, the high profile of work to support
12 the transition from the secure estate to the community had generated a good deal of research as to
13 what works, and the implications of this knowledge base had been widely disseminated to practitioners
14 through guidance. Yet, with some notable exceptions, resettlement practice was found wanting and
15 outcomes described as poor. Therefore, inspectors concluded that resettlement planning did not
16 commence early enough, and that service provision was disjointed:
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19 The combination of a lack of suitable, settled and supported accommodation; a deficiency in the
20 services to meet mental health and substance misuse issues and an absence of meaningful ETE
21 or other constructive activities did not give [children] an opportunity to make a success of that
22 transition. On the contrary, it made it more likely that they would fail' (HM Inspectorate of
23 Probation, 2015: 18) ... Some children did not know where they would be living until a few days
24 before their release, and because of this, the rest of the provision could not follow. This does
25 not bode well for a successful reduction or cessation of offending (HM Inspectorate of
26 Probation, 2015: 4).
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29 In this context, the fact that more than two thirds of children reoffended within 12 months of release
30 and that just one quarter of those, whose cases were reviewed for the inspection, fully complied with
31 the requirements of supervision when they returned to the community was unsurprising. But inspectors
32 took the view that the resettlement evidence base was at a level where such failures were perplexing:
33 'We know the solution... Why on earth is it not being done?' (HM Inspectorate of Probation, 2015: 4).
34 This is not only a question for practitioners, but for academics and policymakers looking to ensure that
35 research messages impact on practice and outcomes.
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39 40 The nature of the evidence base: a critical appraisal

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42 In spite of the criticisms in this regard that can be found in the thematic inspection report itself, the key
43 to resolving the paradox identified by the inspectors does not lie simply in pointing to problems of
44 implementation and a failure on the part of youth justice and custodial staff to take forward policy
45 guidance in a consistent manner. While it is no doubt possible to find examples of such failures, these
46 are themselves in need of explanation given the high priority that has been associated with resettlement
47 activities in the recent period. In our view, the origins of the weaknesses in resettlement provision can
48 be traced to limitations in the nature of the evidence base itself.
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51 To a large extent, the research that informs resettlement policy in England and Wales has, in common
52 with much criminological work of the last quarter of a century, been conducted within the traditions of
53 the risk paradigm (Gray, 2011). Studies have drawn predominantly on a succession of evaluations of
54 custodial or resettlement initiatives where effectiveness was narrowly construed in terms of what would
55 reduce the risk of (short term) reoffending, a measure which had come to be accepted as the litmus test
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3 of youth justice success (Bateman, 2010; Canton, 2012). Accordingly, findings have tended to be
4 concerned with identifying risk – and to a lesser degree protective – factors that appear to be correlated
5 with increased incarceration and, within the custodial population, higher levels of recidivism. Given the
6 lens through which the studies have been conducted, investigations have deployed variables for which
7 quantitative data are available, which in turn have tended to be drawn from assessment tools, which
8 have themselves been developed on the basis of risk thinking. In England and Wales, for instance, the
9 standardised assessment framework used across the youth justice system was until recently ASSET, a
10 tool that purported to measure the risk of reoffending for the individual child based on practitioner
11 assessments across a range of twelve domains of risk, including living arrangements, family and personal
12 relationships, education, training and employment, lifestyle, substance use, attitudes to offending and
13 the like (Kemshall, 2008).
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16 It is possible to discern three principal foci around which evidence has been amassed:
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19 **Identifying risk factors that predict a higher likelihood of children entering custody**

20 The first form of evidence which resettlement studies have typically generated involves the
21 identification of characteristics which distinguish the custodial population either from the general
22 population or from other children in the youth justice system. From a resettlement perspective, the
23 assumption is that addressing these risk factors is a pre-requisite of achieving a successful (i.e., non-
24 offending) transition. Studies adopting this approach have tended to focus on descriptive statistics,
25 including demographics that, typically, identify individual level deficits. In the adult literature,
26 evidence derived from such an approach has been summarised as establishing the ‘big four’ risk
27 factors: antisocial personality, attitudes, cognition and criminal history (Gill and Wilson, 2017:337).
28 While these have also been identified as having predictive power in relation to children,
29 bereavement and loss have also been demonstrated as having a powerful impact in a youth justice
30 context (Youth Justice Trust, 2004; Vaswani, 2018).
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36 **Identifying risk factors that predict increased levels of reoffending for children leaving custody**

