

PROFESSIONAL EDUCATION IN YOUTH JUSTICE: MIRROR OR MOTOR?

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Abstract

This paper explores the current training of youth justice practitioners and suggests that there is now a polarisation between the teaching of youth justice in England and Wales into an unhelpful vocational-academic dichotomy. The paper traces the development of the youth justice foundation degree and identifies a need to balance criticality with ‘underpinning knowledge’ by taking seriously the process of developing learning within the work setting. The paper concludes by recommending a ‘synthesised curriculum’ which would facilitate both employer engagement and ‘academic integrity’. This curriculum, in turn, may contribute to the development of ‘informed practitioners’ capable of addressing the very pressing needs of youth crime and antisocial behaviour.

Introduction

Dealing with youth crime and antisocial behaviour remains the subject of considerable concern in the UK and beyond. Furthermore, the degree of social construction, moral panic, stigmatisation and ‘knee-jerk’ retribution that surrounds the political and media representations of these issues has been fostered in the context of a globalised society. This, in turn, has accelerated the need for ‘modernised’ and productive practice delivered by informed, skilled and educated youth justice practitioners. There is thus a pressing need to provide an effective framework for the teaching of these ‘informed practitioners’, yet the urgency implied by such a rapidly changing environment may itself be counterproductive. This is because the development of higher order skills and the engagement in deep or even profound learning (Hay, 2007) takes time, both from the point of view of teaching and just as importantly, from the perspective of learning. The cluster of thinking skills such as evaluation, analysis, and understanding go well beyond the acquisition of simple knowledge.

The implementation of 'effective' practice by a knowledgeable and capable youth justice system has significant implications at a number of levels: micro (e.g. for the young person, victims); mezzo (e.g. for families, schools, communities); and macro (e.g. socio-economic and political benefits). We might therefore ask how individuals working in the youth justice system of England and Wales (YJS) come to be considered 'knowledgeable', 'educated' or possessors of 'expertise' in youth justice practice. Knight and Stout (2009) for example, in the context of Probation staff involved in risk assessment, have noted that 'The role of higher education within any framework remains essential if staff at all levels are to develop the skills to interrogate and analyse new information, and develop the skills of reflective and critical practice' (2009: 269).

We might also consider whether there are substantive differences between the respective 'youth justice educations' experienced by, on the one hand, professionals/ practitioners and, on the other, by traditional undergraduate youth justice students and indeed, if these differences do occur, whether they are legitimate. It is important to acknowledge at this stage that youth justice professionals are by no means a homogenous group. Their experience, expertise and qualifications can vary considerably from those 'seconded in' from Probation and Social Work, who have both professional qualifications and higher academic degrees, to those who have neither. The expertise of youth justice practitioners may lie in counselling, resettlement, substance misuse, outreach youth work, or be of a more general nature. Most importantly, we could ask what the central components of a professional education in youth justice might be- what 'knowledge', skills and abilities should be learnt, whose 'knowledge' should it be, who should deliver it, how and why?

The context of youth justice education in England and Wales

It could be argued that there has been a considerable polarisation in the teaching of youth justice in England and Wales since the inception of the Youth Justice Board (YJB) in 2000. From that time, youth justice teaching has divided into two pathways, one characterised by short-term, vocational, professional education and training modules (largely) sponsored by the YJB, the other, a more theoretical and critical grounding offered by university departments as part of traditional three-year degrees in the broader field of criminology.

This vocational-academic dichotomy exemplifies the epistemological and political schism within contemporary youth justice as a discipline in England and Wales, which can be described as a paradoxical 'war' between two sides who never engage with one another. On the one side we have the YJB, promulgating what might be characterised by some as an atheoretical, 'evidence-based', managerialist, quality-assured and practical/vocational position; on the other, a cadre of critical youth criminologists, highly sceptical of the academic merit, theoretical breadth and depth, evidential basis and ethical robustness of the YJB approach. The divide is further entrenched by the relative hegemony of each side within their particular corner of youth justice. The YJB (and its selective research projects and publications) creates and drives the agenda for students training to become youth justice

practitioners, whilst prolific and passionate critical youth criminologists have largely commandeered the academic publications that underpin the undergraduate youth justice curricula and shape critical debate within universities.

