



## DOCTORAL THESIS

'He might be a scumbag, but he's my scumbag'

### **The Experiences and Needs of Parents in Northern Ireland when their Children come into contact with the Justice System**

*Author*  
McGinnis, Emma

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*'He might be a scumbag, but he's my scumbag'*

The Experiences and Needs of Parents in Northern Ireland when their Children come into  
contact with the Justice System

Emma McGinnis

Faculty of Arts, Humanities and Social Sciences

Ulster University

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## **Abstract**

The narrative of parents of children who are in contact with the youth justice system is conflicted. They are both responsibilised and stigmatised when their child is involved with the justice system, yet integral in official policy rhetoric of support, desistance and citizenship engagement in making communities safer. However, little is understood of the actual lived day to day experiences of parents, or their needs in supporting their children during these times, yet they are essential to mandated decision making processes and forums concerning them. This study adopted a qualitative methodological approach to understand parents' experiences and needs as they support their children through involvement with the youth justice system. The research design used semi-structured interviews and focus groups to explore their reality with the justice system and other agencies they and their children must engage with during these times. Data was thematically analysed with findings showing that parents in Northern Ireland whose children are in contact with the justice system experience circumstances prior to contact with the system, and initial and ongoing contact, as traumatic. Processes and events involving agencies in the justice system are almost always further traumatising and shaming, reinforcing the stigma and sense of blame. Parents endure multiple losses personally, within their immediate and extended families, and in their communities. The legacy of conflict in Northern Ireland means parents often contend with the unique trauma of threatened or actual paramilitary violence in the lives of their children and families. Mutual support and self-help can be transformational in providing opportunities for sharing experiences, coping, challenging exclusion, and creating hope. However, few parents have access to needs led coordinated support let alone parent led collective user involvement.

## **Chapter One: Introduction**

### **Introduction**

This chapter first explains the rationale, and background in choosing to research the needs and experiences of parents in Northern Ireland when their children come into contact with the justice system, in particular the author's experience of professional social work practice with children involved in the justice system and their parents. Next the research aim and objectives are outlined. Following this the methodological approach selected in exploring these issues is summarised. The final section provides the structure of this thesis in exploring the lived experience of parents in this unique region, and subsequent needs arising, when their children become involved with the justice system.

### **Project background and rationale**

This study explores the experiences and needs of parents when their children encounter the justice system. Interest in this research area developed during my practice as a social worker with children involved with the criminal justice system and their parents. The narrative of the parental experiences was often characterised by adversity, with adolescence representing a particularly challenging time. Yet practice experience with these parents belied stereotypical representations of them as 'detached', 'uninterested' or uncaring. Almost always they craved support as opposed to the judgement often hastily meted out in response to their efforts to help their children avoid further offending.

Northern Ireland is a region with a unique past continuing to emerge from a conflict situation, the legacy of which still influences many aspects of life, including law and order, and youth justice. In the year 2017/18, 932 offences were committed by first time entrants into the justice system aged between 10 to 17 years old, over 80% received a diversionary disposal. Within this same period, 1202 further offences were committed by those aged 10 to 17 years old, meaning these were as a result of reoffending (NISRA, 2018). Whilst increased, this represents only 5.9%

of total further offending, most will not be high risk or cause harm to others. However, some young people who reoffend may be implicated in several offences. Research by the Howard League (2011) shows that most will be supported by a parent at point of contact with the police, with parents typically acting as appropriate adult at arrest. Involvement in the youth justice system at any level is distressing and especially so where offending is more persistent and where there is multi systems involvement.

Parents play a pivotal role in ensuring their child's attendance in legally required forums, for example, youth engagement clinics, youth conferences, court, and adhering to bail conditions. Typically, they are considered essential enforcers in monitoring and enabling their child's compliance with a potential raft of requirements. Yet no discernible strategy or resulting policy exists to guide practice across the youth justice system when working with parents. No tangible, tailored, collaborative supporting policy is available to indicate to parents how they will be supported in their role despite the justice system's dependence on them. Rarely in Northern Ireland have they been asked in any systematic way about their experience of the youth justice system, or how they might be better supported in their role in helping their child desist from offending behaviours. Their having a role as co-producers with knowledge expertise is barely conceived. Given that the youth justice system is premised on restorative practices which espouse a 'family based' and relational model of justice, ascertaining parents' views of this very system, their experiences of it and consequent needs, seems essential.