37 The second variety of evidence emanates from research that focuses on establishing factors
38 associated with the risk of reoffending following release from custody. The strategy here has been to
39 ascertain differences between children who offend within a short period after release (frequently the
40 period on licence or 12 months post transition) and those who do not. From a policy and practice
41 perspective, the assumption is again that addressing identified risks is key to effective resettlement.
42 In common with the previous form of evidence, this approach lends itself to the identification of
43 factors associated with the individual child that make continued criminality more likely. Generally
44 speaking however, the incidence of risk is uniformly high among the child custodial population and
45 much resettlement research has also focused on the nature of mechanisms and / or interventions
46 which reduce or increase the risk of reoffending (see for instance, Hazel and Liddle, 2012).
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49 Such research has highlighted the importance of understanding resettlement as a process that spans
50 the custodial episode and the return to community; where planning for release commences at the
51 point of incarceration; and having suitable community services in place ready for release can have a
52 considerable impact on reducing further offending (Bateman et al., 2013; Hazel and Liddle, 2012). In
53 particular, evaluations of custodial and resettlement initiatives have repeatedly noted that
54 reoffending was less likely when any organised activity – including education, training, employment
55 or any constructive leisure – had been arranged for the child to occupy them on release (Hagell et al.,
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2000; Hazel et al., 2002). Moreover, sustainable resettlement depends on the appropriateness of the arranged services; most notably the suitability and stability of where a child is accommodated when they leave the prison behind them (Hazel et al., 2002; Hazel et al., 2012; Hazel and Hampson, 2015; Hazel et al., 2015).

Identifying the barriers or enablers in relation to practice that make it more or less likely that identified risks will be adequately addressed

A final form of evidence has emerged in relation to factors that make it more or less likely that the risks identified in assessment are adequately addressed. Apart from the impact of custody itself, which is acknowledged to be a major risk factor in its own right (Bateman et al. 2013; Bateman, 2016), a lack of trust or understanding between agencies, a failure of partnership working, interventions within custody that facilitate the management of behaviour within the institution rather than focusing on the longer term plans for the child; and a mismatch between services delivered in the secure estate and those available in the community have all been pinpointed as barriers that impede successful transitions to the community (Hazel et al. 2010; Wright et al. 2012; HM Inspectorate of Probation, 2015). In this context, quantitative measures have typically been complemented with qualitative data derived from interviews with, or surveys of, practitioners and policy makers, and in some instances children, on their perceptions of barriers and enabling factors for resettlement support operating as intended.

Overall, the messages for policy and practice from these risk paradigm research findings have been summarised as (1) ensure a smooth transition from custody to community and (2) ensure a coordinated approach to support after release (Hazel and Liddle, 2012). The findings have been quite consistent over time, providing a considerable font of learning on which resettlement policy makers and service providers might draw. And yet the record of failure has been equally uniform over the same period. The evaluations of seven resettlement consortia funded by the Youth Justice Board in the early part of the current decade come to recommendations for improved practice and partnership working remarkably similar to those found in the evaluation of the detention and training order ten years before (Hazel et al. 2002; Hazel et al. 2012; Ellis et al. 2012; Gray, Smithson, McHugh and Smyth, 2018). More recently this lack of progress, in the face of what would appear to be a rapidly expanding evidence base has, as noted above, been roundly criticised by HM Inspectorate of Probation (2015).

From research to policy

Attempts to develop an evidence-based resettlement policy first emerged locally in North West England. The 2003 North West Resettlement Strategy and the 2004 Greater Manchester Resettlement Plan developed 'pathways' of support to counter particular prisoner characteristics identified in a report by the Social Exclusion Unit (2002). Key areas highlighted as being in need of assessment and intervention were accommodation, personal advice, education training and employment, and health (including drug treatment) (Youth Justice Trust, 2004).

Such local initiatives were in large part an attempt to fill the vacuum left by successive iterations of National Standards for Youth Justice published by the Youth Justice Board (2004; 2010b; 2013). To a

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3 large extent, such standards have been concerned with minimum expectations for procedural
4 requirements, an indication perhaps of the extent to which effectiveness in criminal justice has
5 progressively become equated with process, performance targets and time limits (McLaughlin et al.
6 2001). As late as 2013, the responsibilities of youth offending team practitioners in relation to
7 resettlement were limited to: putting 'effective and robust plans in place to ensure resettlement into
8 the community on release' to be finalised as least one month prior to release, and making
9 'arrangements for the young person to access, as necessary, accommodation, health, education and
10 training/employment services on release' (Youth Justice Board, 2013: 135).

