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Young offenders and family support services: an European perspective

Summary

Because of specialization within the system of child welfare services in Western Europe, the treatment of young offenders and their families is increasingly being separated from the treatment of other troublesome young people. The author links this condition to three main developments in modern society, which also affect the organisation and distribution of family support services. The first of these developments is managerialism. The author highlights four key features leading to increased specialization of services: top-down planning, policy implementation, modern organizational structures and financial concerns. The second development is the increased emphasis on prevention in mainstream and project-based services. The third is that as mainstream child care services are increasingly being urged to encourage parental responsibility by providing non-controlling family support services, the same movement increasingly seeks to punish parental responsibility in the families of young offenders. These developments will increasingly lead to separate child welfare systems and a greater divergence in the treatment of children in need and children in trouble.

Introduction

There is a tendency, across Europe, to separate the treatment of young people in trouble from the treatment of young people in difficulty or danger. Indeed, as specialization has become an increasingly manifest trend in the organization and delivery of social welfare services generally, patterns of service provision have tended to develop in a fragmented and differentiated manner. Perhaps paradoxically, as services to particular client groups have become increasingly specialized and distinct, especially in the professional context, there are some common developments and trends that are found to penetrate right across the social welfare field such that these various specialisms share a great deal in terms of organizational and administrative matters. The organizational, administrative and professional aspects of social welfare service provision overlap and interweave in complex ways such that a great deal of empirical variation emerges at the local level. In general terms, professional ideas and innovations are inserted

into roughly similar organizational and administrative processes but in the context of the local history, politics and culture of particular areas to produce differential patterns of service provision.

It is not especially surprising to note that a country's history, culture and political context have important implications for the precise nature of the policies and practices adopted in that country. These empirical differences can be very important, and can make the difference, for example, between a custodial or institutional sentence on the one hand or a community sentence on the other. It is because of these differences that overviews, at a European level, are fraught with difficulty (Schüler-Springorum 1996); the more one attempts to explore these empirical differences in detail, the greater significance these differences seem to assume. On the other hand, if one attempts to produce an empirically-based overview the important differences are often masked over and commentaries become too general and superficial to be of practical value, or riddled with caveats and exclusions. The empirical approach, it seems, is unlikely to bear fruit.

The challenge of producing a meaningful European overview of selected social welfare developments which does not diminish the significance of local factors, is therefore considerable. One possible, and plausible, route is to attempt to sketch out the key analytical dimensions of modern developments in the context of a particular empirical trend or theme. One such common theme was identified by the President of the Vth EUSARF Congress, Dr Matthew Colton, in his invitation to the Congress, stating:

Recent years have witnessed a major change in child welfare theory, policy and practice throughout Western Europe and North America. There has been a shift away from removing children from their families with far greater emphasis placed on helping families to remain intact. There has been a significant decline in residential care, and what remains of this sector is increasingly used to offer short-term, respite, care with the clear purpose of helping families stay together.

The main aim of this paper, therefore, is to locate young offenders and their families within this recent major change in the orientation of child welfare services on a European level. It is contended that the place of young offenders within broader child care services can be understood in terms of a number of common developments which, whilst having a differential impact in different countries, are more widely reflected in the recent history, culture, politics and practices of many countries across Western Europe and beyond.

Juvenile offenders, I will go on to argue, have a very distinct place within these recent developments that defies a simple over-arching explanation in terms of a coherent philosophy or approach. Thus we cannot necessarily directly link services for offenders with broader child care services under a 'family support services' heading, but factors which have shaped the development of, for example, family support services have important implications for our understanding of services to offenders. In general terms, therefore, services to young offenders and their families, and the links with broader child care policies and practices, can usefully be understood in terms of three main developments: i) managerialism, ii) mainstream and project-based services: the prevention nexus, and iii) approaches to the family and parental responsibility.

Managerialism

The first of these developments, managerialism, may seem remote from the philosophy and practices of child care, but it is the one with the most widespread and far-reaching implications for the provision of public services (Farnham & Horton 1993, Mascarenhas 1993, Peters 1986, Prior 1993). A thorough-going exposition of managerialism⁽¹⁾ is beyond the scope of this paper, but reference to some of its key features is essential. For present purposes, four key features of managerialism will be highlighted.

