



Transdisciplinary Research for Youth
Justice Network

Position paper 2023



Transdisciplinary Research for Youth Justice (TRYJUSTICE)

Position paper on the current context and challenges surrounding Youth Justice in the UK

Establishing the transdisciplinary process and methodology

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Executive Summary

Contributions of this Network:

This Transdisciplinary Research Network for Youth Justice (TRYJustice) aims to make two key contributions in this field. The first aim is a deeper understanding of what prevents children's offending, both in terms of first-time entrants into youth justice systems, and reoffending. The second aim is to contribute to the methodological field of transdisciplinary research in terms of developing a framework that enables unique insights through using a truly transdisciplinary research design.

Process:

This position paper is the first output of the TRYJustice network. It provides a framework for future activity of the network, as well as establishing commonalities between represented disciplines. In developing this paper, we utilised a case study to anchor our different disciplinary viewpoints to. This enabled us to identify key contact points for change, and compare disciplinary approaches to the specific experiences of a child.

Summary:

We identified the core issues in Youth Justice currently, and identified that siloed approaches aren't meeting the needs of children. An opportunity exists for transdisciplinary work to bridge the gaps between disciplinary insights into youth justice, and improving life outcomes for children. This approach enables a deep, multi-layered understanding of a highly complex phenomenon. This is important as positive change can happen at micro- and macro- levels, including specific interventions at institutional, local, or national level, as well as the shifting political and cultural context.

Our identified overarching research question was:

- ❖ How can a transdisciplinary approach help to map a comprehensive picture of contemporary understanding of what prevents children's offending?

The sub research questions were:

- What additional insights can a transdisciplinary approach give above traditional disciplinary approaches?
- How can a transdisciplinary approach to research be used to better inform youth justice/education policy making for children who offend, within a child first framework?
- How can we develop a transdisciplinary framework or model of working across disciplines and sectors, with an effective integration of practice partners?

This paper sets the rationale for the TRYJustice Group and the foundations upon which we will develop our contributions to the field. These outputs include a multi-disciplinary research programme which will culminate in a series of original research papers; a framework for transdisciplinary research and; a Handbook on Children's Education in Custodial and Youth Justice Settings with the publishers Palgrave.

The Authors



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Adeela Ahmed Shafi is Associate Professor in Education at the University of Gloucestershire. Her research is focused on the education of young people in secure custodial settings. She is leading 3 large Erasmus+ projects, Re-engaging Young Offenders with Education & Learning (RENYO), Active Games for Change (AG4C) and Skills4Life, working with partners in ten European countries to develop policy and practice. Adeela has an established publication profile and led a special issue in an international journal with research contributions on education in secure custodial settings from across the world. Adeela received an MBE in 2020 for contributions to research and social justice.



Professor Huw Williams

Huw Williams is a Professor of Clinical Neuropsychology and Co-Director of the Centre for Clinical Neuropsychology Research (CCNR) at Exeter University. Current projects include: Neuro-Trauma in adolescents and young adults in society and in prisons (in South Africa and London); Traumatic Brain Injury and Neuro Disability Screening & Support in Prisons (with Do-It Profiler). He has published in a range of areas of Clinical Neuropsychology – particularly on neuro-rehabilitation and recently regarding crime. He was awarded a Fellowship of the BPS and the Barbra Wilson Award for Lifetime Achievement in Clinical Neuropsychology in 2019.



Professor Stephen Case

Stephen Case is Professor of Youth Justice at Loughborough University. His research and scholarship have focused on the promotion of positive, ‘children first’, rights-based and anti-risk management approaches to working with children in conflict with the law. In addition to over 60 academic journal articles, he has published numerous books including ‘Child First: Developing a new Youth Justice System’ (Case and Hazel – Palgrave), and ‘Youth Justice: A Critical Introduction’ (Case 2021 – Routledge). Professor Case has conducted funded research for the Youth Justice Board, UKRI, the Home Office, the Welsh Government, the ESRC, the Leverhulme Trust and the Nuffield Foundation.



Professor Neal Hazel

Neal Hazel is Chair of Criminology and Criminal Justice at the University of Salford. He has delivered more than 40 funded research projects, mainly in youth justice and family support. He led the national evaluation of youth custody during COVID-19. Neal specialises in providing useful policy and practice messages. In 2018, Neal was appointed to the Youth Justice Board, which is responsible for overseeing the youth justice system across England and Wales. He led the Board’s development of ‘Child First’ as the sector’s guiding principle and the ‘Constructive Resettlement’ model. He is also former HM Deputy Chief Inspector of Probation for England and Wales.



Dr Kathy Hampson

Kathy Hampson worked for several years as a case manager for a large city Youth Offending Team (YOT), completing her PhD whilst there, researching the emotional intelligence of children who offend (whilst also working for the University of Birmingham on their distance learning Social, Emotional and Behavioural Difficulties MED). After relocating to North Wales, she worked for the charity Llamau in a hybrid strategy/research project looking at YOT practice around the resettlement of children leaving custody. She now lectures in Criminology at Aberystwyth University, where she continues researching into youth justice (in particular youth justice systems).



Hope Kent

Hope Kent is an ESRC funded PhD student, studying on the Advanced Quantitative Methods pathway of SWDTP studentships. Hope's research interests are around using statistical modelling in large administrative datasets to understand criminalisation of people with neurodisabilities. In her PhD, she is using linked Ministry of Justice and Department of Education data to understand pathways into the justice system through education and social care outcomes. She is interested in social models of disability, and in exploring how we can make systems accessible and appropriate for children with neurodisabilities. Hope is the research assistant for the TRYJustice Network.



Dr Sean Creaney

Sean Creaney is a Criminologist and Senior Lecturer in the School of Law, Criminology and Policing at Edge Hill University. His areas of expertise include Child First Justice, typologies, theories and models of participation and co-production and experiential peer support and mentorship. Sean is a founding Advisory Board member of social justice charity Peer Power. In 2021, he was a research consultant on a Youth Justice Board commissioned project that audited the practice of participatory approaches and co-creation across Youth Justice Services. Sean is a member of the Editorial Advisory Board of the Safer Communities journal and was awarded Outstanding Paper in both the 2015 and 2021 Emerald Literati Network Awards for Excellence.



Dr Jon Hobson

Jon Hobson is Research Lead for Social Sciences at the University of Gloucestershire, which includes Criminology, Criminal Justice, Policing, and Sociology. He is a convenor for the University's Society and Learning Research Priority area, supporting research and impact work across Social Sciences Education and Social Work. He researches and teaches across the Social Sciences, particularly in Criminology. He specialises in issues of Restorative Justice and international crimes such as Genocide and Crimes against Humanity.



Dr Rebecca Banwell-Moore

Rebecca Banwell-Moore is a Research Fellow on the UKRI funded 'Prison Regulation for Safer Societies' study at the School of Sociology and Social Policy, University of Nottingham. Rebecca's area of expertise is Restorative Justice. Her particular focus is on victim participation in Restorative Justice and the role of criminal justice stakeholders. She is also a trained and practising community mediator. She previously held the position of Victim Liaison and Restorative Justice Coordinator in the youth offending service. She has recently been working with the Police and Crime Commissioner's Office in Wiltshire to embed restorative justice across criminal justice services.



Ross Little

Ross Little leads a module on the Criminology and Criminal Justice program focusing on Young People and the Criminal Justice System at De Montfort University. He also leads the Learning in Prison and Probation Network, part of the Research Institute for Criminology, Community Education, and Social Justice. Ross has designed courses with prisons to bring together students in prison and students at De Montfort University for shared higher education study experiences. He is undertaking his PhD by concurrent publications to further understanding about pedagogy and prison education.



Professor Nicola Wake

Nicola Wake is Deputy Director for the Northumbria Centre for Evidence and Criminal Justice Studies and Subject Sections Secretary for the Society of Legal Scholars. Nicola has published widely on mental condition defences, holds several editorial positions, and has secured funding from prestigious providers. Professor Wake's research interests include: criminal law and justice specifically mental condition defences, human trafficking, and vulnerable offenders.