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13 Further elaboration is, however, provided in a variety of guidance documents, including the
14 aforementioned framework for resettlement and the Board's Case management guidance. The section
15 in the latter dealing with custody and resettlement acknowledges the complexity of the resettlement
16 task and outlines seven 'pathways' that should be considered to ensure successful transition of children
17 from custody to the community as follows:
18

- 19 • accommodation;
 - 20 • education, training and employment;
 - 21 • health;
 - 22 • substance misuse;
 - 23 • the involvement of families;
 - 24 • financial stability and;
 - 25 • case management (Youth Justice Board, 2014).
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30 With a single exception, each of these pathways can be readily matched to the risk factors for
31 reoffending on release from custody identified in the literature as described above. The final pathway –
32 case management – is intended to apply to each of the others, to ensure a partnership approach – in
33 recognition of the fact that no single agency has the expertise, or resources, to deliver the range of
34 required services. Again, this focus on multi-agency work can be traced to the evidence base. The
35 development of a 'brokerage' function to encourage partnership working, and hold the various agencies
36 to account, has, indeed, been found to make it more likely that services will be put in place to address
37 the child's assessed needs (Hazel et al. 2010).
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40 The most recent edition of Youth Justice National Standards, published in 2019, represents something of
41 a break with its predecessors, promising to 'encourage and support innovation and good practice to
42 improve outcomes for children who commit crime' (Youth Justice Board, 2019: 3). From a resettlement
43 perspective, the principal novelty resides in the recognition that children in the youth justice system
44 may experience frequent transitions in a variety of contexts and that such transitions are potentially
45 problematic. While resettlement pathways are not addressed explicitly, there are clear lines of
46 continuity with previous publications. Practitioners are alerted to the importance of 'assessment,
47 planning and delivery of interventions' to mitigate the potentially negative consequences of transitions.
48 Youth offending team management boards and secure establishments are reminded of the requirement
49 for partnership work and of 'holding services and agencies to account in the event of insufficient
50 planning and delivery of the transition and or resettlement plan for a child' (Youth Justice Board, 2019:
51 17).
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54 The Ministry of Justice has similarly developed proposals for '*getting resettlement right*' in a youth
55 justice context (Ministry of Justice, 2014: 11). While the elements are stripped back by comparison with
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3 the Youth Justice Board's framework, it is nonetheless possible to discern the influence of the research
4 base – albeit it mediated through consultation responses - in the headline prescriptions for improving
5 the transition for children from custody to the community. There are three such headlines:
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- 8 • Planning resettlement from day one – ensuring that partners exchange relevant information and
9 that sentence planning from the very outset is focused on work to prepare for the young
10 person's release
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- 12 • Preparing a young person to continue in education, training or employment – children should be
13 engaged in constructive activities immediately from the point of release to ensure that any
14 progress achieved while in custody is built upon rather than dissipated and that children have
15 both 'structure and a real alternative to crime' (Ministry of Justice, 2014: 11)
16
- 17 • Holding statutory partners to account – for all elements of resettlement provision, but in
18 particular for identifying appropriate accommodation for the child 'sufficiently far in advance of
19 release' (Ministry of Justice, 2014: 12).
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26 Towards an explanation of the paradox: decontextualized research messages