Such a disjuncture within a crucial area of study inevitably misshapes the theory, research, policy and practice that constitute the 'knowledge' of youth justice obtained and utilised by students. This can engender unhelpful and divisive distinctions and dichotomies such as vocational-academic, instructional-educational, professionals-traditional students, trainees-thinkers etc. However, to what extent are these distinctions valid? If they are valid, what could be the impact upon the quality of professional youth justice education provided and the quality of student practitioner produced? Put starkly, to what extent is professional youth justice education intended to be a motor to propel improvements and changes to practice through honest, open-minded and critical reflection, as opposed to a mirror for a prescriptive, rather myopic approach to policy and practice, free of academic rigour, favoured by the governing and funding body, the YJB? What is the nature of the desired 'reflection': critical, incisive and augmentative (motor) or imitative and modelled (mirror)?

The birth of the PCEP and the nascent Foundation Degree in Youth Justice

By 2003, practitioners of youth justice could be excused from feeling a degree of fatigue from the extremely rapid changes within the system; New Labour, new legislation, and new ways of doing things were the order of the day. The relatively new YJB set itself the target that by 2006, 80% of the workforce would have received appropriate training. The response to this target was the creation of a National Qualifications Framework in which the centrepiece the Professional Certificate in Effective Practice (Youth Justice) (PCEP) was located.

The PCEP was initially delivered in England by the universities of Nottingham Trent, Sheffield Hallam and Portsmouth, and in Wales by NEWI. To study this 40 CAT point credit bearing 'certificate,' students were drawn from practice - Youth Offending Teams (YOTs) or the secure estate. Each student received a 'learning portfolio' and a 'participant pack' containing a study guide and a set of 'topic readers' on The 15 Key Elements of Effective Practice, which reflected the YJB's conceptual framework for effective practice in Youth Justice.

The course was delivered in three taught modules (of only two teaching days each) between which were apportioned appropriate periods of 'study time'. Broadly, the first module covered a brief overview of the youth justice system as a whole, its possible aims, a cursory glance at the 'values underpinning the system' and some principles of effective partnership. The second module focused almost exclusively on the 'McGuire principles' later referred to as 'the principles of effective practice' - a framework of principles distilled from research into the prevention of youth offending that supposedly identified 'what worked' in reducing offending and reoffending. The third module dealt with the preparation necessary for

participants to undertake a mini audit using the now redundant Effective Practice Quality Assurance Framework (EPQAF) as a model.

Perhaps more worrying than the superficial attention paid to 'student engagement' in the original PCEP was the content of course materials (for a detailed account of this see also Kubiak and Hester, 2008):

The leitmotiv of the course was rather a relentless presentation of clear resolutions to the questions concerning 'what works' in preventing juvenile reoffending. Using the materials alone... it would have been quite possible for students to get the impression the Holy Grail had indeed been found (Kubiak and Hester, 2008:4)

As mentioned in the above, contemporary cautionary lessons regarding the application of the 'what works' approach to the prediction of 'risk', i.e. Harper and Chitty (2005), Bateman and Pitts (2005), Webster et al. (2005) or Case (2007, 2006), generally, were ignored. Subsequently, Case and Haines (2009) have demonstrated that there are a number of pressing problems with the application of the risk factor prevention paradigm. However, the level of critique within the materials was minimal in terms of exposure to 'dissenting' voices.

Many students appeared to resent the course's 'one-sided view', not least the session entitled 'The history and structure of the system' which started with the phrase 'YOTs were established in 2000...' (Ecotec, 2003). Worse still, the historical section concluded one sentence later (see also Bateman and Pitts, 2005: 253):

This apparent 'airbrushing' of any activity prior to the turn of the century received much criticism from many of those who had been practicing in the latter part of the last century and had witnessed both the successes and failures of youth justice over the last 20 years. (Kubiak and Hester, 2008: 4)

The Open University

In 2006, the YJB approached The Open University to be the single provider of the PCEP and to develop a foundation degree in youth justice. This direct approach did not go unnoticed by other Higher Education Institutions, who may have considered an open tendering process to be more in keeping with a transparent 'purchaser-provider' relationship. Indeed this may be seen by some as further evidence of the YJB continuing to want to 'control' the training agenda.

Whilst the 'first presentation' of the curriculum was very much influenced by the previous curriculum of the PCEP, due in no small part to the required production timescales involved, it quickly developed an independence from the original PCEP in the form of two Level 1 and two Level 2 courses. Again, due to the need to have the new PCEP in place, the first course produced (K208 Effective Practice in Youth Justice) was revised twice over a two-

year period in order to improve criticality and respond to changes suggested by the Associate Lecturers (tutors) teaching the course.