Professor Raymond Arthur

Raymond Arthur completed his PhD on family life and youth offending behaviour at the University of Birmingham in 2003. This work examined the state's obligations to protect the welfare of children and prevent youth offending under domestic and international law and developed the argument that all young people have a legal right to the provision of youth crime preventive support and services. He has published two sole authored monographs, chapters and peer-reviewed journal articles on issues related to the delivery of justice for children and families, the complex linkage between parenting and youth offending and the extent to which the youth justice system in England and Wales protects children's human rights in the light of international best practice.

The TRYJustice Network extends beyond the authors of this paper, and bios for our members can be viewed on [our website](#)

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1. Introduction

'Most real-life problems are multifaceted, in that they have multiple types of causes and determining factors. These different types of causes and determining factors often have to be addressed in different ways with different disciplinary methods.'

(Menken & Kestra, 2016 p. 13)

The issue of preventing young people from coming into conflict with the law is one of many issues which require multiple approaches and solutions. Many academic disciplines have contributed to the knowledge we have on children and young people who come into conflict with the law. This knowledge is largely discipline-specific with a range of epistemologies and theoretical bases, underpinned by different theories and literature, based on the causes and effects of crime and offending behaviour, but with little attempt at integration. Such theories and approaches include, for example: the general theory of crime (e.g. Gottfredson & Hirschi, 1990; Gottfredson, 2001; Hirschi, 2002) a criminological theory focused on individual low self-control as the cause of crime; the critical theory of crime (Quinney, 2001) where crime is a response to the inequalities in power and material well-being in society; the developmental or life course theory of crime (e.g. Sampson & Groves, 1989; Moffitt, 1993; Piquero & Moffitt, 2014) where developmental aspects interact with environmental challenges and cause crime; the social learning theory (e.g. Akers, 1977, 1979, 2010) where crime is learnt from those in the social environment; the rational choice theory (e.g. Cornish & Clarke, 2014) where an individual weighs up the costs and benefits of crime before committing it and; the proponents of individual or biological causes of crime (e.g. Glueck, & Glueck, 1968) which posit that criminals are different in nature to non-criminals at an individual and biological level.

These approaches come from a range of disciplines with their own associated research methodologies and subsequent interventions. Furthermore, different philosophies underpin how a society addresses youth offending and the continuing dichotomies of risk based and child friendly approaches encapsulate the welfare vs justice tensions that have dominated the latter part of the 20th Century and into current times. A synthesis of these different strands is challenging. However, according to critical realist philosopher Bhaskar (1978), exploring multiple perspectives enables a deeper and a multi-layered understanding of a phenomenon. Therefore, a consideration from a range of approaches and disciplines is appropriate and actually useful.

Figure 1 below adapted from Menken and Keestra (2016) indicates how different disciplines may offer different explanations for causes and solutions, and which may have been reached through research conducted using a range of methodologies, paradigms and theory.



Figure 1 Examples of causes of youth offending from different perspectives

We propose that a complex systems-based approach that can appropriately integrate the knowledge and understanding we have from across a range of disciplines such as sociology, criminology, psychology and education can lead to new and innovative solutions at a range of intervention points in the life cycle of the young person. This should include a closer and critical look at the wider cultural and policy landscape within which we operate. Education provides an ideal site for interventions as children have to be in education or training until the age of 19 and a touch-point for many services such as social workers, healthcare workers and teachers. **Adopting a transdisciplinary approach to bring together the learnings from a range of relevant disciplines, can transcend tensions and reach new and innovative solutions and recommendations to the problem.**

2. Establishing context

2.1 The challenges we face

The number of young people in custodial settings has dramatically reduced in the last 14 years from over 3,000 in 2008 to around 500 in 2022 with a 75% drop in offences since 2010. However, there are still almost 50,000 children and young people who come into conflict with the law in a year (Youth Justice Board, 2020) with 68% reoffending within one year (Youth Justice Board, 2020). It means those in custody are some of the most troubled young people in society at risk of becoming entrenched within the system. Further, the drop in custodial sentences have not benefitted those from black or minority ethnic backgrounds (Muncie, 2015). Consequently, the already disproportionate number of black or minority ethnic young people with custodial sentence has become even more disproportionate. For example, black or minority ethnic communities make up 9.5% of the population, but 14.4% are sentenced to immediate custody (Ministry of Justice, 2013). They also make up 16% of first-time entrants into the youth justice system. This all points to a system which is biased against particular groups of society which requires its own solutions.

Further, compared to their peers in the general population, young people in conflict with the law, have a higher prevalence of drug and alcohol misuse, higher rates of mental health problems and higher levels of learning difficulties (Ayres, 2021; Chitsabesen et al, 2016; Nkoana et al, 2020; Hughes, 2015). Additional socioemotional problems such as anxiety and depression (Winstanley et al, 2019), behavioural problems (Young et al, 2015) and language and communication difficulties (Snow et al, 2016) are also more prevalent. There are higher rates of co-morbidity in the prevalence of these problems which also tend to be related to disrupted attachments and other traumatic life events (Loeber et al, 2014; Moran et al, 2017). The UN Convention on Rights of the Child – (Justice) now holds that children with neurodevelopmental issues are more likely to enter the youth/criminal justice system and is linked to school exclusion and higher incidences of traumatic brain injury and learning disabilities (Nkoana et al, 2020). These issues demonstrate the complexity of the lives and circumstances of young people who come into contact with youth justice.

2.2 The role of Education

As children and young people are expected to be in full time education or training until the age of 19, time whilst incarcerated can represent a golden opportunity to re-engage the children and young people with learning, and facilitate onward education and training when

back in the community (Coates, 2016), thereby preventing opportunities for reoffending. The education system thus has multiple opportunities to intervene, providing we can keep them engaged. Education can have transformative potential for people who come into conflict with the law (Behan, 2014).

However, this is not so simple given the evidence that children and young people who come into conflict with the law have low education attainment and nine out of ten have dropped out of school (Little, 2015; ahmed Shafi 2018). This reflects the complex and challenging backgrounds and experiences of young people who come into conflict with the law. These include family breakdown, lower socioeconomic status, learning difficulties and mental health, all of which can impact on learning. Other research (e.g. Jacobson et al, 2010) found that 76% of young people who offended had an absent father and 33% had an absent mother. Young people who offend are also more likely to have parents who have been incarcerated (Farrington, Ttofi, Crago, & Coid, 2015) and more likely to have been exposed to drugs and alcohol abuse (Manly et al, 2013).

Furthermore, given that when young people are released, they are likely to return to the same circumstances that may have led to the offending behaviour – perhaps explaining why such a high proportion of young people reoffend. Efforts that may have been made whilst in custody seem to have little impact when the environment they return to is not conducive or consistent and so all work done quickly unravels (Altschuler & Brash, 2004; Ministry of Justice, 2013). It could be argued that incarceration is a punishment for circumstance rather than a crime since the complex backgrounds of young people who come into conflict with the law expose them to situations where they have limited choice or control of the life-paths they will follow (Arditti and Parkman, 2011).

Understanding education in the secure context is critical as this context most influences the design and implementation of successful education initiatives. This can also be a bilateral dynamic however, as specifically designed educational initiatives can positively influence the context itself potentially contributing towards a more peaceful and sustainable society (UNESCO MGIEP, 2022). The educational context in a secure custodial setting is an important antecedent to the conditions required for successful re-engagement with education and learning (ahmed Shafi, 2018).

3. Taking a transdisciplinary approach

Transdisciplinary research, whilst not a new field is recently gathering more momentum as we look to gain from the knowledge of multiple disciplines not just to gain different perspective but to draw on them all to reach new solutions to existing problems (Renn, 2021). As a research process, transdisciplinary research is different from other forms of contact between bodies of knowledge. In essence it transcends the individual disciplines to enable new insights, unconstrained by those that might be imposed within and by disciplinary frameworks. The potential benefits to the approach are considerable, with increased collaborations between disciplines leading to an advancement in our understanding of the interplay between cognitive, social and emotional factors in complex areas (Boix Mansilla, 2010).