Any analysis of the circumstances and needs of parents within the Northern Ireland Criminal Justice System must consider distinct features of the complex, regionally unique system that children and often their parents must negotiate. For some their involvement may be frequent and protracted whilst for others this may be a one-off event. The minimum age of criminal responsibility (MACR) is a defining feature of this system. At 10 years of age, Northern Ireland like England and Wales has a significantly lower age of criminal responsibility than most of its European counterparts. Ten years old denotes when the child is no longer considered 'doli incapax' (incapable of having the intent or reason to commit a crime) within law and thus may potentially be dealt with by the youth justice system for any offences committed (Carr, 2015;

Dwyer and McAlister, 2017). According to Brown and Charles (2019, p.3) limiting the discussion on the minimum age of criminal responsibility to a blunt 'legal construct' detracts from a rights respecting, maturity acknowledging, and diversionary focused system for children and families. Children deemed to have 'offended' will represent a sizable minority of the business of agencies within this system and occupy a disproportionate and hugely contested space in popular discourses on crime and justice (Smith, 2009). Yet the youth justice system charged with managing children who offend, holds little legitimacy with children according to Case and Haines (2020). They contend that children must be understood as children first, and offender second in a whole child approach by policy makers, which should responsabilise the system and adults as opposed to children and young people. Children's vulnerabilities and needs often become masked within aggregate quantifications of 'risk' measurement in the pursuit of safer communities (Williams, 2012; Muncie, 2015). The Youth Justice Agency (YJA) statement of purpose is to 'make communities safer by helping children to stop offending' (DOJ, 2018). Nowhere in its aims or values does it reference parents or the importance of collaborating with them, however the YJA Framework Document (DOJ, 2012) does include mention of providing interventions and programmes with children and parents.

Literature supports adolescence as marked by the onset of puberty and as a period of huge developmental change (Shaffer and Kipp, 2013; Patterson et al, 2017). The evidence base in the study of adolescence confirms it as a time of immense upheaval, confusion and challenge for children and their parents (Bjorklund and Blasi, 2011; Seiffge-Krenke, 2013). Research suggests this partly may be due to emotional regulation strategies being least accessible during this time compared to other developmental stages (Zimmermann and Iwanski, 2014). Developmental psychology has further established a link between parental self-control and adolescents with adaptive emotional and psychological functioning (Finkenauer et al, 2005; Jones, 2005); self-control in the parent may be significant to the self-regulating capacity of the adolescent. The area of developmental criminology offers a perspective that considers this life stage critical in determining future offending patterns, even criminal careers (Farrington and West, 1990; Hagell and Newburn, 1996; Farrington, 2007; Weaver and McNeill, 2008; McAra and McVie, 2010). The evidence tends to focus on *outcomes* of interventions for parents, for example parenting



programmes, whilst also strongly advocating the need to strengthen relationships with the child (Day et al, 2010; Johnson et al, 2011; Brown et al, 2012), yet few studies attend to the actual *experiences* of these parents in a general sense or during key processes or events with their child. Added to this, families can be distressed by severely challenging behaviour, sometimes violence and aggression (Thorley and Coates, 2018) which remains a taboo issue.

Vital to the child's story, however complex or fragile, will in most cases be a relationship with a parent. Research acknowledges the critical role of parenting and family factors in preventing reoffending, albeit this is often rationalised and reduced to a score, within an assessment framework or various 'techniques' of a managerialist risk-focused youth justice policy context (Hollingsworth, 2007; Muncie, 2015). Whilst the policy rhetoric references support, parents remain largely absent in discourses on processes and outcomes affecting positive change for children. What little research exists seems to support the general notion of parents as 'secondary victims' co-opted in ensuring their child's compliance with a range of requirements, often helpless in the 'how to' of ensuring adherence to these Karp et al, 2004; Holt, 2010).

These parents are 'hard to reach' (Bonevski, 2014) or prefer to remain 'hidden', concealed because of the risks associated with exposure and shame of contact with the justice system. Johnson et al (2011), in an American study, considered longitudinal data evaluating the ways in which parents matter to adolescents involved in offending as they transition into young adulthood. They found that 'support', as opposed to monitoring was most valued in late adolescence. The primary bond to a parent was observed to remain the single most important variable for young people in early adulthood. This relationship will have a huge effect on adolescents' desistance (Johnson et al 2011, p.790), appearing to add support to the need to understand more about the experiences of parents and what might help them. Limited available research tends to support such findings. Fiftal-Alarid et al (2012), in a review of data from files of 108 juvenile offenders required to undertake drug treatment, found that family support was a significant predictor of programme completion and post programme recidivism.