- 1 Top-down planning.
- 2 Policy implementation.
- 3 Modern organizational structures.
- 4 Financial concerns.

Firstly, we should note that managerialism is dominated by a top-down approach to planning (Haines, Bottoms & O'Mahony 1996). In a managerialist model, services do not develop organically from a detailed knowledge of a local area, its people and their needs (Haines 1996). In fact, quite the reverse is the case. Within managerialism, strategic service planning is very much a central process, reflected in the relationship between different layers of the 'State' (Humphrey, Carter & Pease 1993, Henkel 1991, Jackson 1985).

Thus, on a European level, we have Europe-wide planning by the European Parliament, which sets a policy framework within which member states must operate (Archer 1990). Similarly, at the national level, governments increasingly set strategic policies within which local state agencies must work (supposedly within the broader European framework, although there are some noted tensions in this respect). And within these local agencies themselves, the most senior managers set strategic policies for service delivery staff in line with the policy objectives of government (see for example, Association of Directors of Social Services et al 1995, HM Inspectorate of Probation 1994, Home Office 1995, Howe 1979, 1986 & 1991, Jackson 1985, Robbins 1990, Statham & Whitehead 1990).

There are, of course, complex relationships between these three levels and an increasing level of detail as one gets nearer to the point of service delivery, but the top-down nature of this strategic planning process is one of the major defining features of managerialism and of the modern age.

The emphasis on strategic policy setting, often accompanied by procedures which detail how such policies should be implemented in actual decision-making, leads to the second major feature of managerialism I wish to highlight, i.e. that policy implementation is a major feature of the roles of managers and service providers (Haines 1996, Howe 1991). It is rare, in the modern world, to find managers or service providers with the operational freedom to develop or determine themselves what services they will provide. Managers, more typically, have a responsibility to ensure that specific services are delivered in line with policy goals set by others above them. The processes of policy implementation comprise a major role of modern managers, processes which include that of inspection or monitoring (both within individual agencies and by higher levels of government) to check that policies and procedures are adhered to by lower level staff in the course of their daily service provision activities.

There are some important organizational correlates of managerialism at the local level, most notably a distinctive pattern of organizational re-structuring in line with a senior management world-view (Berger, Berger & Kellner 1974, Haines et al 1996). Thus modern organizations have typically moved away from generic structures of team organization towards a much more specialized model of service delivery where teams are constructed with the specific purpose of delivering those services which are contained and defined in strategic policy documents (Pollitt 1993). Thus, for example, we now rarely find teams established to deliver services to both adults and children. More typically we not only find teams set up to deliver children's services, but we find a number of separate teams that have been created to deliver particular children's services like family support, child protection, juvenile justice etc.

Modern public sector organizations, therefore, have come to be re-structured into highly specialist teams that tend to conform to the categories of services or clients as they are defined in the strategic policies set by senior managers (acting, of course, within the policy bounds set by those in government).

The final key characteristic of a managerialist approach I wish to highlight is its central concern with financial control (Gray & Jenkins 1986, Humphrey & Scrapens 1992). Indeed, a key feature of modern nation states is a general concern with reducing public expenditure and a more specific concern with ensuring that the money that is spent is spent in line with government policy objectives (Cmnd. 8293 1981, HCC 588 1986/7, Hoggett & Hambleton 1990). Managerialism, therefore, is intimately bound up with increasing financial control (often in the context of reduced overall budgets), as governments seek to ensure only those limited services defined in strategic policy are delivered in the most efficient and economical way possible (Haines 1995, Peters 1986).

What pattern of services, then, does modern managerialism tend to give rise to? To answer this question we need to look at what I have called mainstream and project-based services: the prevention nexus.

Mainstream and project-based services: the prevention nexus

The mid- to late-1990s has seen a resurgence of interest in prevention. A term that had largely disappeared from the lexicon of social welfare has now almost achieved pride of place; thus, public policy is significantly framed in terms of prevention of abuse, crime prevention, prevention of re-offending, drugs prevention, prevention of illness, prevention of family breakdown etc.