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28 Given the attention that has been devoted to the issue of transitions over the recent period, the
29 mismatch between aspirations and the situation on the ground requires further investigation. If there
30 has been a clear failure to overcome the "*barriers to effective resettlement*" (Bateman et al., 2013: 11),
31 the question, posed by HM Inspectorate of Probation, as to why evidence from research on
32 resettlement has not been associated with improved outcomes merits additional attention.
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35 The above brief analysis suggests that the disappointing outcomes associated with resettlement cannot
36 be readily attributed to a failure of policy to draw on the evidence. On the contrary, it would appear that
37 in this particular area of service delivery, care has been taken to align policy to research findings to an
38 extent that is perhaps rare in criminal justice. For its part, HM Inspectorate of Probation noted that the
39 requisite structures and processes to ensure successful transitions from custody to the community were
40 in place, and that many of the staff working with children in custody and on release showed
41 'tremendous commitment' (HM Inspectorate of Probation, 2015: 22). Again this would appear to
42 demonstrate some understanding of, and faithfulness to, a resettlement practice consistent with
43 research evidence. Nevertheless, the thematic inspection found plenty to criticise.
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46 Plans were too often an end in themselves, devoid of meaningful content; children, who frequently had
47 little input in developing such plans and recognised their 'tick box' nature, became disengaged and
48 disenchanted as a consequence. Work with children in custody was not future orientated, focused on
49 preparation for the transition back into the community, but was restricted to what was routinely
50 available within the institution in terms of educational provision, behavior management and, in some
51 cases, offending behaviour work. Conversely, resettlement input in the community frequently
52 commenced too late and did not build on whatever progress may have been achieved in detention.
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3 The inadequacy of prescribing processes as a mechanism to guarantee good outcomes is clearly
4 demonstrated in the data provided by the inspectors. An assessment of the child's needs was completed
5 in 90% of cases reviewed, and in most instances was conducted prior to sentence. More than three
6 quarters of assessments were up to date. But undertaking an assessment was no indication of quality.
7 Of particular significance is the fact that more than half paid insufficient attention to the child's
8 vulnerabilities, and this failure was especially apparent when those vulnerabilities were considered in
9 the context of resettlement. In more than a quarter of cases, there was no analysis of the information
10 collated, suggesting a lack of clarity on the part of youth justice staff as to the purpose of the
11 assessment. The inspectors concluded that 'planning was process driven, took little account of individual
12 need and did not involve the child or their parents / carers' (HM Inspectorate of Probation, 2015: 32).
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16 The lack of coherence between what happened in custody and plans for the community was in part a
17 failure of different agencies to co-operate and exchange information, a consistent theme in public sector
18 reviews. But lack of partnership working was in itself was an indication of a deeper underlying difficulty:
19 namely that 'case workers and case managers did not always understand their roles or the purpose of
20 sentence planning' (HM Inspectorate of Probation, 2015: 32). This resulted in the development of plans
21 that had a limited focus on resettlement itself: they tended to prioritise arrangements for the child in
22 custody rather than on what would happen to them in the community. Tellingly, for example, 36% of
23 initial planning meeting put in place plans for addressing the child's physical health needs in custody but
24 none looked at how these would be addressed in the community. A similar, albeit in some instances less
25 pronounced, focus on institutional arrangements at the expense of those that would pertain following
26 release was evident in each of the other areas of need considered in the report, with the exception of
27 accommodation.
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31 While these findings are illuminating and provide some indications of how practice might be improved,
32 they do not, at least explicitly, address the fundamental question posed by the report: why practice has
33 not fully absorbed the lessons from research. The thematic inspection does however provide some clues
34 as to where an adequate answer to that question might lie. The predominance of process over purpose
35 and a lack of understanding by practitioners of what they were aiming to achieve appear to us to be
36 particularly suggestive.
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39 In our view, a potential explanation of the paradox can be found in the partial, and problematic, nature
40 of the evidence base itself. As indicated above, the studies that have contributed the main body of
41 research knowledge to date have been conducted largely within the framework of the risk paradigm. It
42 is our contention that such risk focused research, and the Youth Justice Board's resettlement framework
43 that developed out of it, has encouraged an inadequate conception of resettlement, which views good
44 practice as consisting of discrete interventions to address a raft of disparate issues, that somehow
45 combine to deliver effective transitions. In a sense, this is unsurprising given that the risk-based model
46 of offending tends to present factors that predict recidivism as individual, unconnected, and equally
47 weighted considerations. ASSET accordingly invited practitioners to assess separately dimensions of risk
48 that might be integrally connected. For instance, living in a particular neighbourhood might be
49 associated with a significantly higher prospect of school exclusion but the assessment process required
50 that they were considered as distinct issues. Moreover, workers were required to allocate a numeric
51 score to each domain using the same range, thereby implying a non-hierarchical relationship between
52 risk factors which might in reality reflect a rather more sophisticated interaction. For example, a lack of
53 commitment to education might be a consequence of a serious substance misuse problem rather than a
54 distinct and additional risk to be addressed through a separate intervention.
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3 The decontextualized nature of the practice messages has hindered critical reflection and inter-agency
4 cooperation (Hazel and Hampson, 2015; Hazel et al., 2015). Within the risk paradigm, there has been no
5 attempt to identify a high-level aim for resettlement beyond preventing reoffending; and no theory of
6 change has been elaborated that might help to provide an overarching understanding of the
7 resettlement process within which individual strands of activity might cohere (Hazel et al., 2017).
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10 11 12 Providing a theory of change - successful resettlement as secondary desistance 13 14