In England and Wales research in this area appears dominated by the introduction of compulsory parenting by way of Parenting Orders under the Crime and Disorder Act 1998, with

a focus on the impact of what Burney and Gelsthorpe (2008) describe as the 'support-punishment' hybrid. Evans (2012) in a review of the effectiveness of Parenting Orders issued in a London borough between 2005-2008, found reconviction rates actually increased where parents attended regularly as required, leading the author to question the nature, timeliness of involvement and impact of structural issues on outcomes. Drakeford and Calliva (2009) revealed that the opportunity for self-help and peer support in meeting others in similar situations, and flexibility of approach, where involvement was voluntary, were critical factors for parents subject to a Parenting Order. They highlight parents' identification of good support as helpful and the 'shaming' associated with compulsory involvement as negative. The youth justice system in Northern Ireland has no equivalent legal mechanism in enforcing parental involvement. Thus, whilst certain findings may have general relevance, extrapolation requires caution at best. In England and Wales parental non-compliance may result in court action and this fact alone may influence research findings.

Martynowicz et al. (2012), in a Northern Ireland Commissioner for Children and Young People (NICCY) commissioned study to examine 'The Role of Significant Adults in the Lives of Children and Young People in Contact with the Criminal Justice System', noted that some children and young people with on-going involvement in the justice system needed to almost 'redefine' the title of *significant adult*, to include their parent; consolidating the meaning of this enduring relationship where this title has often come to be synonymous with mentors and key workers. Children acknowledged the hurts, conflict and often support of parents, even if they were no longer in their care. The evidence suggests that however complex and conflicted, this relationship endures and has significant impact.

Parents of children who come into contact with the justice system are typically the first point of contact for the Police Service of Northern Ireland (PSNI) and will need to rapidly acquire knowledge of processes and events. Again, little is understood of parents' 'walk through' the youth justice system with their child and for first time offences parents will have limited opportunities for formal support. Typically, their child's legal representative may be the only source of information and advice regarding processes and progress, yet it could be reasonably

assumed that the delay between offence and disposal is a time of stress and strain on parent-child relationships when support needs will most likely be significant. The Criminal Justice Inspection Northern Ireland (CJINI, 2015) identified delay as a continued issue in the youth justice system. Added to this, parents can struggle to understand the role and function of the wide range of organisations within the system, including the PSNI, Public Prosecution Service (PPS), Probation Board for Northern Ireland (PBNI), Northern Ireland Courts and Tribunal Service (NICTS) and YJA. This process is not necessarily sequential, particularly if offending is more persistent and of higher risk, yet co-ordinated support across agencies can be minimal.

Parenting may be implicated in a child's offending (Arthur, 2012), yet little is known of parents' experiences of the youth justice system. Theorists comment on what they view as a presumption in legislation and policy regarding parents' ability to actively participate in an informed way through the youth justice process. Broeking and Peterson-Badali (2010, p.42) argue that 'even educated middle-class parents find it difficult to navigate their way through the complexities of their child's youth justice experience'. They contend that traditional justice systems can be alienating for marginalised families whose children are more likely to come into contact with the system, but who may be less likely to engage as parents with the child's process. They further suggest that within the justice system, conceptualisations of family and parenting roles may be predicated on unrealistic ideals and assumptions about access to resources. So much about parents is negatively inferred, and a vacuum of understanding allows a narrative to endure where they are objectified in the risk/protective factor binary (Farrington, 2007). More often than not they are represented as part of the problem as opposed to essential to solutions (Mannarino et al, 2012).

Research revealed that as few as 10% of children detained in Woodlands Juvenile Justice Centre (JJC) in Northern Ireland lived at home with both parents, but this provides no rich data on these relationships, circumstances and how they are supported or maintained (CJINI, 2011). Anecdotal accounts in a recently published collection of stories by parents of children in the youth justice system in Northern Ireland represents the only effort thus far at collating such narratives (Parents Support Group Youth Justice Agency, 2013). It is established that family relationships

where children are involved in offending behaviour can be fraught (Arthur, 2005; Walters and Woodard, 2007). Yet the real cost of not recognising the distinct needs of parents is indicated by the Audit Commission (1996) report 'Misspent Youth', where most young people who offended cited parents as being the most important influence in their lives, despite the difficult and sometimes fractured relationships experienced.