The notion of prevention is intimately linked to the processes of modern managerialism outlined previously (see also Giddens 1990). In short, managerialism is essentially future-oriented, i.e. it is about the future achievement of existing policy goals (and often, see above, about meeting financial targets in respect of the services to be delivered in line with these policies). That prevention has an obvious future orientation that is largely measurable (i.e. a failure to prevent something quite specific happening in the future is usually quite clear), and links the language and practices of prevention quite neatly with the processes of managerialism. But the links between prevention and managerialism penetrate much more deeply into the nature and

pattern of preventative services. It may be helpful, at this stage, to give an example of the general sorts of developments in this area.

In England & Wales, in the 1970s, mainstream social welfare services were generally provided through generic structures of service delivery. Teams of social workers were organized to be close to the communities they served, and to provide those communities with a wide range of services - largely in response to the expressed needs of these communities. As we moved into the 1980s, however, these generically organized teams began to separate out into a number of discrete specialisms. New team structures were developed to provide specialist services to specific client groups - largely within the policy agenda set by government and a re-articulated professional philosophy couched in preventive terms. And, quite naturally, these specialist teams increasingly grew to define their role in terms of the internal imperatives of their own area of work (Haines 1996).

All of this, of course, was taking place in the context of a growing public sector managerialism. Governments, at this time, were generally reducing public sector expenditure such that these emerging specialist teams found themselves operating with reduced budgets and in the context of government-set strategic policies for each of these separate services. These twin processes, feeding off each-other, led generally to the narrowing of services and the enhancement of specialist modes of organization.

A by-product of these developments, of course, was the opening up of gaps in service provision between these mainstream specialisms. As these gaps have been exposed and as their implications have become more keenly felt, governments have moved to ameliorate the consequences of these developments.

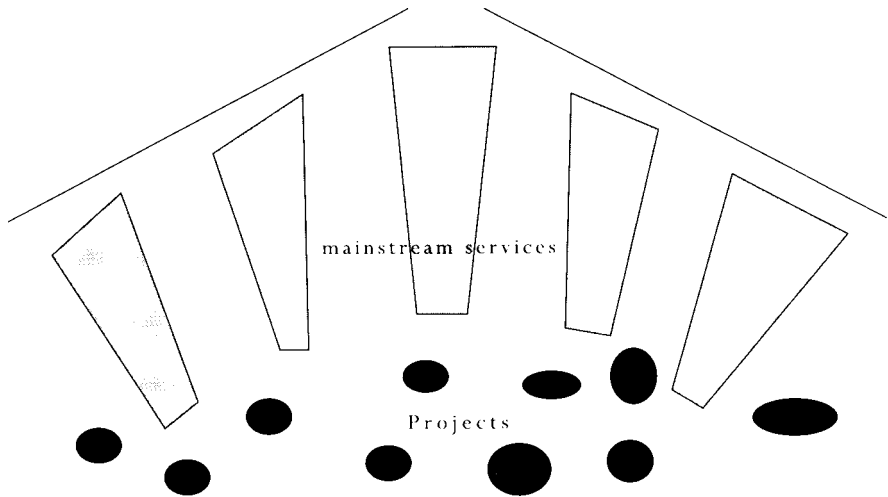
The manner in which these gaps have been addressed, however, has been quite specific. For the most part mainstream services have been left untouched: if anything there has been an accentuation of previous trends, i.e. reducing budgets and increasingly specific government policy on these different areas of service provision.¹³ The mechanism typically employed to plug these gaps has been what we might call 'initiatives'. Under an initiatives approach, government provides a cash limited budget and it defines projects of a particular type which are eligible to receive funding. Applications under these initiatives are then invited.

Projects which have been successful in gaining funding, therefore, spring up in various places. Funding for these projects, however, tends to be short-term and their continued existence is never guaranteed. It is also important to note that the distribution of these projects is very fragmented and differentiated; projects in the same general area of service provision tend to be different from each other and there is a massive geographical unevenness in the provision of services. But there may be a very wide range of different projects in operation across any given country.

It is absolutely essential, however, to have some understanding of the general nature of these projects in the child welfare field. Whereas policies for mainstream services tend to be targeted primarily at 'individuals', the policies and the projects which fall under the general heading of initiatives tend to be targeted at 'problems'. Thus mainstream services which are the subject of national policies tend to be targeted at offenders (including prevention of offending) and children in need or danger (prevention of family breakdown etc). Project-based ini-

tiatives, on the other hand, are more frequently targeted at such things as crime prevention, general prevention, children 'at risk' in particular neighbourhoods, family centres etc. The general pattern of services these developments have tended to give rise to is shown in the following figure:

The general pattern of mainstream and initiative-based service provision



The individual focus of mainstream social welfare services is to be further contrasted with the distinctly bounded geographical focus of initiative projects. In theory, therefore, it does not matter where one lives in the country: people should receive the same type and amount of mainstream services in all regions. However, geographical location is a key feature in the availability of initiative-based project services.