Multidisciplinarity for instance, looks at a problem from two or more perspectives, to form separate academic narratives and will not necessarily aim for a synthesis. Interdisciplinarity takes this a step further where two or more academic disciplines work to create a synthesised outcome by finding commonalities between them and producing results that can be analysed through a variety of different lenses. The output should meet the research criteria of all disciplines involved and add value to each separate field. Transdisciplinarity adds a third core element to the process, by introducing non-academic knowledge to the discussion. This can come in the form of policy makers, practitioners or any others who can be seen as relevant stakeholders in the finished research output. Transdisciplinary research aims for regular synthesis between the disciplines and ultimately transcends individual disciplines to offer new insights into existing problems that may not have been available without the transdisciplinary process. This can be an effective way to tackle complex, multi-agency issues such as those outlined in this paper (Menken and Keestra, 2016).

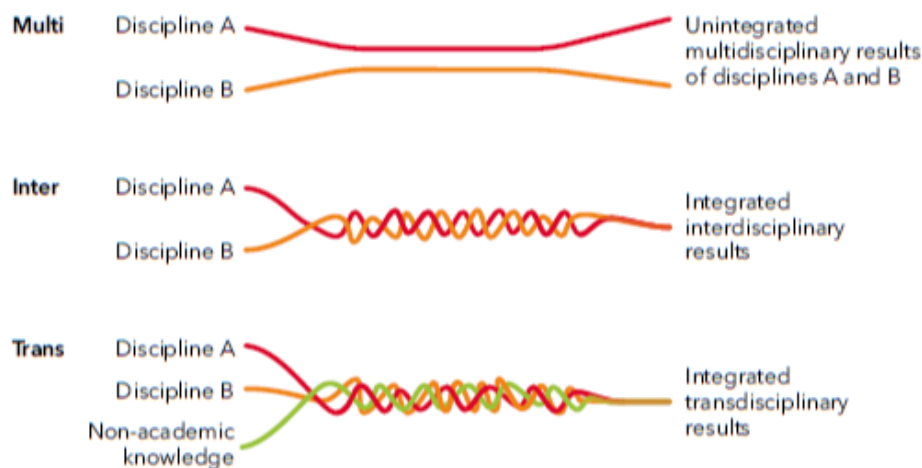


Figure 2 Multidisciplinarity, interdisciplinarity, and transdisciplinarity illustrated (Menken and Kestra 2016)

3.1 Transdisciplinary Research in context

The figure below suggests what researchers from different disciplines might ask in relation to the potential of education as a means to prevent children and young people coming into conflict with the law. This has the potential for different disciplines to offer their expert discipline-based knowledge a potential site for solutions.

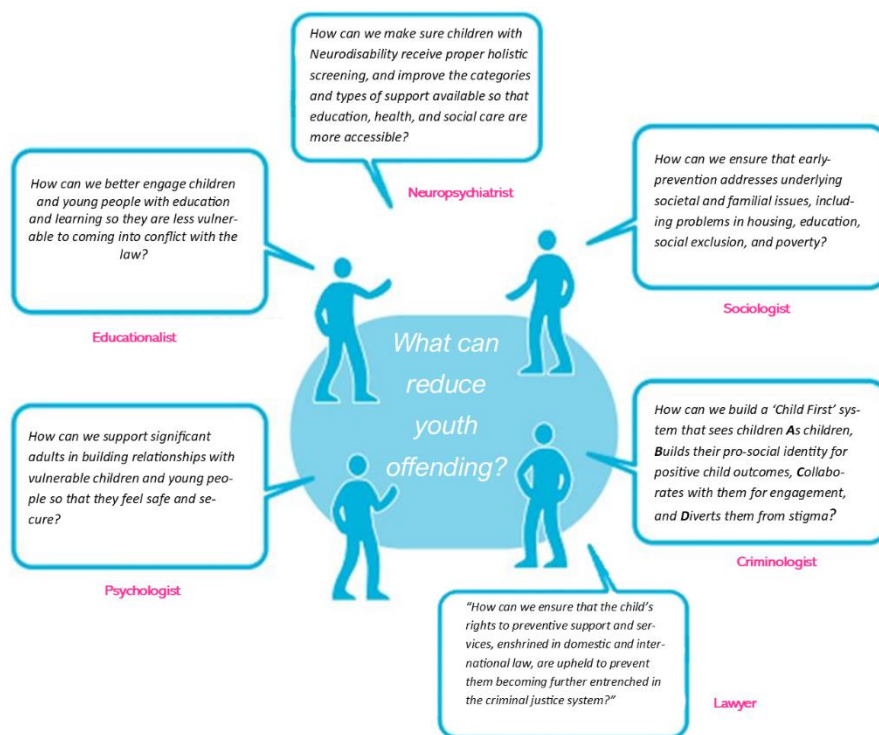


Figure 3 Disciplinary perspectives on reducing offending

3.2 The Transdisciplinary Research Process

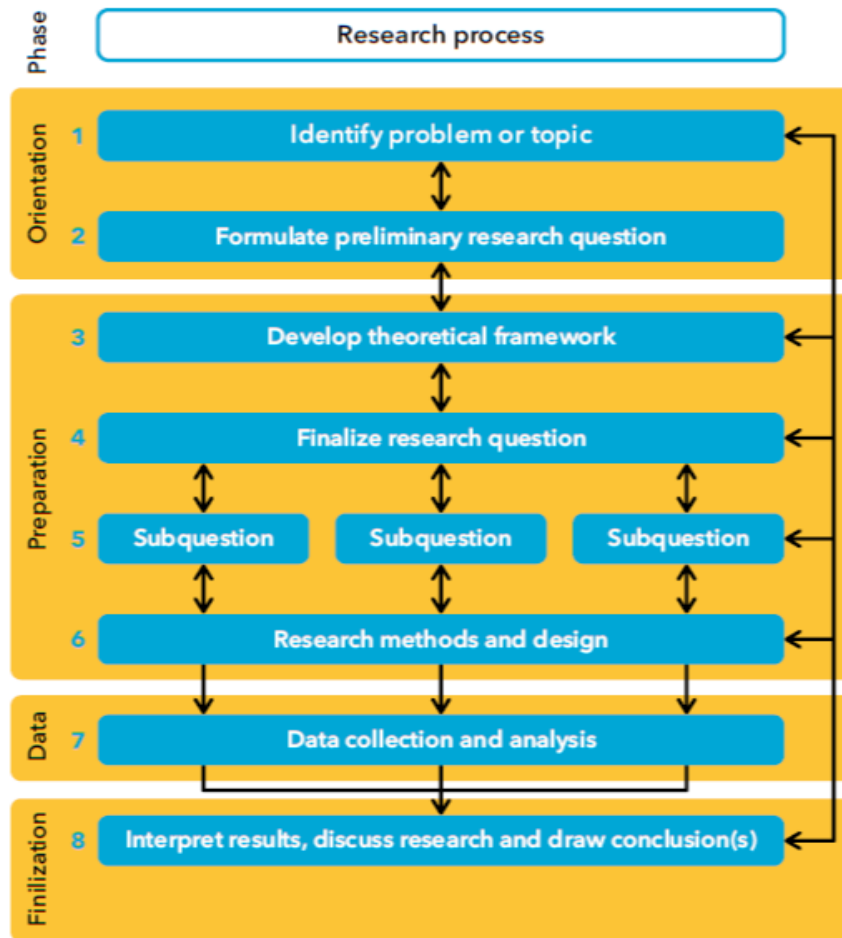
Scoping

A key part of the transdisciplinary research process involves scoping – an approach needed to enable all disciplines to explore their position and role in the research process. A conceptual map can enable academics to plot their own disciplinary interests, allowing overlaps between research interests to emerge during the scoping process (Bammer, 2013). Bammer (2013) argues that there are five key questions to be addressed at this initial stage which can help focus a transdisciplinary team:

1. 'What is the synthesis of disciplinary and stakeholder knowledge aiming to achieve and who is intended to benefit? **(For what and for whom?)**
2. Which disciplinary and stakeholder knowledge is synthesised? **(Which knowledge?)**
3. How is the disciplinary and stakeholder knowledge synthesised, by whom and when? **(How?)**
4. What circumstances might influence the synthesis of disciplinary and stakeholder knowledge? **(Context?)**
5. What is the result of the synthesis of disciplinary and stakeholder knowledge? **(Outcome?)**'.