Substantial evidence exists regarding the needs of children in the criminal justice system and how best to enable them to desist (McAra and McVie, 2010; Campbell and Abbott, 2013; Case and Haines, 2015). The Criminal Justice Inspection Northern Ireland (CJINI, 2012) inspection of the sector's contribution to preventing children from encountering the system, recommended a cross departmental strategic partnership, placing particular emphasis on the need for early intervention with younger children and the engagement of parents. However, Holt (2010) challenges the methods of 'early intervention' as often the imposition of 'expert strategies' and implicit blaming, with a 'performance' requirement negating opportunities for meaningful support and understanding of parents' circumstances.

The legacy of conflict and trauma, and impact on all aspects of life including parenting is established (Bunting et al, 2013; McLafferty et al, 2018). Trauma in terms of ongoing paramilitarism is a likely feature of life for families of children who are most involved in the justice system (McAlister et al, 2018). This is aside from the effects on the socioeconomic functioning of the region, particularly the role of enduring poverty and inequalities. The story of these parents' journeys must be gathered to begin to provide a theory based on the authenticity of their lived reality, that may facilitate in guiding practice and policy in this area.

### **Aim and objectives**

This project explores the experiences and needs of parents in Northern Ireland when their children come into contact with the youth justice system. The research objectives are:

1. To compile a thematic review of the available literature relating to parental experiences when children encounter the justice system and to ascertain how the justice system interacts with them through the process.

2. To critically examine parents' experiences from first contact with the justice system, and the subsequent lived experience throughout the duration of their child's involvement with the system.
3. To explore how parents experience the different agencies within the justice system, and how these agencies respond to and interact with them, as the person with parental responsibility.
4. To ascertain how parents perceive the impact of their child's offending behaviour and subsequent contact with the justice system, on their relationship with them.
5. To understand what supports, or what would support parents overall, at critical points of their child's involvement with the justice system.

### **Methodological approach**

This study first establishes the theoretical basis for the project before conducting a thematic literature review of the existing evidence that examines the experiences, needs and issues for parents when their children are in contact with the justice system. Following this a qualitative methodological research design is applied. The research design involves two phases of data collection in meeting these stated aim and objectives. Two focus groups are initially undertaken with parents who have varying experiences of the youth justice system with their child. This process is iterative, with themes emerging from the first group further explored and developed with the second focus group. Issues identified from both groups inform the aide memoire for semi-structured interviews as the next stage of the research design. All data is analysed using Nvivo software, with findings organised into key themes, prior to discussion and analysis of these considering the available literature.

### **Structure of the thesis**

This initial chapter has provided the rationale, background and summary of methods. Chapter Two establishes the theoretical framework within which this study is positioned. Three key

theoretical pillars are identified as underpinning this study: neo-liberalism; stigma, shame, and labelling; and trauma and trauma-informed practice. Chapter Three provides a thematic review of the available literature in the area both nationally and internationally. This chapter is structured on key processes, issues and events for parents featuring most commonly in the literature. This includes research within the risk factor-prevention paradigm (Farrington et al, 2016), premised on identifying factors that may be a risk for offending behaviour, and therefore, in this instance, a focus for preventative interventions. The literature on parents' experiences of criminal justice processes, including where involvement is mandated, and their experiences of restorative justice which underpins most approaches and practices in Northern Ireland, is then reviewed. Serious and violent offences including sexual offences are examined, including a review of the evidence relating to adolescent to parent aggression and violence.

Chapter Four details the socioeconomic and political context of Northern Ireland for parents and children. This explores the impact of the Troubles, consequent trauma and victimisation, and the legacy in terms of enduring inequalities. Chapter Five analyses contemporary policy and legislative developments in the complex framework for youth justice, and examines the extent to which this is restorative, reparative and reintegrative for children and their parents.

Chapter Six outlines the methodological approach and research design, including data collection and analysis methods, used to gain an insight into parents' everyday lives with a justice involved child.

Chapters Seven and Eight present findings, detailing the lived reality for parents, the impact on all aspects of their lives, and their needs arising as a consequence.

Chapter Nine, the discussion chapter, critically analyses key findings in the context of the theoretical framework adapted and against key evidence referenced in the thesis overall.

Lastly Chapter Ten summarises key features emerging from the research project and includes recommendations moving forward. In comprehensively exploring the experiences and needs of parents it is hoped that their reality will be articulated, better understood and acknowledged in future legislation and co-produced policy, enabling them to support their children.