Significantly, the revised course asked students to consider what the aims of the youth justice system might be and provided a more critical view of 'pre-emptive' interventions. A year later, the first Level 1 course was produced, K115 Foundations for Effective Practice in Youth Justice, the content of which represented a radical departure from the previous youth justice training by introducing contested conceptualisations of childhood, an introduction to children's rights, as well as an extended context for the 'what works agenda' and an introduction to law.

The third course produced (K116 Working with Children and Young People in Trouble), also at Level 1, whilst using the same framework as K115, was more focused on work-based learning. The final part of the foundation degree to be produced, K209 Theory, Research and Practice, aimed at plugging the overarching knowledge gap (Nellis, 2001) by examining more critically notions of crime and youth as well as a comparative contextualisation of youth justice in England and Wales.

The vocationalist mirror, not the academic motor

Disparities in the educational experience of youth justice professionals compared to that of undergraduate students may be attributable, at least in part, to the differential objectives of the provider (i.e. YJB or autonomous university) and indeed the aspirations of the student (i.e. to become equipped with skills and knowledge for practice or simply to gain knowledge and skills for a broader set of possibilities). Working within the globalised risk society, political pressures on the YJB for quality assured practice adhering to transparent institutional standards and benchmarks have arguably precipitated the standardisation of educational opportunities and practices related to youth justice (Zukas and Malcolm in Harrison et al., 2002). The commodification of youth justice education for professionals and the concomitant narrowing of the youth justice knowledge base to include only 'year zero', post Crime and Disorder Act 1998, New Labour developments can be viewed as an impediment to reflective practice.

Livingstone (in Edwards et al., 2002) suggests that in the modern-day 'knowledge economy', the narrow focus upon meeting the skills-based needs of industry and commerce under the conditions of globalisation, has produced a culture of 'underemployment' and 'credential inflation' (as opposed to a skills shortage), thereby creating a wealth of over-qualified workers. Hyland (1999) agrees, citing the demand for better qualifications and the 'upskilling' of workers amongst employers in the UK, which he castigates as the 'McDonaldization' of education and training. Such 'narrow vocationalism' (Field, 2002) and 'human resource development in drag' (Boshier, 1998: 4) were reflected in the content of the PCEP and the early foundation degree modules. For example, the original PCEP placed an emphasis on how to contribute to the quality assurance framework and lacked any

contextualisation of the importance of values and indeed relied on 'heavily digested' texts which supported the government's view on 'evidenced-based' practice.

The YJB's perception of youth justice education clearly remains dominated by a modernising agenda to promote economic growth, a cost effective service and sustainable decreases in youth offending through the more efficient training and deployment of the YJS workforce. The modernising discourse of the YJB has prioritised practical, context-specific, procedural and declarative knowledge, vocationalism and the acquisition of skills and competencies over the more academic, theoretical, conceptual, critical, contextualised and transferable knowledge garnered by undergraduates within the traditional university context (McCormick, 2005). However, a deleterious consequence of the modernising agenda has been that the YJB, as a public sector organisation, has standardised and artificially minimised the student learning experience for trainee and existing practitioners (McCormick, 2005). In total, students of the original PCEP received approximately 36 hours of face-to-face tuition, much of which was spent discussing topics to elicit simple responses to sometimes quite complex issues, for example, the nature of evidence itself.

There is an obvious resonance between the PCEP/early foundation degree modules and several criticisms targeted at the Diploma in Probation Studies (DipPS) and social work training, particularly those related to anti-intellectualism within practice-based, competence-led learning (Jones, 1996; Webb, 1996). Some critics have chastised the DipPS for its superficial, non-intellectual and overly skills-oriented curriculum in which 'there is little time within the course for academic skills to be developed' (McGowan, 2002: 38). That is not to say however that the Probation Diploma was universally criticised. The small-scale study of the experiences of 15 students by Gregory (2007) illustrated that many students found the experience 'had helped them to become reflective about their practice' (Gregory, 2007: 53). Annison et al. (2008: 263) also found, in their analysis of three cohorts of Probation trainees, that 'the prevailing probation ethos from those entering the occupation continues to be one of enabling and helping offenders to change, as opposed to the more controlling orientation of police or prison officer work.' For further discussion on the Probation Diploma see also Davies and Durrance (2009) and Collins et al. (2009).

Cogently, Senior (2000) has asserted that this lack of academic rigour is attributable to the precision of the learning outcomes and the preconceived and parochial nature of knowledge specified by the funding agency, equivalent to the instructionalism privileged by the YJB conception of appropriate youth justice education. The vocationalist 'performativity' supported by the YJB's conception of appropriate youth justice education evidences a managerialist and prescriptive view of learning, leading to the potential danger of perceiving students as merely 'a bundle of functional competencies attained and exercised according to the demands of the market' (Usher et al., 1997: 101).