The overall organization and distribution of child welfare services and the place of young offenders within these services is shown in the following figure:

The distribution and provision of children's services		
	<i>Mainstream services</i>	<i>Initiative projects</i>
Offenders ↕ Children	Little connection between offender services and other children's services	General provision aimed at problems and not individuals
	Each separate service provided in the same manner country-wide	Different services available depending on location

What then of the actual nature of the services provided under these broad headings? In general, as noted above, initiative projects are not established or organized to provide services to individuals. Administratively, these sorts of projects provide a service to a population living in a limited geographical area (like a neighbourhood). The characteristics that define mainstream provision - formal intervention, the keeping of case records etc. - do not feature in initiative projects. They are, in general terms, open to all on a non-stigmatizing basis. The disparate range of provision that falls within this category, however, is beyond empirical description in a short paper and for present purposes I shall concentrate on looking at the philosophy of service provision within mainstream services.

Young offenders and family support services: approaches to the family and parental responsibility

One of the major themes of the Vth EUSARF congress 1996 concerns the general way in which the philosophy of the provision of mainstream services to children has shifted away from protecting children through intervention into the family predicated on putting the interests of the child first and exercising a degree of control over parents' behaviour, towards an approach which puts the family first and aims to provide services which support families in a more positive (and less controlling) sense (see, for example, Colton et al 1994).

This change in philosophy has little to do with a general improvement in the position of children in society or a general reduction in the harm done to children; nor does it appear to have much to do with any general change in the behaviour of parents. On the other hand, it has been argued that the shift towards family support services is intimately linked to changing notions about the role of the 'State' (Eekelaar 1991, Stewart 1995).

Supporting parents is a much more politically acceptable notion to right-wing governments, committed to rolling back the frontiers of the State, than strategies which aim to control parents. An interventionist State tramples on parental responsibilities in ways which have become increasingly politically unacceptable. The minimalist State seeks to replace spheres of public and State activity by private and family activity: following this line of thinking, parental responsibility is, therefore, a good thing which States should seek to encourage.

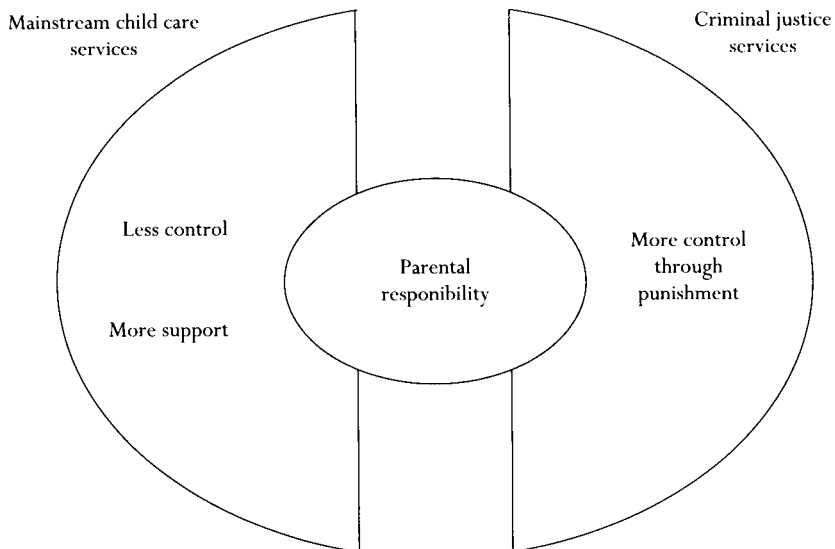
Parental responsibility is a cornerstone of the 1989 Children Act; an Act which is held up as an example of the shift in philosophy towards family support services. The centrality of parental responsibility within the Children Act locates responsibility for child rearing directly with parents and not the State, but the role of the State in encouraging this parental responsibility has taken a very specific form. The provision of family *support* services is quite deliberate and must be set against the belief that a reduction in the extent of State control, and even supervision, of parents will encourage them to behave more responsibly towards their children. The principle underpinning the philosophy and practice of family support services, therefore, is that minimum formal controlling State intervention leads directly to maximum parental responsibility (Eekelaar 1991). So generally, regarding the population as a whole, the less one does the better; but where intervention is necessary, support to parents (i.e. intervention which encourages parental responsibility, and not attempts at increasing state control of parents) is the preferred option.