## **Chapter Two: Theoretical framework relevant to the experiences and needs for parents of children in the justice system**

### **Introduction**

This thesis is positioned within a social constructionist paradigm; which takes the view that experience must be understood and analysed against the broader socio-political context in which it occurs. No single definition of social constructionism exists, rather it may be considered as an approach to systematically scrutinising presumptive ideas and knowledge, their origins (historically and culturally), and how these ‘discourses’ or construction of ‘facts’ are communicated and continued (Burr, 2015). Being a parent of a child in contact with the youth justice system is arguably shaped by the experiences and interactions involved in this role; the reaction of others to this involvement; and the ideas and types of ‘knowledge’ that may be told about parents in this situation. This chapter identifies and examines relevant theory that helps in understanding processes at structural, cultural and personal and interpersonal levels. Shame, as a consequence of the stigma of being the parent of a child involved with the justice system is a core conceptual idea.

First, the chapter discusses responsibilisation as a theoretical approach and its position within neoliberal discourses, before considering the manner in which at a macro or structural level mechanisms or ‘techniques’ function to support the responsabilising of parents when their children are in contact with the justice system. Theory in this area is specifically applied to reintegrative shaming practices through restorative justice, as the established mode of responsabilising children, and as suggested by Hoyle and Noguera (2017), their parents by association, in contemporary youth justice systems.

Next, theory on labelling and stigma is explored as key underpinning theory with the aim of providing insights into how these negative processes function for parents of children in the justice system. In particular, this section examines the effect of stigmatising labels, and the processes by which these are assimilated and internalised. Shame, as a critical experience which Goffman

(1963) understands as a consequence of being stigmatised is then examined with a specific focus on 'reintegrative shaming', and the 'shame management' to better understand how parents of children in the justice system may experience variations on shame..

Lastly, theory on trauma and loss and its relevance to parents of children in the justice system is briefly appraised. As shame and stigma are defining experiences for parents in this context, the impact of the traumas and losses they may endure as a consequence sometimes be considered almost deserved by parents themselves (Prichard, 2002), and society overall. This section considers the extent to which 'trauma informed care' approaches, meaningfully engage with the uniquely stigmatising and shaming experiences of parents when their children come into contact with the justice system.

## **Responsibilisation**

Theory relating to 'responsibilisation' can assist in appreciating how the ideology of society's ruling or powerful group and consequent policies, practices and rhetoric seek to 'co-responsibilise' parents when their child offends and is in contact with the criminal justice system (Morgan, 2009; Smith, 2012). A detailed appraisal of neoliberalism is outside the scope of this project. However, it is useful to examine how 'responsibilisation' manifests in current state policies and the manner in which government may devolve authority and agency to community organisations; what Skynns (2003, p.3) terms the 'new model of participatory liberal democracy'. The section starts by briefly outlining the development and underpinning ideas of neoliberalism, before examining how 'responsibilisation' is utilised within neoliberal societies, with particular attention to issues for families and specifically parents of children in the youth justice system. The manner in which contemporary youth justice practice can be seen as responsabilising parents is critically examined, with reference to restorative justice practices, and youth conferencing as an example of how 'reintegrative shaming' becomes embedded in youth justice legislation and practice.

### *Neoliberalism and responsabilisation*



'Old' liberalism or 'liberalism', is considered by Thorsen and Lie (2006) as an amalgam of political ideas and popular ideology emerging in western societies in the 19<sup>th</sup> century predicated on beliefs of government non-involvement, or a 'laissez faire' approach to state intervention in the lives of individuals and their families. Beck and Beck-Gernsheim (2002) understand liberalism as having a number of manifestations or expressions relative to certain interest groups, for example economic liberalism, and political liberalism. Freedom and democracy are supposedly fundamental values of liberalism as it is traditionally understood, and the state is seen as the 'night watchman', intervening only where required and at a minimal level in matters of public order (Thorsen and Lie, 2006). Individual responsibility and guilt are absolutely attributed where a crime is committed, and in the case of a child the parent too is deemed culpable. Culpability of the parent and enduring shame is a critical thread throughout this thesis. In fact, traditional liberalism, historically associated with the Victorian era promoted the practice of morally rescuing a child or 'child saving' by removing a child from their errant, irresponsible parent and likely damnation that would result as a consequence of their remaining in their care (Pitts, 1996; Kahn, 2010; Muncie, 2015). Liberalism is a much-contested concept, for example social liberalism might encourage greater state responsibility in aspects of society, possibly health, whereas economic liberalism typically means nonintervention in the economy and free markets or in the regulation of capital. In attempting to corral the many interpretations of liberalism, Thorsen and Lie (2006, p.7) propose a definition to include:

a political programme or ideology whose goals include most prominently the diffusion, deepening and preservation of constitutional democracy, limited government, individual liberty, and those basic human and civil rights which are instrumental to any decent human existence.