The scoping process then takes place to allow academics to align their research interests and find areas of commonality within which both can lend their expertise. After this step is complete, a research process framework can be used to formulate the specific research projects the group identifies as the most impactful. This will allow the group to maintain discipline and rigour during the transdisciplinary research process. Figure 4 presents a model for interdisciplinary research (Menken & Kestra, 2016) to facilitate a transdisciplinary approach.

Figure 4 A model for interdisciplinary research (Menken & Kestra, 2016)



The first phase is *Orientation* to identify the issue or problem (problem statement) and from that to formulate preliminary a research question/s in order to focus discussion between the disciplines. The aim is to carefully word this so it can encapsulate all the disciplines involved and can take some time to reach consensus.

The *Preparation* stage involves the identification of a suitable theoretical framework which draws on the range of disciplines involved. This then enables the refining of the research question/s and the development of sub-research questions. It is here that disciplines such as neuropsychologists, criminologists, psychologists, sociologists or educationalists may lead on a particular sub-research question/s and develop the methods and research design. This is a critical stage for inter and transdisciplinary research because it is here that the different disciplines offer different perspectives and the potential for deeper insights that give way to research questions which may not be addressed by one discipline alone.

At the *Research Design* stage all disciplines need to input to ensure there is coherence and alignment so that there is no direct overlap and to ensure that the methods are appropriate

to answer the overall research questions collectively. This is an important aspect of inter and trans disciplinary research.

The *Data* stage requires the relevant discipline to collect and initially analyse the data but this analysis must enable the other disciplines to also interrogate the data for their interpretation. This is in order to *Finalise* the data, interpret and discuss them in relation to the research questions in order to make conclusions for the overall problem statement. It is at these stages that the disciplines interrogate the data to reach the insights that monodisciplinary perspectives alone may not reach. In doing so it is possible to formulate nuanced solutions and recommendations to policymakers and practitioners that address the problem more widely and where it is situated rather than from one vantage point. (Menken and Kestra, 2016). In addition to these steps, and in keeping with transdisciplinary practice, non-academic stakeholders are consulted for feedback at the end of each phase of the research process for further practice-based insights. This aspect adds a crucial element to transdisciplinary research which has real-world value for posing solutions to societal problems and issues.

For this position paper, we begin by cohering around the story of Charlie who is 16 years old, written in his own words. This will aid the Network in identifying the topic and formulating the overall research question.

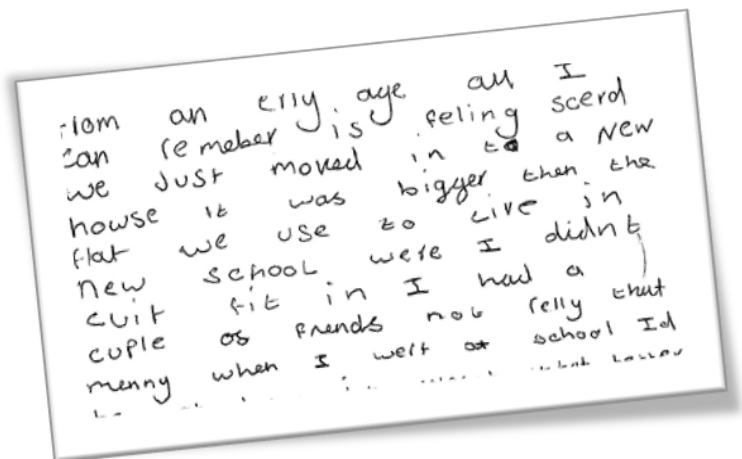
4. Case study analysis

"I started smoking drugs and drinking. I got a really bad shoplifting habit. I remember, me and two of my mates went for a whole day, shop after shop, just to see what we could get. My mum didn't understand so she just hit me or spent hours shouting. I climbed out of one of the windows and my mum tried to stop me, I got mad and started smashing car windows. As I did, a police car pulled up behind me. I had been arrested before, but this time I didn't want to go home..." – Charlie, 16.

(see Appendix 1 for Charlie's Story in full)

The case of Charlie (pseudonym) as presented in his own words entitled 'My Life! 'available in the Appendix to this paper was written as part of an English lesson whilst he was in a secure children's home. It

depicts a child who has complex and cumulative vulnerability factors, navigating education and social welfare systems which fail to appropriately implement intervention strategies, resulting in a series of arrests and later incarceration.



The following sections reflect how each of the disciplines within the TRYJUSTICE Network would respond to Charlie's situation, where the best interventions lie and where more research is needed. This forms the Orientation stage of the research process described earlier.

4.1 From an educational perspective

Whilst it is not known what (if any) special educational support Charlie was in receipt of, what is clear is that Charlie's writing is indicative of literacy difficulties and that he has not been in education for some time. Charlie's literacy level and potential school drop-out is over-represented in the criminal justice system (e.g. dyslexia, developmental coordination disorder) and could be impacting Charlie's ability to engage with a traditional classroom



education without adaptations (Hughes et al., 2016). Charlie's description of being 'kicked out of school' and sent to a 'behaviour school' is indicative that any intervention in mainstream school was ineffective, and

that mainstream education was inaccessible for Charlie. It is well documented that children who are referred to Pupil Referral Units are at higher risk of contact with the criminal justice system, as well as a myriad of other negative life outcomes (Mowen & Brent, 2016; Department for Education, 2021) and school exclusions are disproportionately used for children with special educational needs (Department for Education, 2021). Some intervention models have been designed to reduce school exclusion and future arrest, but meta-analysis has found the quality of the intervention and implementation is key to ensuring outcomes, and currently interventions are only effective for secondary school aged children (Mielke & Farrington, 2021). These need further development.

From an education perspective, Charlie's needs needed to be formally identified earlier within the school system and a number of opportunities would have presented for intervention, although Charlie's story as he narrates it represents a time when things would have already gone quite wrong as he does not mention much about school. For example, we already know that school absenteeism and then dropout is often a proxy measure for disengagement in school (Chapman, Laird & Ifill, 2011). Another opportunity is when in a secure custodial setting, Charlie's educational needs could have been further explored through efforts to engage him (ahmed Shafi, 2018) – more needs to be done to capitalise on this critical opportunity. That Charlie could articulate his story in a sustained way over several pages demonstrates that he could be engaged with education and learning even at this stage. Understanding more about children who disengage from education and learning in a passive or active way (Earl et al, 2017) are key (early) indicators of need though both forms of disengagement require specific strategies (ahmed Shafi, 2019). Research demonstrates that those who engage in education whilst incarcerated are more likely to successfully transition and integrate back into the community because they have another option or another way (Lanskey, 2015). Thus, focusing on transition points are critical

educational intervention opportunities when a child or young person reaches a custodial setting, and needs greater research attention.