15 Such a high-level aim for resettlement, and explanatory theory of change, has been presented by the
16 authors, among others, as part of the *Beyond Youth Custody* research programme (BYC). Through re-
17 analysis of data from six previous resettlement projects, and additional surveys and case studies, an
18 alternative vision was developed of how interventions to support transitions might be conceptualized;
19 one that goes beyond the traditional focus on risk understood in terms of criminogenic needs and has
20 greater potential to inform work to support successful transitions (Hazel, Goodfellow, Liddle, Bateman,
21 and Pitts, 2017). Reflecting 'secondary desistance' in established adult criminological literature (Maruna
22 and Farrall, 2004; McNeill and Weaver, 2010), BYC found that where the resettlement process is
23 successful, it involves children being able to shift their identity from one that is pro-offending to one
24 that is pro-social. As such, resettlement should not be seen as either a single transition point from
25 custody to community, nor even as following a sentence path; but as a desistance journey from an
26 identity conducive to offending to one that promotes a crime-free life and social inclusion:
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30 "I'd always had intelligence and vocabulary to talk to people in a different way and portray myself
31 in a different way, but before, I was 'street' and using slang. But it doesn't get me far in life... If you
32 conduct yourself in a good way... and portray myself in a good way, people will warm to me more...
33 Everybody I know says I seem like a man now – I can't go round talking like a child in a hoody" (23-
34 year-old ex-offender, now construction worker; cited Hazel et al., 2017: 8)
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37 As the journey suggested in the quotation above suggests, this understanding of identity is social
38 (Jenkins, 2008), seeing the more positive narrative as fostered and reinforced through involvement in
39 constructive activities and interactions, and in the adoption of roles that promote it (Bateman and Hazel,
40 2013). The role of resettlement services, therefore, should be to facilitate the child making that journey,
41 empowering them to develop an alternative personal narrative that offers them a positive, non-
42 offending, future. It becomes apparent that such facilitation is not primarily about intervening to
43 address identified risks in a linear fashion, but consists of providing support to the child to become
44 agents of their own resettlement and their longer term rehabilitation. Indeed, herein lies a further
45 difficulty with the existing research base. Explaining children's criminality on the basis of risk, treats
46 children as objects whose fate is largely determined by the risks which they embody, rather than
47 regarding them as active individuals with a capacity to make choices, albeit that their options may be
48 constrained by their socio-economic position (Case and Haines, 2009: 20). Interventions in the United
49 States – where resettlement is known as reentry, have been criticised precisely because they ignore
50 personal agency and individuals' interpretation of the immediate context:
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53 'In reentry models, both control and support narratives assign a passive role to the ex-offender
54 and almost no role to the community outside of correctional and human service agencies,
55 missing the opportunities both to engage the offender in actively reconstructing his or her life
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3 and to engage the community in meaningfully accepting the returning ex-offender back.'
4 (Barton, 2006:53).
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7 If it's true that effective resettlement consists in supporting children to exercise agency in a pro-social
8 direction, further clarity is then required as to the nature such support might take. The BYC model
9 proposes that the evidence clearly points to two distinct, but reciprocal forms that are fundamental to
10 enhancing the prospects that children will make the necessary shift: (1) personal support to guide their
11 identity shift, and (2) structural support to enable it (Hazel et al., 2017).
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14 15 Reinterpreting the risk paradigm evidence-base 16

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18 Understanding effective resettlement as a desistance journey does not mean dismissing the risk
19 paradigm research findings. Nor is it to argue that the statistical correlations between identified risk
20 factors and the likelihood of further offending on release from custody are necessarily spurious. Indeed,
21 it is obviously true that unless a child has stable accommodation, the prospects that they will desist from
22 offending are significantly reduced.
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25 However, a revised framework that sees effective practice as the provision of supporting the child on a
26 journey allows a positive reinterpretation of the existing research findings that can help explain them,
27 endow them with meaning, identify interactions between them and contextualise them in a way that is
28 meaningful for policymakers and practitioners, and illuminate what they neglect. For example, the
29 traditional resettlement literature has identified that making provision for the child to take part in
30 constructive activities such as education, training and organised leisure is associated with lower rates of
31 offending, sometimes suggesting that it somehow distracts them from crime (Hazel and Liddle, 2012).
32 Within the proposed model, such constructive activities can be reframed as offering opportunities for
33 children to enjoy positive interactions with others, develop skills for the future, provide them with
34 confidence and an opportunity to take up roles that can help shift to a pro-social identity. It is, in other
35 words, not a question of eliminating a risk but of providing future-oriented structural support that can
36 assist the child to achieve a pro-social identity.
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39 Similar considerations might apply to other issues that have often been conceived through a risk lens.
40 Providing stable accommodation, for instance, can be understood as addressing the real barriers
41 confronting the young person on release if pro-social redemption narratives are to be sustained (Rajah
42 et al. 2014; Bateman and Hazel, 2014).
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44
45 Such a reconceptualization is not simply a terminological trick however; it has important consequences
46 for how effective provision is delivered. If the provision of accommodation, education, training and
47 employment and so on, is understood as a mechanism intended to support the child to develop an
48 alternative future, as opposed to fixing a deficit, it is imperative that such services are planned alongside
49 the child, taking into account their strengths, desires and interests; ensuring what is provided fits with
50 the child's own view of what is in their interest and their plans for the future. Much of what is regarded
51 as suitable and stable accommodation for present, risk influenced, purposes would accordingly fail that
52 test in the revised model.
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55 Nonetheless, an understanding of the business of resettlement as supporting desistance can indeed
56 confirm the critical importance of two messages or principles that stand out in the risk orientated
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evidence base, while helping to provide contextual account of why, and in what ways, they assist successful transitions (Hazel and Liddle, 2012). Effective resettlement must be characterised as having the following two qualities:

1. **Consistent.** The importance of a smooth transition from custody to community can now be understood as important to building a long-term desistance journey. A continued focus on preparation for what will happen in the community upon release (Bateman et al. 2013) and indeed beyond the statutory licence period (Hazel et al. 2012), is required to ensure that the building blocks that enable sentence plans to facilitate future desistance are in place at the earliest possible stage and are understood as helping the child on their journey. The necessity of sharing information about work done with the child in custody with agencies responsible for work in the community (Wright et al. 2012) can be understood as helping to enable a coherent, and clear, pathway that enables the child to continue their travels. Similarly, positive stable relationships (Bateman et al. 2013) will help the personal support process to guide identity shift. The short lived ‘window of opportunity’ at the point of release, identified in earlier research, during which the child is receptive to intervention and committed to putting their offending lifestyle behind them (Hazel et al. 2002), can now be recognised as a natural response to freedom and the promised support as a chance to create a new identity – termed a “hook for change” in secondary desistance (Giordano et al. 2002).
2. **Coordinated.** The established importance of brokering structural support from a range of different agencies to resettlement success (Hazel et al. 2010) can be understood as necessary to overcome the multiple, and very real, structural obstacles that make the child’s route towards a pro-social identity more arduous. Joint operational working is effective not just because it allows access to a wider range of services, vital though that may be, but because it also enables a shared understanding of what the child is aiming to achieve and how the route to their destination might be eased (Hazel et al. 2012). The potential benefits of a coordinated response are, moreover, not restricted to the provision of structural support, but can also help to ensure adequate personal and emotional support through a network of trusted adults, including family and other informal supporters (Hazel et al. 2016), to ensure that the child is sustained through difficult periods where relapse is likely and provided with encouragement to withstand the disheartening effects of discrimination and labelling that will follow them from detention to the community (Wright et al. 2015).

Beyond the risk paradigm

While it is accordingly important to acknowledge the validity of some of the lessons from the literature, albeit with an element of reframing, it is also clear that effective resettlement and practice will need to go beyond the risk paradigm. The tendency to deny agency, and a consequent disregard of issues of personal support, has already been noted as major weakness in that theoretical approach. The importance of such considerations is made clear in the evidence provided by HM Inspectorate of Probation (2015) in the explanation provided by one child as to why they had successfully managed to stay out of trouble on release:

‘It hasn’t been difficult because whenever I felt that I wanted to offend, I came here and told [YOT Case Worker] and she just takes me to the park or a drink or home and tells me that if I am going

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3 to, you are going to lose everything and end up in and out. She tells me to do the right things. She
4 tells me the good things like college, to be addicted to. She tells me that I'm too lovely, too funny to
5 offend. She tells me that I don't look like an offender, that I should follow my dreams, forget about
6 the past, about the crime' (p29).
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9 The neglect of personal support in the risk paradigm has also resulted in an undervaluing of relationship-
10 based practice (both informal and formal) that plays a vital role in empowering children to weather the
11 storms necessary to forge more positive personal narratives. While such empowerment would appear to
12 be fundamental to all children, evidence suggests that it may be particularly significant for girls – whose
13 small numbers in the resettlement cohort can render them invisible (Bateman and Hazel, 2014). As
14 indicated in the previous section, emotional support from trusted adults are particularly required to help
15 the child frame any lapses in behaviour as temporary setbacks rather than confirmation of an intractable
16 pro-offending identity (Wright et al. 2015:5).
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19 Reconceptualising resettlement in a manner takes resettlement policy and practice beyond the risk
20 paradigm accordingly suggests that it may be necessary to identify other indicators of effective
21 provision. While the precise nature of resettlement support (both structural and personal) will be
22 determined by the individual needs of the child, it is possible to specify three other qualities or
23 principles, in addition to the two described in the previous section, that should characterise all
24 resettlement provision. These draw particularly from recent research within the emerging 'Children
25 First' paradigm (Haines and Case, 2015) that speaks particularly to the nature of personal support
26 needed to encourage and guide shifts in identity. Effective resettlement should be:
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3. **Co-created.** Identity development is a personal journey taken by the child themselves, dependent on their agency. Their engagement and active involvement is accordingly a prerequisite of effective resettlement (Bateman et al. 2013; Bateman and Hazel, 2013). As such, resettlement work should be responsive to opportunities, difficulties and barriers identified by the young person themselves; and should reflect their interests and their understanding of the immediate context (Barton, 2006). Developing plans with the young person concerned will also maximise the opportunity for them to comply with their licence after release (Factor et al. 2015). Active participation can also be part of the process of empowerment in itself, by requiring the child to make positive choices, building trust with service providers, and helping to develop self-esteem and a positive identity (Wright et al. 2014).
 4. **Customised.** Each child's identity, and their route to a pro-social identity, is unique, so the package of support – personal and structural – that they require from resettlement services will also be unique. In developing tailored interventions, particular attention should be paid to issues of diversity which are fundamentally relevant to identity and the framing of future aspirations. Children from particularly disadvantaged groups or those facing discrimination, girls and those from minority ethnic backgrounds, may face additional obstacles in exercising agency which, in turn, may require higher levels of support that takes explicit account of those barriers (Bateman and Hazel, 2014; Wright et al. 2015). While previous research recognised the importance of an individualised programme of intervention, this was conceived in terms of addressing the child's particular combination of risk factors, and accordingly underplayed elements of that programme involving support focused around their individual strengths and goals, which are so crucial to developing a pro-social identity. Moreover, findings that demonstrated that young people often view services post-release as 'irrelevant, tedious and