Neoliberalism - or 'new' liberalism - as an ideology represents a fundamental revision of traditional liberalism. The development of neoliberalist ideas and practices in the past 25 years is understood by Clarke (2005) as a reaction in part to more interventionist approaches by government following the failure of liberalism to provide the benefits of a free market economy to all, especially the poor, thus the recognition of the need for social reform. Rather than an ideology, neoliberalism in Clarke's analysis is a specific project with free-market economy values and the 'morality of capital' at its core (2005, p.8). Neoliberalism or the neoliberal project is

disputed; Skinns (2003) notes the discord or tension with the approach where the rhetoric suggests minimal intervention, however in practice multiple sites of governance simultaneously strengthen and weaken state power, for example through dispersal of surveillance and monitoring to community groups. Clarke equates neo-liberalism with the principles of neo-conservatism, understanding it as fundamental to the development of global capital. Although Thorsen and Lie (2006), like Skinns, query if the principles of non or minimal intervention actually extend to all aspects of society, citing increased market regulation and public sector reform as examples of interventionist approaches. Peeters (2017) suggests an analysis of how the techniques of neoliberalism responsabilise individuals deemed willing and able, as opposed to citizens judged 'unwilling and/or unable', assists in understanding the function of such strategies in reinforcing and perpetuating the neoliberal project overall.

The embodiment of contemporary neoliberal values by a government in power might be best exemplified in Conservative Party Prime Minister, Margaret Thatcher's 1987 statement claiming that; 'There is no such thing as society.... only the individual and his family' (Women's Own Magazine). The implication being that the self-reliant citizen is responsible for themselves in the self-reliant family, and that support beyond this should not be expected. The late 1970's Conservative government in the UK under Thatcher can be seen as a critical time when the neoliberal ideological agenda became realised in government policy. Whilst Gillies (2014, p.204) sees neoliberalism as being overworked by some academics and activists with limited empirical support for some of its applications, she argues that:

few can question the radical assault on social values it seeks to describe. Principles of individual freedom, independence and personal responsibility, stressed alongside a valorisation of the market as the optimal site for maximising human wellbeing, have become ingrained in everyday common sense.

The above principles suggest a philosophy which engenders individualism, and the values of the free market in all aspects of lives. Critics argue that governments or ruling groups who espouse such values, will inevitably extend this dogma to any involvement that may be required of it, when intervening in the lives of individuals (Harvey, 2005).

Self-regulation, whether individually or in the market, is essential to maintaining the values of neoliberalism. Peeters (2017) sees this idea of the rational responsible citizen as being at the core of this ideology: as the market takes responsibility for itself so it follows must the individual. Taking responsibility for oneself, being responsible, and responsibilisation, are essential to the propagation of the neoliberal project. Being a self-regulating, self-determining individual is originally achieved in the family. According to Rose (2000), in neoliberal responsibilisation, society or community function to further promote individual interests or achievement. This 'macro-environment' has no responsibility for the individual, rather in the case of children, parents have prime responsibility. The family as the seat of parenting functions to prepare the child for the neoliberal individual pursuit (Gillies, 2012). As stated above, although neoliberalism had typically been associated with political conservatism, Gillies argues that within 'New Labour', as opposed to the traditional socialist leaning Labour Party; 'the institution of family was actively re-constructed to embrace an ideology better suited to advanced capitalist values' (2014, p.205). It is argued by Muncie (2006) that this ideology dispensed with the 'social' and inculcated the notion of the 'citizen'. He cites Rose (1996) when suggesting that neoliberal policies have 'been broadly characterized as placing less emphasis on social contexts, state protection and rehabilitation and more on prescriptions of individual responsibility, an active citizenry and governing at a distance' (Muncie, 2006, p.3).