4.2 From a psychological perspective

Charlie identifies a key memory from an early age of 'feeling scared'; he was scared of his older brother and also of his step-father due to unpredictable and violent behaviour from both of these key figures in his early developmental history. His mum then blamed Charlie for his brother being taken into care and so his connection with her was also disrupted. Bowlby (1969) believed that all human beings have an innate need to connect with others and experience a relationship with a caregiver; this relationship fulfils a biological need and has an evolutionary adaptation (Goldberg, 2000). In his work with Mary Ainsworth (Ainsworth & Bowlby, 1991) secure and insecure attachment styles were identified alongside the concept of 'internal working models'. Our internal working model includes beliefs about ourselves, others, and the world around us; it also influences our expectations of ourselves and others, and thus how we respond to others. Bowlby (1980) explained that secure attachment leads to an internal working model of the self which emphasises core constructs that 'I am lovable and interesting' thus developing a trust in others and self-reliance. Conversely, infants and children that develop an insecure attachment style as a result of their needs not being met experience difficulties in trusting others and a negative self-perception. Charlie's experience of his primary care givers was not that of safety; as time passed, his mum also became a source of fear as she was unable to keep him safe from his stepfather. These early traumatic experiences will have influenced his developing view of self and his ability to trust and rely on others.

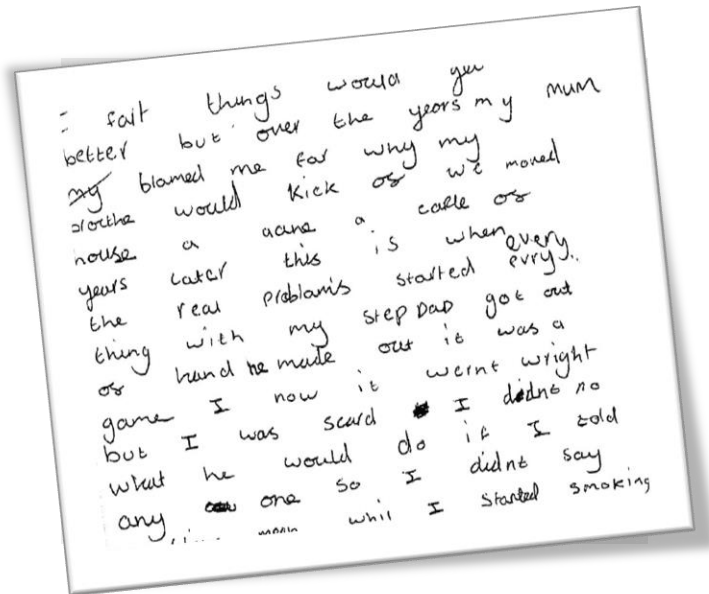
This link between Charlie's developing core identity (through his internal working model) and key events in his life are likely to have resulted in developmental trauma. Brunzell, Stokes and Waters, (2016) define trauma as arising from an external threat which a CYP may witness or directly experience; examples from Charlie's life include physical aggression from close family members, early abuse and loss of important sibling relationships including his relationship with his sisters. According to Day (2018), Charlie's life experiences would be defined within the realm of complex trauma due to his multiple and prolonged exposure to traumatic events which began in his early childhood. These experiences are likely to have been exacerbated by the potential of re-traumatisation through being in care due to bullying and violence (Masoom Ali et al., 2020); such as that experienced by Charlie when he was placed in a children's home and foster care placements. The importance of taking a developmentally informed approach to an understanding of trauma is emphasised by Toof,

Wong and Devlin (2020) in their identification of the negative implications of trauma on emotional development and also on processes involved in the building of attachment relationships. If Charlie had been placed with a family with a specialist understanding of a developmental approach to supporting trauma then it is possible that he would have been able to build connections from within and therefore reduce his need for less helpful connections with peers who were engaged in criminal activities.

The longer-term consequences of trauma for CYP can be psychological, emotional, and physical (Dye, 2018) with Charlie demonstrating his own fear and unmet needs through violence and extreme risk-taking behaviours. Banker et al., (2019) corroborate the link between early traumatic experiences and increased engagement in negative adaptive behaviours; the link between trauma and risk-taking behaviours is heightened when the trauma remains untreated. Charlie experienced multiple moves and transitions between placement which significantly impacted on his ability to connect with others. It is pertinent to note that when Charlie first moved to a secure children's home the routine and relationships that he developed appeared to help. He was then released and recognised that he struggled with the consequent lack of routine and stability then engaging in further criminal activity in order to return to a place that met Charlie's core needs of safety and security. Charlie's observable behaviours including violence and aggression towards others are likely to be adaptive in their origin; he is controlling his own feelings of fear (with origins within a much younger emotional developmental stage) through making others fearful of him (with behaviours in line with his chronological age). This mismatch between developmental stages emphasises the importance of developmentally sensitive and neurobiologically informed approaches (Perry and Hambrick, 2008) to a more holistic and developmentally aware approach to supporting Charlie.

4.3 From a clinical neuropsychology and sociological perspective

This response is written through the lens of clinical neuropsychology and sociology, advocating for better recognition of and screening for neurodisability to prevent systemicon



from education, and advocating for more inclusive services to prevent the criminalisation of neurodisability. We also recognise the impact of Adverse Childhood Experiences (ACEs) and cumulative risk, and the criminalisation of children from disrupted home environments and care backgrounds.

Charlie describes an abusive home environment, where his brother physically assaults him,

and his mother uses hitting as a punishment. He also describes abuse from his stepfather but is not specific about the nature of this. The Kaiser ACEs scale recognises 10 ACEs (Felitti et al., 1998) and experiencing any one of these ACEs places a child at risk of long-term negative psychological and behavioural outcomes including mental health problems, risk-taking behaviours, and substance abuse. These effects can be compounded when multiple ACEs are experienced (Petrucelli et al., 2019). People in contact with the criminal justice system report far higher levels of ACEs than the general population (Andrews & Bonta, 2016), indicative of the pervasive impact of childhood adversity in pathways to incarceration. The reasons for this are complex, and beyond the scope of this case study response, but there is evidence that trauma-informed services and interventions could be beneficial for preventing justice system contact (Messina & Schepps, 2021).

It is also plausible that Charlie may have sustained a paediatric traumatic brain injury (TBI) from this abuse, and possibly multiple TBIs. Children who sustain TBIs in disrupted or chaotic home environments have poorer long-term academic and behavioural outcomes (Durber et al., 2017), likely due to inaccessibility of services and lack of appropriate intervention in education for children without familial resources. It is not clear in Charlie's case study whether he was identified as having Special Educational Needs in school and whether he received any specialist help and support, but even if a plan was in place it is unlikely to be tailored to TBI due to chronic under-recognition in education systems (Nagale et al., 2019). TBI could be a key contributing factor to Charlie's vulnerability to substance abuse (Canella, McGary, & Ramirez, 2019).

Neurodisability (including TBI) is highly prevalent among 'crossover children' in contact with both child welfare and child justice - an Australian study of 300 crossover children found 48% had a neurodisability (Baidawi & Piquero, 2021). This is also likely to be an underrepresentation as data from case files was used to assess presence of neurodisability, so only those who had received a formal diagnosis were captured. This is a group of children therefore with multiplicative developmental risk factors - high levels of neurodisability combined with disrupted home environments (and frequently backgrounds of abuse or neglect) lead to worse psychosocial outcomes including depression, school dropout, and arrest. Combined with sporadic education and school exclusion, the risk is multiplied further (Atkinson et al., 2015; Kenny et al., 2006). Research centering these experiences as systemic failings, rather than individual issues, is key for the future.

4.4 From a criminology perspective

Charlie has explained a variety of system contacts largely appearing to be ineffective (in terms of addressing needs or developing desistance), punitive, based on process rather than relationship. The current youth justice system in England and Wales is moving towards 'Child First' justice, which coalesces around the four tenets of: seeing children as children, developing pro-social identity, collaboration (working *with* rather than *to*), and the promotion of diversion (Case and Browning, 2021). Unfortunately, Charlie's system experiences do not seem to fit with this, which needs all agencies to collaborate in the child's best interests, building strong relationships and fully involving him in all processes so he can 'own' ensuing plans.

Charlie is currently placed in a Secure Unit, where practices may be more adult-led and concerned with harm reduction. Without a Child First culture/ethos, Charlie may see little opportunity to exercise agency and influence responses to him. Crucially, a flexible, a non-hierarchical approach is required, involving Charlie in the decision-making (Duke, et al., 2022). An imbalance of power is likely, preventing Charlie from challenging judgments regarding his attitude and behaviour, resulting in the professional being seen as the 'expert', with Charlie's ideas/perspectives not valued equally (Burns, 2019; Deakin, et al., 2020; Smithson, et al., 2020).