repetitive', even where they seem well tailored, can be explained as a predictable consequence of the backward-looking, negative focus on the deficits (Gray, 2010: 25).

5. **Constructive.** Provision centred on exploring and reinforcing a pro-social identity must necessarily be future-focused, strengths-based, empowering and motivating. 'Risk factors' should not be ignored but contextualised and viewed as barriers that may need to be superseded if the child is to make a successful transition. Previous research correctly identified that a tendency to focus work in the secure environment on managing the child through the custodial process was associated with poorer outcomes (Hazel and Liddle, 2012), but did not go beyond the risk paradigm to see this correlation as indicative of a failure to see resettlement through the lens of the child's identity. Forms of structural support (such as education and training), were understood in policy and practice terms as intrinsic goods which had the potential to address deficit: they became 'ends in themselves' (HMIP, 2015:22). The maximum benefits from constructive activities are, however, only likely to be derived where they are clearly designed in the context of, and contribute to, the child's identified route to a pro-social identity. It is particularly important that interventions avoid so far as possible reinforcing previous experiences that underline elements of a pro-criminal identity (Hazel et al. 2015). Custody itself imposes negative labels and resettlement interventions accordingly have the task of compensating for the negative connotations associated with deprivation of liberty, emphasising positive future alternatives and helping to foster a personal narrative for the child that makes sense of that future. As such, interventions should be motivating and empowering, building on the strengths of the child for the future rather than replaying the negativity of their past behaviour, which can be counterproductive (Bateman and Hazel, 2014). The difficulties for successful resettlement identified in close police supervision (through Integrated Offender Management) after release (Hazel and Liddle, 2012) can be recognized as impeding identity shift by underlining the child's status as an offender. Similarly, it is necessary to guard against bleak expectations and resulting differentiated treatment for prisoners from different ethnic backgrounds that have the potential harden feelings of social exclusion and a pro-criminal identity (Wright et al. 2015).

Conclusion: Prospects for change?

Gill and Wilson (2017), in seeking to explain the disappointing record of interventions for adults leaving custody, have asked whether such outcomes should be interpreted as a theoretical error in the model of service delivery, or a failure of implementation whereby programmes of intervention are not delivered in accord with the model. Our answer in respect of children is both: in particular implementation failure was, at least, in part a consequence of theoretical weakness inherent in the risk paradigm. The lack of an overall framework in which associations between risk factors and outcomes could be located, ensured that research findings were decontextualized. As such, policy makers and practitioners not unreasonably viewed tackling risks as a set of discrete activities that became ends in themselves. Rather than holding the child at the centre, such interventions had the potential to bypass them altogether, particularly where non-engagement was seen as a failure on the part of the child rather than a failure of services to respond to the child's concerns and interest and provide relevant personal support based on trusting relationships.