#### *Responsibilisation of parents of children in the justice system*

The ideology of responsibilisation has increasingly permeated criminal justice processes from the late 1990s. For example, Muncie (2006) cites the example of government led community crime strategies where central government seek to place responsibility on 'citizens', businesses and community facilities, including schools, to reduce crime in their area. The Community Safety Partnerships established throughout the UK can be seen as specific examples with their membership including a range of statutory and community organisations tasked with 'helping communities feel safer'. Attached to the description of such schemes is a rhetoric underscored with key themes of citizenship, individual responsibility, and community empowerment (Garland, 1996). In this example, the *safe community* is one where individuals act rationally, and take

responsibility in an organised manner for its safety against the risks from the unreconstructed, irresponsible and unwilling 'others', of Gillies' (2014) analysis. Such an example typifies the 'construction of civility', the ideal citizen, which Peeters (2019) sees as one 'technology' (Foucault, 1983) of many employed by government as a means of manufacturing responsibility. This has appeal in this study, where the construction of individual civility and the notion that citizens are responsible is essential to the 'othering of' and identification of those who have 'assumed potential for responsibility' (Peeters, 2017, p.7). Applied to this study, this can be understood as families and parents who have shown themselves as 'irresponsible' but through persistent and coercive 'support', (Peeters cites whole family approaches and parenting programmes), may have a chance at responsible citizenship and parenting. Such dominant narratives are criticised for their limited recognition of structural inequalities and socioeconomic deprivation and exclusions impacting on parents or children. Gillies (2008) argues that the practice of responsabilising parents for cycles of deprivation and disadvantage is deeply shaming. In analysing classism and parenting Romagnoli and Wall (2012) observe it as a highly commodified and stratified construction within the neoliberal project. They use the term 'intensive mothering' to describe the profligation of an expanse of intensive parenting behaviours amongst middle class mothers, within neoliberalism. Intensive mothering by the more privileged is equated with good mothering thus legitimising requirements for lower-socioeconomic groups to engage in instruction on how to be a 'good parent'. To choose to be a bad parent, as well as choosing to be poor, is irresponsible. As Gillies (2014) observes, in addition to the implied personal inadequacy in their role, responsabilisation works to blame and shame parents for creating and maintaining their child's disadvantaged circumstances. She states that: 'attribution of limited life chances to 'sub-optimal' parenting works to personalise and normalise inequality, while simultaneously conveying apparent concern for children's wellbeing' (2014, p.441). Inequality is therefore understood as a personal shame.

Moreover, 'support', within criminal justice is typically premised on what Pitts (2001, cited in Muncie, 2006) describes as the 'what works' industry, founded in the Risk Factor Prevention Paradigm research which he asserts as example of the 'subordination of science to governance', as opposed to an understanding of why some things work for some and not others, at different

times and in different circumstances. As argued by Kemshall (2002) such interventions work to align social conditions to 'individual pathology'. As opposed to possibly indicating a need for systems change, the material and social circumstances of a person are taken to evidence eligibility or need for some technique of moralising, perhaps through a general 'offender-focused' programme. Foucault's (1983) analysis on power and the way in which it works to create, steer and reproduce dominant ideologies has use in appreciating how ruling groups co-opt individuals in self-regulating and monitoring their own adherence to prevailing discourse. A relevant example may include parents partaking in 'training programmes' and paying children's fines. Foucault (1983) termed such behavioural techniques of governmentality as the 'management of souls', along with children and communities.

In appreciating how ideologies and practices of responsibilisation function, Peeters (2017) argues that it is necessary to examine the role of 'street level workers', for example, police and social workers, in propagating responsibilisation in personal and family life. The responsibilisation of the individual and family in all state policies is considered as an essential aspect of neoliberalist governance (Muncie, 2001; Pitts, 2001; Parton, 2006). In analysing how such powerful ideas pervade practices in social services and youth justice, Liebenberg et al (2015) observe the way neoliberalist policies privilege knowledge sources. An example may be particular interventions which although not necessarily having a cultural or contextual relevance (being culturally specific, or tailored to individual need), are nonetheless promoted as being 'evidence-based' and having universal appeal where limited evidence for such an assertion exists (Kane, 2007). The Strengthening Families' parenting programme, which many parents of children involved in the justice system partake in, claims an evidence base (Little et al, 2005; Furlong et al, 2012) premised on addressing risk and promoting strengths and resilience factors (Farrington, 2016). However, Liebenberg et al highlight that when interventions of this nature fail, parents are typically blamed and designated as having failed, as opposed to challenging the often homogenous, and prescribed nature of such provision that concedes little in attending to individual needs. Rather than 'irresponsible governance' being scrutinised, or the impact of multiple and complex converging disadvantages and exclusion, young people and their families become judged as underperforming and irresponsible (Gillies, 2008). Edwards et al (2019) understand moralising,

and the shaming rhetoric of individual deficiency, for example in blaming parents for their children's offending, as essential to public policy in neoliberalism. Until relatively recently, such overt blaming of poorer parents was mainstreamed. In an established text on 'treating' parents of 'delinquents' in the late 1950s to the early 1960s, Simcox-Reiner and Kaufman (1959, p.29) wrote that 'part of the difficulty that social workers and psychiatrists have encountered in working with parents of delinquents is related to the type of pathology these individuals present'.