Charlie has clearly experienced many traumas through his life, often at the hands of those who should have been protective, leading to a range of self-protective (yet self-destructive) behaviours – for example, truancy after school exclusion and alternative provision registration (leading to further contact with justice-involved peers), running away when feeling threatened which has led 'sofa surfing' (effectively homeless), carrying a knife to

gain money (for survival having left an unsafe home environment). However, criminal justice responses to this entirely responsabilises Charlie for these self-protective behaviours without addressing, or even acknowledging, the wider structural issues leading up to them – school exclusion, adult-perpetrated abuse, lack of appropriate care facilities, lack of support when effectively living independently. Therefore, he is seen as an offender – fully culpable for his behaviours in a contextless adversarial process which denies his ‘child’ status. Seeing Charlie as a *child* (rather than an offender) immediately places him back within the context of his traumatic experiences, which brings with it acknowledgement of his immature level of development (social – inappropriate ‘coping mechanisms; brain – increased impulsivity, poorer decision-making and emotional management).

Early interventions with Charlie could have begun by seeing him as a child (therefore not in control of most of his circumstances) and started with building relationships, providing trusted adults to whom he could have gone when his situation deteriorated. It is particularly concerning that he mentions no specific youth justice practitioners implying that this is a negligible aspect for him, when strong relationships between children and youth justice practitioners could be the bedrock of effective interventions (Johns et al., 2017). The second Child First tenet sees supportive relationships between a child and youth justice practitioner as pivotal in helping children’s pro-social development (Case and Browning, 2021), potentially providing a child with a stable attachment figure (reflecting the frequently *insecure* attachments of justice-involved children; Moran et al., 2017).

Charlie has acknowledged no aspect of his contact with the justice system which demonstrates strong collaboration with him – his reporting of these experiences seems stark in its detachment; justice processes appear to be seen as done *to* him. Tenet three of Child First justice sees meaningful collaboration as key to engagement (Case and Browning, 2021) – put simply, if Charlie feels that he has no say in his plans, he is less likely to see any benefit, leading to disengagement and perhaps even further court action. Thus, to prevent tokenism, it is crucial that professionals reflect upon whether, how or to what extent they see Charlie’s knowledge or insights as credible. If Charlie is viewed as a capable co-producer, he may be more likely to participate in processes and meaningfully engage with services (see Burns, 2019).

A fully Child First response to Charlie, responsabilising adults and systems which have contributed to his increasing traumas, focusing on Charlie as a child with needs and strengths, facilitated through strong relationships and with collaboration at its heart, would be more likely to draw Charlie onto a more prosocial future trajectory. Adopting this holistic

approach and thus focusing on Charlie's priorities or interests helps ensure that the goals or objectives of interventions are bespoke and meaningful to him.

4.5 From a restorative perspective

Restorative approaches are underpinned by multi-disciplinary theoretical understandings that include psychology, sociology, and criminology. At their core, restorative approaches are relational practices that seek to bring those that have created harm together with those that have been harmed (Braithwaite, 1989; Rossner, 2017). They address harm by giving 'ownership' of conflict to those most involved in those conflicts, be that war, criminal and other harmful behaviour, or the conflicts embedded in our everyday lives (Dzur and Olson, 2004).

In the case of Charlie, there are several points at which restorative approaches could have provided an opportunity to address harmful behaviours. Some of these interventions take place in formal criminal justice settings and are commonly referred to as 'restorative justice'. Restorative justice approaches stand in contrast to retributive and punitive approaches that centre on state responses to crime and harm, instead seeking to bring together the harmed (victims) and the harmers (offenders) in controlled circumstances to repair, rebuild, and/or redress relationship breakdown (Van Camp and Wemmers, 2013).

Restorative justice enjoys a strong and growing international evidence base and is increasingly incorporated in criminal justice policy around the world (Marder, 2020; Pali and Maglione, 2021). This includes interventions in policing, which can support diversionary, alternative, or complementary processes to traditional outcomes (Shapland et al, 2017); in probation, to support people making amends for harm, magnifying a role for victims, and supporting the role of communities in reintegration (Kirkwood and Hamad, 2019); in prisons (Calkin, 2021), where offending behavior and victim awareness programs support changes in attitude and behaviour; and in youth offending (Banwell-Moore, 2022; Hobson et al 2022), where restorative justice has been shown to provide young people with significant benefits in addressing offending behaviour and improving reflective and emotional skills.

There are also applications in areas outside of the formal the criminal justice system, many focusing on young people like Charlie. These applications are often termed 'restorative practices' and are underpinned by the same relational philosophy as restorative justice but applied in a more diverse range of settings. Where restorative justice is reactive, restorative practices are proactive and preventative, applied in contexts where there is not always a clear harmed and harmer, or where there is no criminal justice element to the damaged

relationships. This includes a range of schemes developed for young people that offer interventions in circumstances reflective of Charlie's story. for example, in areas such as supported housing (Hobson et al, 2021); social work with families, children, and young people (Roche, 2006); and, importantly, in schools (Bevington 2015).

In the case of Charlie, it is possible that the support on offer through a restorative school would have enabled him to address some of the problem behaviours and relationships that were characteristic of his early life and which shaped his ongoing patterns of behaviour and relationships. Such person-centered and trauma-informed restorative schools have been shown to have significant benefits for young people struggling with behavioural and emotional problems; a study in a South Wales restorative secondary school found a 93% reduction in exclusions, 73% reduction in referrals to the Youth Offending Service, and 48% reduction in anti-social behaviour attributable to young people (Hopkins 2015).

For Charlie, who has struggled with dysfunctional relationships, educational instability, and conflict with the law, restorative approaches offer the potential for interventions across the life course. The broader value of such approaches in the context of youth offending is significant, providing transformative opportunities for young people though supporting them to have a voice, providing the opportunity for greater inclusion in the decisions that impact on them, and increasing their agency.

4.6 From a law perspective

Charlie has experienced multiple traumas in his life. From a young age, Charlie has witnessed and experienced violence and abuse, homelessness and alcohol and drug dependency. Charlie has engaged in offending behaviour and experienced breakdowns in relationships with his family and in intensive fostering. Section 3 of the Domestic Abuse Act 2021 recently expanded the definition of domestic abuse to include seeing, hearing or experiencing the effects of domestic abuse between parents, those with parental responsibility (as defined by section 3 of the Children Act 1989; the 1989 Act)) and/or relatives (as defined by section 63(1) of the Family Law Act 1996).

Both domestic and international law impose obligations upon state actors to embed safeguarding and the best interests of the child in their practices with children, to promote children's development of a pro-social identity, to engage with a diversionary ethos and to ensure all work with children is constructive and future-

focused. There are important provisions in the 1989 Children's Act that seek to ensure that the various arms of public service should cooperate with each other to prevent children becoming involved in criminal activity. The Children Act 2004 (2004 Act) also imposes a duty on children's services in England to improve the well-being of children in relation to 'the contribution made by them to society' and to cooperate in helping children become responsible citizens. Section 10(2) of the 2004 Act defines wellbeing, by reference to the following five outcomes (a) physical and mental health and emotional well-being; (b) protection from harm and neglect; (c) education, training and recreation; (d) the contribution made by them to society; and (e) social and economic well-being. The 2004 Act requires all professionals to work towards achieving these five outcomes in order to safeguard and promote the welfare of children.