In other words, youth justice students can become the commodities in the commodification of learning (Nellis, 2001; Kubiak and Hester, 2008). The mooted danger is that youth justice

education constitutes, in effect, training and instruction, such that the pursuit of competencies through standardised knowledge delivery eschews any necessity for actual learning on the part of the student (McBride et al., 2004). This has led to numerous allegations that the professionalisation of youth justice has, in reality deprofessionalised practitioners in the field to the point that they operate as 'tick-box' technicians (Eadie and Canton, 2002) conducting 'korrectional karaoke' (Pitts, 2001).

Critical reflection in the YJB mirror

It is perhaps unfair to suggest that professional youth justice education in England and Wales has been an entirely instructional and competence-based affair with no room for the development of expertise through critical reflection. Indeed, rather than emphasising a teaching curriculum, whereby lecturers ('schooled adults') deliver non-situated knowledge to novice undergraduates (many of whom have no intention of becoming practitioners), professional youth justice education is more likely to involve a learning curriculum that is co-constructed (to some extent) by practice-focused novices/apprentices and experts/masters from the field in a 'community of practice' (Lave, 1998). In this way, the learning curriculum consists of situated opportunities to learn the practice of the youth justice community, and to conduct the improvisational development of youth justice practice (Lave, 1998) through critical reflection. The emphasis on critical reflection (Taylor, 2010) moves students forwards from basic technical rationality (instrumental problem solving through the application of a skills-base) to the more critical and flexible 'reflection-in-action', whereby professionals can adapt and augment their practice in the field as a (pro)active response to challenges (what Fenton-O'Creevy et al. (2006) term 'experienced dissonance') to their preconceptions and established ways of working (Schon, 1991). However, there are at least two concurrent potential limitations to the use of critical reflection within professional youth justice education:

1. That students are reflecting on their practice in a 'glib and reactive' manner, in the absence of a knowledge base of any substantive depth or breadth (Nellis, 2001).
2. That the degree of critical reflection possible is restricted by the partial (in the dual sense of limited and biased) nature of the evidence, knowledge and methods perpetuated by the YJB.

Fenton-O'Creevy and Knight (2006) perceive effective reflection by practitioners as the integration of formal, tacit and self-regulative forms of expert knowledge, with the professional/learner challenged to reconceptualise their practice world when experiencing dissonance between their preconceptions and practice evidence. In this way, critical reflection inherent to professional youth justice education could be viewed as a motor for enhanced practice through the enablement of a continual 'dialectic' between theory and practice. However, lest we get ahead of ourselves here, it is imperative to caution that practitioners' critical reflection takes place within the restricted frames of reference (e.g.

theories, evidence, methods, systems, and guidelines) privileged and prescribed by the YJB, for example:

- Prevention – critical reflection that welfare should be prioritised when working with offenders is a worthy and potentially useful goal, but one that is inherently restricted by the ‘third way’ preventative and early intervention aims of the YJS since the Crime and Disorder Act 1998;
- Risk assessment – a practitioner’s response to the reflective conclusion that dynamic structural processes influence the nature and extent of risk experienced by a young person is limited due to working within risk assessment processes (i.e. Asset, Onset, APIS, the Scaled Approach) that prioritise the identification and amelioration of quantitative, individualised and psycho-social risk ‘factors’ (Case, 2007);
- Understanding offending – reflecting that young people are able to construct and negotiate their response to risk and resist pathways into offending in the present day may be of limited practical utility within risk assessment models that privilege deterministic and developmental understandings of the risk factor-offending relationship (Case and Haines, 2009) and that marginalise the efficacy of consultation with young people (Phoenix, 2010; Case, 2006);
- What works – reflective scepticism or optimism regarding the efficacy or appropriateness of different interventions may be tempered, or over-ridden, if these interventions either populate or are absent from the evidence-base of ‘what works’ responses and a prescriptive menu of ‘promising approaches’ promulgated by the YJB.

What should professional youth justice education look like?