When we turn to young offenders and the parents of young offenders, however, we find some important differences in approach. The government that developed the 1989 Children Act, at the same time was in the process of creating a new youth court for young offenders under a separate piece of criminal justice legislation. It is not surprising, therefore, to find the notion of parental responsibility assuming an equally important place in contemporary criminal juvenile justice. The approach to parental responsibility in these two simultaneous legislative processes was, however, quite distinct.

Contrary to the principle that minimum State intervention leads to maximum parental responsibility, criminal justice legislation was predicated on the basis that responsible parental behaviour could only be promoted by punishing the parents of children in trouble (Drakeford 1996, Edwards 1992); and a variety of measures were put in place in the 1991 CJA to punish and/or force parents to act more responsibly (requiring parents to attend court, making parents responsible for paying fines). The most significant of these new measures was the *duty* placed on courts to bind over parents of children under 16 so as to 'take proper care and exercise proper control over the child' s.58(2)(b) CJA 1991. Unreasonable refusal to be bound over can result in a fine of up to £1000.

Thus, in general terms, while in mainstream child care there has been a move away from interventionist strategies towards an approach which encourages parental responsibility through the provision of non-controlling family support services, there has been a simultaneous move to punish parental responsibility into the heads of parents of young offenders.

Approached to parental responsibility



There is an important qualification that we must add to this general characterization, to the extent that support vs punishment does not fully account for the differences in approach to parental responsibility and the approach towards offender-based services. It is rarely the case that parents of first offenders or parents of children who have committed only minor offences are met with the full force of the punitive criminal justice system. We can identify, in most systems, what we may call a 'zone of tolerance', whereby criminal behaviour by children is more tolerated and where parents may receive a more supportive and helpful service.

Thus, in England & Wales there is extensive practice of cautioning young offenders (Davies et al 1989, Evans & Wilkinson 1990, Evans 1991), a form of formal warning rather than criminal prosecution, which may be accompanied by voluntary assistance to parents; and Scotland has its Children's Panel system (Asquith 1983, Kelly 1995).

These zones of tolerance vary greatly in their scope, and they tend to be fairly malleable and subject to changes in political opinion. Nevertheless, they are significant features of most modern juvenile criminal justice systems. Within these zones of tolerance there is a greater degree of congruence between the approach towards children and their parents in mainstream child care and criminal justice services, although the provision of services to these children and their families may be undertaken by different groups of specialist staff. It is important to note, however, that these zones of tolerance have an upper threshold which, when crossed, leads into very different approaches and patterns of service provision.