There were many opportunities throughout Charlie's life story for various local community agencies to work together to address the problems Charlie has and continues to experience and to take steps to prevent his behaviour deteriorating in the way that it did,

Section 37 of the Crime and Disorder Act 1998 establishes preventing offending by children as the principal aim of the youth justice system in England and Wales and places all those working in the youth justice system under a duty to have regard to that aim in carrying out their duties. In 2020, the *Prevention and Diversion Project* was jointly commissioned by the National Probation Service (NPS), YJB and the Association of Youth Offending Team (YOT) Managers. The *Prevention and Diversion Project* developed a new definition of prevention as involving the provision of support and interventions to children (and their parents/carers) who may be displaying behaviours which point to their underlying needs or vulnerability. The aim being to address unmet needs, promote positive outcomes and stop children entering the formal youth justice system (YJB, 2021: 2). These initiatives envisage a Child First approach by adopting an evidence-based strategy in which the voices and opinions of children, and their families, are heard and respected.

The United Nations Convention on the Rights of the Child (UNCRC) was signed by the UN General Assembly in 1989 and ratified by the UK government in 1991. The UNCRC specifically recognises the inherent vulnerabilities of all children. Article 3, which refers to the best interests of the child, is a guiding principle and cross-cutting

standard, which impacts all the other rights contained within the Convention. Article 40 of the UNCRC requires that criminal justice interventions should provide equal opportunities for successful rehabilitation and reintegration to all children, to enable them to assume a constructive role in society in accordance with their individual developmental potential.

If Charlie's status as a child is to be recognised then the protection rights stemming from the UN Convention on the Rights of the Child and the 1989 and 2004 need to be upheld.

4.7 Overall Charlie Case Study summary

There are several sequential target points for intervention which could have been utilised in Charlie's case. Without detail of what interventions were in place, it is difficult to comment on where the systemic failings lie, however due to Charlie ending up in the justice system there were unequivocally failings from systems in place to support young people from



disrupted homes. Firstly, when social services became involved with Charlie's brother, this offered a point of intervention for family support. Secondly, mainstream education should have been made more accessible and supportive for Charlie, particularly when school attendance was low.

Thirdly, upon being excluded from mainstream school and referred to a PRU, diversionary support could have been put in place. Fourth, when Charlie had initial police contact (without arrest) diversionary strategies or pathways could have been put in place particularly to support Charlie with substance use problems, and social work services involved at disclosure of abuse from Charlie's stepdad. Also, important to note is that once in prison, support can be implemented to improve life chances and successful re-integration into the community upon release, creating a fifth opportunity for intervention.

5. Developing the transdisciplinary research design

The Problem Statement

The responses to the story of Charlie - written in his own words - formed the first phase of the research process and helped form our problem statement:

Children who offend have multiple and complex situations and circumstances that provide fertile conditions for them coming into conflict with the law. A comprehensive multi-disciplinary, multi-layered understanding of what can prevent offending is essential in order to foster positive outcomes for these children and (potentially) their families.

This phase worked to identify and define the issue and the problem, from which the overarching research question and sub questions were formulated.

The Research Questions

How can a transdisciplinary approach help to map a comprehensive picture of contemporary understanding of what prevents children's offending?

What can a transdisciplinary approach contribute to adopting child-first practices within and between systems offering support to prevent offending?

What does Child First practice look like within-and-between systems offering support to children?

Sub-questions

- What additional insights can a transdisciplinary approach give above traditional disciplinary approaches?
- How can a transdisciplinary approach to research be used to better inform youth justice/education policy making for children who offend, within a child first framework?
- How can we develop a transdisciplinary framework or model of working across disciplines and sectors, with an effective integration of practice partners?

The Research Design

The research design provides an opportunity to devise a framework for transdisciplinary research which will be developed, tested and refined as a key contribution of this research. In order to retain the dynamic, interactive and complex nature of the range of issues in any one child's journey into, through and out of the youth justice system as central to the problem statement, a case approach is proposed as a key part of the process. This ensures that a child first approach is fore fronted throughout the research design. It also means is accessible to non-academic users, for example, practitioners and policy makers.

The research will be designed to focus on various ‘touch points’ that a child might have with statutory and other children’s services in the lead up to and within youth justice systems.

The figure below illustrates an example of this for within the UK system

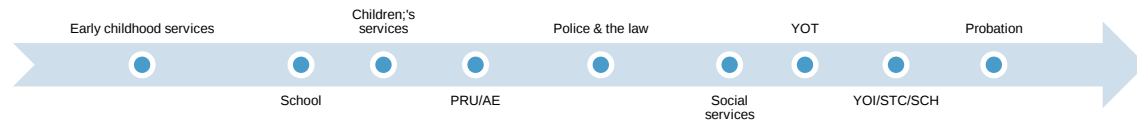


Figure 6 The various touch points¹ of potential intervention in the journey of child or young person into the youth justice system

At the same time, the research design will explore the issues which make up and shape each of the cases. This is so that the case study approach does not obscure the core issues. In this way, the research design benefits from both whole picture and issue-specific exploration without losing sight of each. It would further enable the scrutiny of cases and issues that a transdisciplinary approach could allow, thereby further enabling deeper insights.

A useful framework to enable this is that which is presented by the Dynamic Interactive Model of Resilience (DIMoR) (ahmed Shafi et al, 2020). The DIMoR situates an individual as a system within its wider contextual system without losing the focus on an individual. It still retains the multi-layer, complex and dynamic systems of which the individual is a part. The figure below illustrates this.

¹ PRU Pupil Referral Unit
 AE Alternative Education Provision
 YOT Youth Offending Team
 YOI Young Offender Institution
 STC Secure Training Centre
 SCH Secure Children’s Home