Nellis (2001, 2003) makes a persuasive argument for the fusion of what he calls ‘underpinning’ and ‘overarching’ knowledge within probation training; an argument that can be readily extended to the education of youth justice to trainees/professionals. Underpinning knowledge is conceived of as the skills and competencies-based ‘know how’ that enables students to become capable practitioners, typically obtained through critical reflection and legitimate peripheral participation within communities of practice. Over-arching knowledge refers to the theories, ideas, policies, values, perspectives, and socio-political and historical contexts that framework in the youth justice field. Put simply, it could be argued that underpinning knowledge has been traditionally under-valued, neglected and peripheral to youth justice education in the formal academic university setting, whereas overarching knowledge has been marginalised within vocational, professional education and training. Therefore, Nellis (2001) speaks of the need to bridge the academic-vocational divide through the balanced integration of underpinning and overarching sources of knowledge, which

would avoid the pitfalls of excessive instructionalism (McGowan, 2002) and the production of 'pale imitations of academics' (Jarvis, 2002) amongst the youth justice student body.

It may also be important at this point to consider briefly the notion of academic integrity. Recent fallout between the UK government and their Drugs Advisory Board in the context of the reclassification of cannabis brings into sharp relief the epistemological tensions between popular punitivism and 'scientific' evidence. The funding of the foundation degree by the YJB mirrors a similar tension. Tempting as it might be, undue interference by the government as to the level of criticality or curriculum content, for example, around the efficacy of the risk factor prevention paradigm (and its manifestation in the Asset assessment process) must be avoided at all costs. Likewise, in a potentially myopic attempt to 'please the customer', universities must be prepared to remain independent of politically expedient 'truths'.

The balance between overarching knowledge and underpinning knowledge is a difficult one to strike. As Nellis suggests, to be a fully competent practitioner both overarching and underpinning knowledge are required. This is not a simple distinction of practice and theory but an acknowledgement that there is interdependency between the two. Much underpinning knowledge should be, and quite rightly is, acquired in the context of a living practice experience. Thus many aspects of underpinning knowledge such as the detailed execution of the assessment process, including completion of Asset forms, is not dealt with in the foundation degree. The current foundation degree in youth justice offered by The Open University attempts to address the balance by providing some insight into the political (policy) and theoretical contexts of the assessment of risk factors looking back in time as well as across to different jurisdictions. This has required the courses to look at the youth justice system more critically, as well as taking seriously the process of developing continuing learning within the work setting. There are of course dangers in developing criticality without thinking through what students will do this with overarching knowledge. There is the danger of producing student 'hyper critics' who become both frustrated and disillusioned with the contemporary managerialist constraints of the system. The curriculum of the foundation degree as a whole must therefore, above all else, concern itself with the application of skills and knowledge.

Conclusions

We believe there is a significant potential for a foundation degree in Youth Justice which addresses the current tensions of theory and practice. Furthermore, we would support the idea of extending opportunities for students to study towards a full honours degree and, indeed, for that to be the benchmark of the profession, as is the case within Social Work and Probation training. As Bromme and Tillema (1995) note, becoming a professional is not a process of substituting experience for theory, but rather a process of integrating the two. Professional expertise therefore requires the integration of formal and non-formal learning with the development of self-regulative knowledge (Fenton-O'Creevy and Knight, 2006). Such complex learning outcomes are unlikely to be achieved through a 'knowledge transmission' approach to curriculum design which ignores the pedagogy of higher skills

such as interpretation and analysis or ignores the wider overarching theoretical basis of youth justice practice.

Professional practice requires deep, contextual understanding which is built up through time in the work place but draws from theory and research. To counter the disempowering 'what works' agenda (Raynor and Robinson, 2001) or knowledge production of the punishment ethic (Farrant, 2005), a curriculum is needed which is located in the idea of reflection on the wider context of youth justice practice, as well as reminding us of the need to achieve the 'epistemological fit' between theory and the world of work (Nellis, 2001).

Nellis (2001), in the context of Probation training, suggests a more criminologically sophisticated and ethically nuanced vision of what an undergraduate degree entails. Consequently, there needs to be a relationship, or matching between what is taught and learned in the university and in the work place, bridging the vocational academic divide. Employer engagement is necessary but this must be a two way process leading to a 'synthesised curriculum'.

As Freire (1970: 20) himself has put it, conscientização 'does not lead to destructive fanaticism or to a sensation of total collapse' but rather leads to a search for self affirmation. The teaching of youth justice cannot afford simply to provide the 'rear view mirror' of how policy theory and practice may occasionally collide (but often do not). It needs to drive forward practice by asking critical questions and suggesting solutions and, above all this, it needs to inspire, to create practitioners who themselves can inspire the agencies and young people with whom they work. Together with the work place experience, formal inspirational teaching should influence at least part of the learning process and thus change practice. Only then can the considerable concern expressed in relation to youth crime and antisocial behaviour be addressed in a meaningful way.

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