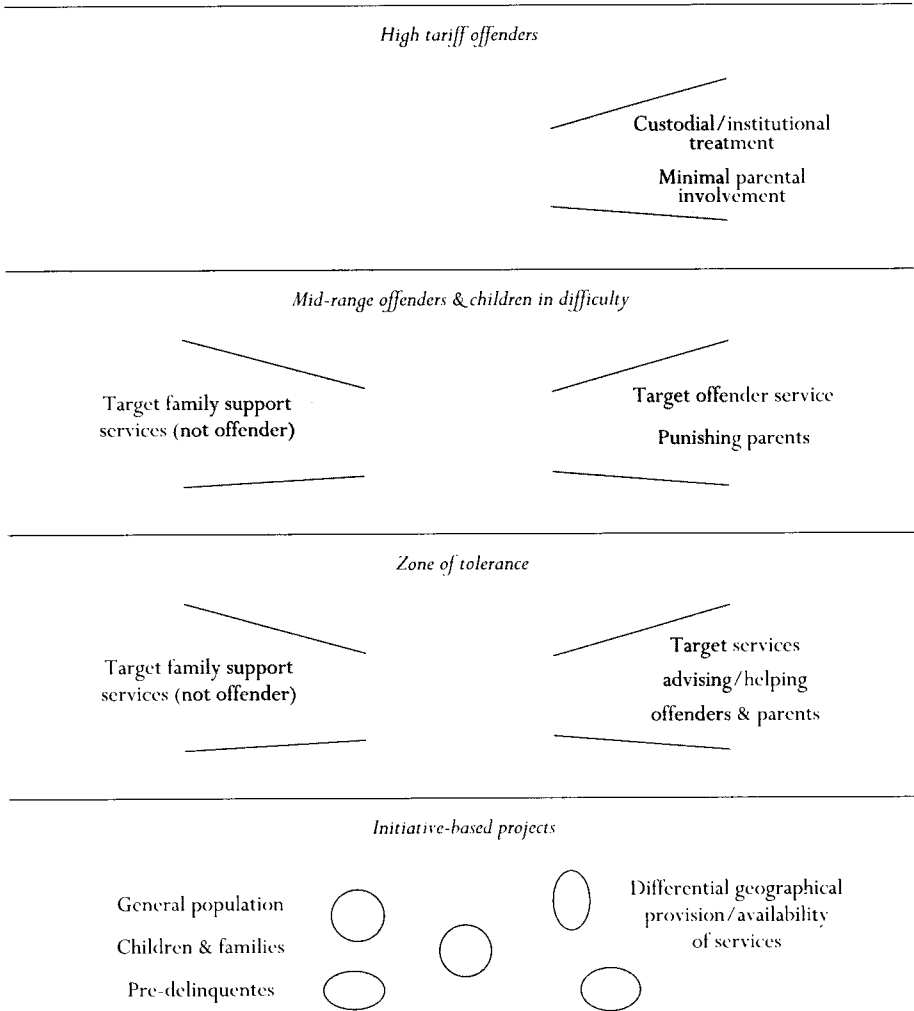
Conclusion and discussion

Overall, therefore, it is possible to sketch out a map which, by way of a general guide, provides a way of understanding the philosophy and distribution of family support services, and the manner in which services to juvenile offenders fits, or otherwise, within this general pattern (see the figure at the next page).

The overall organization and distribution of family support/offender services has been heavily shaped by the dynamics of modern managerialism. The main features of this organization and distribution are: i) a separation between categories of 'clients' in line with the policy areas of government, ii) separate structures for the provision of services to these client groups, iii) an increasing specialization within structures of service delivery and increasingly narrowly defined service delivery objectives, iv) the plugging of gaps in mainstream provision with project-based services targeted at geographical areas or groups within the population.

Managerialism has not only shaped the overall organization and distribution of public welfare services; it has significantly altered the dynamics of direct service provision. Thus, in the modern era services are provided in line with policies, where policy setting is an increasingly centralized activity. General strategic policy setting is a function of the highest levels of the state (including policy setting at a European level); matched by local agency policies, formulated by the most senior managers in local agencies, which it is the task of service providers to implement in their daily activities. Furthermore, managing policies into practice and implementing policy has become a much more prescribed activity as the processes and procedures which staff must follow are increasingly laid down by government and senior managers.

Young offenders and differential gradations of services



We must, of course, graft on top of this an increasing government control of finance; mechanisms of budgetary control designed to ensure services are provided only to target groups, in line with strategic policy, in the most efficient and economical manner possible.

Whilst the empirical outcome of these developments varies between countries, the general outcome of these developments has widespread relevance. Service delivery to groups within the population has tended to fracture and differentiate in line with the categories of 'clients' as defined in government policy, thus separating, inter alia, young people who have

offended from young people in need or danger etc. The separation of these groups in terms of both policy and structures of service delivery has allowed for greater differences to emerge in terms of the types of policies pursued in respect of these different groups (e.g. punishment for offenders, family support for children in need). Furthermore, as these developments have become increasingly embedded in separate systems, the nature or content of the policies directed at various client groups has tended to be much less influenced by professional considerations, and has come to be increasingly shaped by the political policy imperatives of government and the way in which local agency managers have responded to central initiatives.

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Notes

1. The term managerialism is used here descriptively to refer to the distinctive set of modern managerial strategies and tactics.
2. Although, in this respect it is essential to note the growth and importance attached to inter-agency working as a mechanism, initiated by government, to increase the efficiency and effectiveness of overall mainstream service delivery within economic restraints and a context of shared agency objectives (Haines 1996).