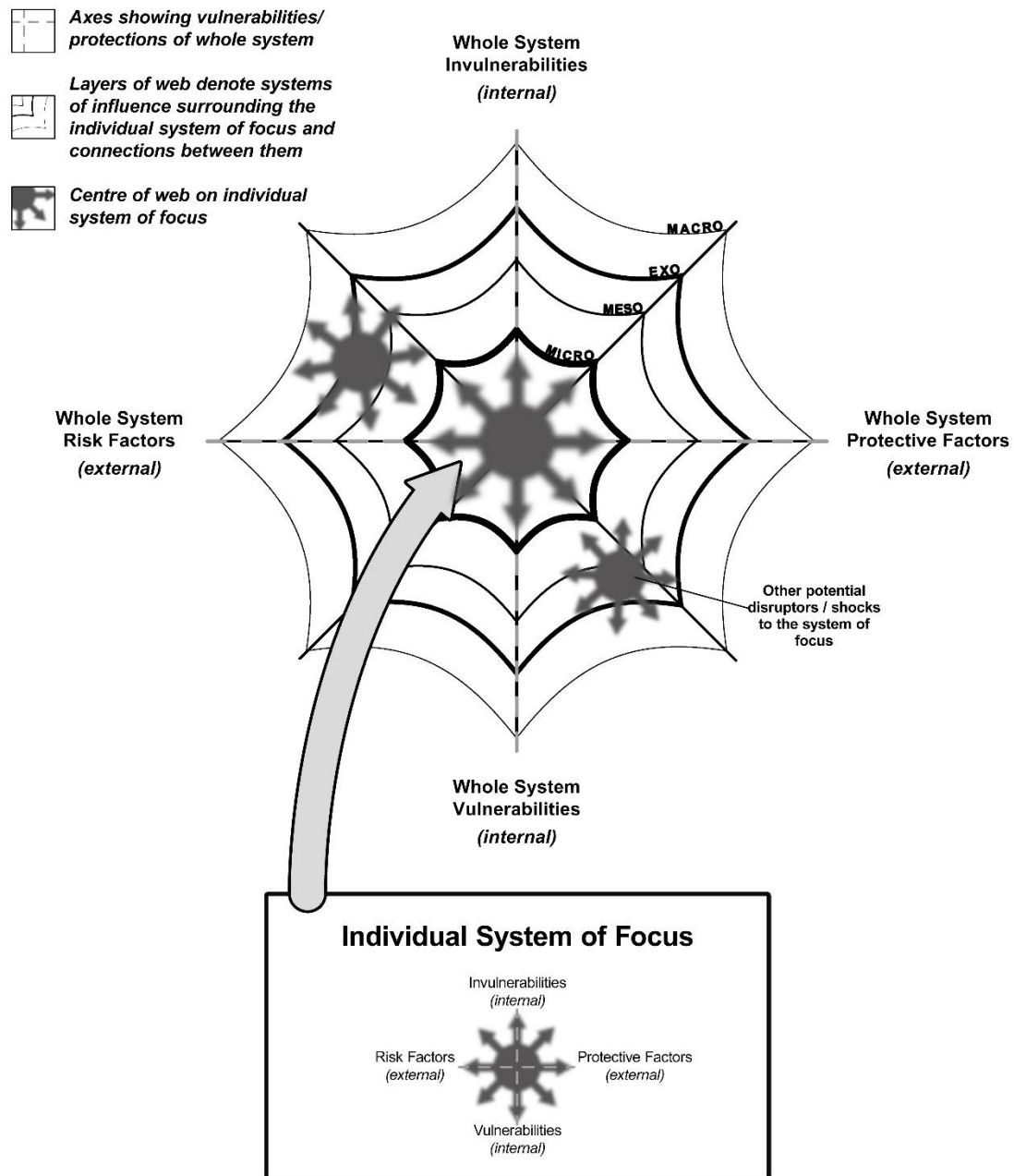


Figure 5 The Dynamic Interactive Model of Resilience (DIMoR) (ahmed Shafi et al, 2020)

Using this framework, we would situate for example, Charlie as the individual system of focus, within the range of systems in which his life is embedded. Vulnerabilities and invulnerabilities refer to those internal to a system. For example, a vulnerability within the youth justice system could refer to poor communications between various agencies within the youth justice system. Invulnerabilities are some of the strengths within the system that can support Charlie. This could include some of the individual relationships that Charlie might have had, such as his friend's mum who looked out for him. Risk and protective

factors are those things that are outside of a system but which impact on it. For example, policy making or political debate, and even media coverage can be a risk factor to the youth justice system. A protective factor may be the welfare element of children who are in conflict with the law and other things such as the UNCRC which would protect a child's right to education, for example. Charlie would similarly have his own internal vulnerabilities-invulnerabilities/risk-protective factors that would shape his own interactions with the wider system. Using the DIMoR framework can enable an understanding of these features that impact on Charlie's case and the system/s of which he would be a part.

The Synthesis

Synthesising the different strands of research with their multiple methods, frameworks and even ideologies will be the key task of TRYJustice. This *Data* stage (Meenan & Kestra, 2016) requires the data collected by the contributing discipline to also be analysed by the other disciplines to enable them to interrogate the data for their interpretation. This represents a key phase within which the unique insights from taking a transdisciplinary approach will emerge. This will not just be a key phase of the research programme but is also an output of the research and involves an iterative and discursive process or the *Finalisation* phase (as per Menken & Kestra (2016) model).

The Next Stage

This paper has presented a rationale for the TRYJustice Network and in some ways 'set out its stall' in terms of where it stands and what it stands for. It also presents a working paper on how we have developed the underpinnings of a transdisciplinary research programme cohering around a common problem statement and research questions.

The next steps are to articulate further the research programme in the form of a formal research funding bid which sets down how each strand of the research programme contributes to answering the research questions and how we go about it as a multi-disciplinary research team. This will be followed by a series of research papers which we believe combined will add novel insights into how we can foster positive outcomes for children who come into conflict with the law.

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Appendices

Appendix 1 - Charlie's Story

① My Life!!!

from an early age all I can remember is feeling scared we just moved in to a new house it was bigger than the flat we use to live in new school were I didn't quite fit in I had a couple of friends not really that many when I went to school I'd be at home it wasn't that better than ever my brother Jackson now is 3 and a bit years older than me use to go on really bad moods where he would smash the house up and wake my mum and cry and beat me this one time I remember my two sisters Saffron and Chyna how are both under there me was in the front room me and my mum had a smash from out the front garden we both went out side ~~was~~ then my brother slammed the front door shut and started to chuck glass cups out the window he only stopped when my mum said she was going to ring my step dad now me and him were scared of him not sure why he was maybe the same reason but Jackson would or said something I no now that I should or, ~~one~~ after that he was moved in to a local children home.

I felt things would get better but over the years my mum ~~my~~ blamed me for why my brother would kick us we moved house a year a call or years later this is when every the real problems started every thing with my step dad got out of hand he made out it was a game I now it weren't right but I was scared ~~I~~ I didn't no (what he would do if I told any one so I didn't say anything mean while I started smoking drugs and drinking I got a real bad shoplifting habit I remember me and two of my mate went for a whole day shop after shop seeing all the things we could get my mum didn't understand why I was like I was so shed hit me or (spend a hours just shouting my mum had made mate's were we had live but they had a fairy out she all ways looked out for me we move house again around September things weren't getting any better I remember it was my mum's birth day and my mum gave me a drink it was all ok but my mum was a bit drunk we got in to an argumen I didn't no what to do so

I climbed out one of the upstairs windows my mum tried to stop me which made me angry so when I got out I started smashing car windows I came to a shop in northend where I moved to and started kicking and punching the window as I was doing this a police car pulled up behind me as I saw them I started to run but I didn't get far I'd been arrested before but this time I wanted to not go home but I had to after that I was always staying at mate's trying not to go home I got kicked out of my school and sent to a behavior school where I made more mates I started bunking with one of my best mates say we would just sit in his attic and get off one face's he was the only person now I could trust it was coming up to my little sister's birthday I went home and they were having a party told me that they didn't want me there so I ran away about two days later I was with a couple of mates and then I saw my step-dad so I ran

about ten minutes later I
 met up with my mate's
 and they told me ~~the~~ that
 my step dad had told them
 that he was going to smash
 them up if they didn't tell
 him where I was sleeping I
 went back to my mate Dean's
 where I was sleeping later
 that night the police tried to
 take me home but I told
 them everything about my step-
 dad after a bit he let
 me stay at Dean's he arrested
 my step-dad but put him on
 bail I stayed with my mate for
 about 7 months then it went a
 bit rang I got angry at
 school and smashed all the
 windows of the school I went
 and got pissed I had a fight
 it went pretty bad after that I
 went on drinking on my own
 I went back to the school
 and smashed the rest of windows
 walked round town doing the same.
 the police pulled up I tried to
 run but got up so I kept
 round they sped CS gas on me
 I dropped straight to the floor
 I was in court the next day
 I got bail to care of local
 authority children's home that's where

I meet my mate Jake a couple
of days later me and Jake
were out ~~the~~ with one other
mate canner we all were drunk
we got on some motor bike
that I had wired the day
after I went back to the
childrens home and canner and Jake
had got arrested it was my fault
~~the~~ A couple of months later I got
a nothe faste family but I needed
money so I got out a nife
and Robed some random man I
got an Iphon witch I sold
for an ounce an a scane
I was staying at my mate
Jays house I went out agen
over the next couple of weeks
I got arrested just walking
Down the Road in northend
I got Remanded and Sent to
Ashfield on the 15th of January
I was Put on block D cell 4
got up ~~at~~ at 7 o'clock evry day 2hr
soch at night ~~at~~ Some time in
Febury I got shired to vinny green
I was in cast on the 15th of
march I got let out with a
Intencie fasting I lasted about two
~~weeks~~ weeks because I couhnt ~~on~~
cope with it so at the first chance
I got I run that day I got

drunk and I had no user to
go I got arrested for shop lifting
I got left out on bail I went
to ~~Sam~~ Sam's my mum's old mate
She all ways looked after me but
I ~~do~~ need it more money because
I had none so I raped ~~me~~ some
kid under a subway in Stampshar
after that I went and met my
mum but I saw the kid that
raped me ~~up~~ I got into a fight (
and walked ~~to~~ I rounded my self
in the old bill station and got
sent ~~to~~ back to Vinny Green since
then I've been sent to a 18 do
A DTO and doing a course in barbing.
my step dad got nFA I am
learning ~~a~~ a lot and I hope things
will change when I get out.