To the extent that risk-based practice leads to the provision of what would be perceived by the child as a supportive intervention, the focus inevitably tends towards the structural side of the equation – at its

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3 best providing opportunities for accommodation, education and training, health input and so on. There
4 is nothing in the risk model itself however that requires that this provision should be determined by a
5 wider understanding of the child's resettlement journey and should as a matter of course reflect their
6 goals, strengths and interests. Put simply, there is little point in offering a child a training course in which
7 they have no interest, but this is not an uncommon scenario. Moreover, the risk model has traditionally
8 had little to say about personal support. Although in some iterations the importance of 'responsivity' –
9 personalising interventions – is highlighted (see for instance Ugwuodike and Morgan, 2019) – this
10 generally falls some way short of seeing the provision of a supportive relationship as one of the
11 keystones that will enable the child to construct a positive future for themselves.
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14 The arguments adduced here suggest that the resettlement base and the practice that it spawned has
15 yielded less fruitful outcomes than might have been anticipated, in part as least as a function of the
16 limitations of the risk model that was embedded at its heart. Going beyond that paradigm does not
17 imply a wholesale rejection of that evidence or of developments in resettlement practice that have
18 emerged over the past two decades. It does however suggest that improved outcomes require a new
19 conceptualisation of successful resettlement as a journey involving the child's development towards a
20 pro-social identity. In doing so, the Beyond Youth Custody model, including the overall role for services
21 to facilitate the child's pro-social identity development, provides a framework that is able to capture the
22 helpful insights of the existing evidence base. It makes sense of statistical relationships established by
23 risk paradigm research by interpreting them within the context of secondary desistance; offering an
24 enhanced theory of change by which to co-ordinate policy and practice.
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27 Indeed, we contend that such an interpretation explains, and so reaffirms, the two overarching
28 messages from risk paradigm research findings: Support needs to be *consistent* across custody and
29 community in order to help the child on a desistance journey rather than a single transition; and it needs
30 to be *coordinated* in order for all services to address the many structural barriers along the child's route
31 towards their pro-social identity. However, it also highlights how the risk paradigm research tended to
32 focus on structural support, devaluing child's agency and largely ignoring the personal support that is
33 also needed to guide identity shift. Consequently, we argue that it is necessary to move beyond the risk
34 paradigm with three additional characteristics, largely drawn from more recent research, that speak to
35 personal support: Support needs to *co-created* with the child because identity development is their
36 personal journey; it should be *customised* because each child's identity and how it shifts will unique; and
37 it should be *constructive*, being strengths-based and future-focused in order to foster rather than
38 undermine a pro-social identity.
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42 There are promising signs that policy in England and Wales has begun to take notice of the criticisms,
43 and limitations, of the risk paradigm and to move beyond it in accordance with the conceptualisation of
44 resettlement proposed here. In late 2018, for instance, the Youth Justice Board published an overview of
45 what it calls 'constructive resettlement' which is based explicitly on the BYC model and aims to 'begin to
46 help the sector make this approach work on the ground' (Youth Justice Board, 2018b: 5). Similarly, in
47 revising their expectations of the treatment of children in custody, HM Inspectorate of Prisons has
48 recognised that 'resettlement underpins the work of the whole establishment' and that inspections
49 should be designed to explore pro-social strengths and goals (HM Inspectorate of Prisons, 2018:79).
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52 We are conscious that the implementation of such a model is not without challenges. A new
53 conceptualisation, even if accepted at the level of policy does not guarantee meaningful change at the
54 level policy if the cultural environment remains the same. The recent introduction by the Youth Justice
55 Board of a desistance theory informed assessment tool (AssetPlus), replacing the risk focused ASSET
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3 assessment framework, was intended to promote more strengths-based, future-oriented, assessments
4 to underpin youth justice interventions that recognised children as agents of their own rehabilitation.
5 Research has, however, suggested that youth justice practitioners, imbued in the risk paradigm over
6 many years and subject to an inspection framework which has prioritised risk management, continue to
7 make deficit-focused assessments of the risk of offending, while ignoring strengths, future goals and
8 ambitions (Hampson, 2018). Therefore, successful implementation of the BYC model, or 'constructive
9 resettlement', will require a radical culture shift that enables practice to move beyond the risk
10 paradigm.
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13 However, the theory of change for children offered by the model presented in this paper has already
14 shown some potential to facilitate such a shift in youth justice culture. Policy makers and at least some
15 practitioners have started to explore how the approach proposed in this article might have the
16 potential, with appropriate revisions to suit the context, to provide the germs of a framework for going
17 beyond risk-based practice in order to move towards a practice that embodies the vision of a 'Child
18 First' youth justice (Youth Justice Board, 2018b). In particular, the Youth Justice Board has recently
19 endorsed "developing... pro-social identity for sustainable desistance" as the theory of change in its new
20 'child first, offender second' guiding principle for all youth justice practice (Youth Justice Board, 2019).
21 Ongoing research will be required to ascertain the extent to which these initiatives at the level of policy
22 filter down to ensure corresponding changes in youth justice intervention and child outcomes. From a
23 wider perspective, given the powerful hold of the risk paradigm on practice with children in trouble
24 across much of the Western industrialised world, it will be important to consider how lessons learned
25 about moving beyond the present obsession with risk can be transferred across jurisdictions.
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For Peer Review