Being pathologised in this way remains predominantly the experience of mothers. Ritters (1999) and Pitts (2000) discuss how parent blaming typically means 'mother blaming'. Newburn (2005) and Bell (2011) highlight how mothers of children who offend are deemed to have failed in their fundamental role. From a feminist perspective, Franzblau (2002) suggests that such reductive pathologising of mothers ignores and depoliticises the oppressive context in which many undertake this role. This analysis is supported by Holt (2008), who argues that most mothers in this situation do not have access to, or the means to avail of, tailored resources that might help, in processes ostensibly aimed at restoring and repairing but which in reality work to proliferate a responsibilisation agenda, before ever meeting the needs of parents.

According to Garside (1996), responsibilising of parents is a contingency of contemporary youth justice policy. Numerous 'technologies', or means of doing so (Foucault, 1986), function to ensure this, where these are required to prevent further irresponsibility (early intervention) or where this is established (mandated interventions). Aside from the need for responsibilising, an accompanying rhetoric of 're-moralising' becomes associated with parents in youth justice; particularly evidenced in the language attached to compulsory parenting in the form of parenting orders and contracts, available in England, Scotland and Wales (Holt, 2009; Evans, 2012). The emphasis on parental education, expert strategies (imparted by 'parent trainers') and undertaking 'homework' in an effort to achieve 'positive' parenting, have what Muncie (2006) sees as an insidious moralising undertone. In responsibilising parents in this way professionals, for example social workers, perform a 'regulatory function in the disciplining of parents' (Holt, 2008, p.418). Moreover, being responsibilised is overwhelmingly the experience of poorer parents. Walters and Woodward (2007), note that the parenting practise of the affluent will

rarely come under gaze of state techniques of responsibilisation. They argue that privilege allows such parents to avail of resources protecting them from social controls and social shaming.

*Restorative justice, reintegrative shaming and responsabilising parents.*

Restorative justice practices are commonplace in contemporary western youth justice systems, with some theorists scrutinising how they operate in responsabilising parents where they have agreed or are required to partake in a youth conference. Analysis has focused on the extent to which processes and rituals of restorative conferencing responsabilise parents (Walker et al, 2015; Richards, 2017). Restorative conferencing as it manifests in western societies, is often criticised for the alleged misappropriation of customs rooted in the heritage of indigenous populations, decontextualising unique legacies (Vieille, 2013). Barnes (2015) understands contemporary western iterations of conferencing as commodified, and shoehorned into rigid, coercing and standardised format.

Restorative practices work to involve parents from the outset, both practically and symbolically in the 'reintegrative shaming' process. Braithwaite (1989) originally suggested the utility of including the family in the *shaming gaze*. The responsabilisation of parents is understood by Richards (2017) as not a consequence, but rather a precondition of the development of restorative practices. She suggests that in some situations restorative conference is preferred as it is seen to require or force active involvement of parents. This echoes with analysis of other commentators who in examining how parents have been co-opted in this process, consider restorative justice's appeal through a rhetoric of empowerment and reintegration, to include parents, with little evidence base however to support its efficacy or satisfaction, including for parents (Marshall, 1996; Prichard, 2002; Karp et al, 2004).

Critics have highlighted concerns regarding the conferencing process requiring a display, almost performance, of parental guilt and responsibility in satiating the meeting's expectation of palpable, real shaming, to include parents. Richards (2017, p.105), in analysing such practices argues that, 'parental shaming might not to be considered a by-product of restorative processes for young offenders', but instead a 'key aim'. This performance requirement from parents is

complex and demanding, especially considering Acorn's (2004) notion of 'compulsory compassion' as also required in displaying empathy towards the victim.

Poorer families, typically mothers with least resources, face most responsiblisation (Prichard, 2002; Kyle-Cook, 2013). The dynamic of responsibilising parents in restorative processes, particularly conferencing, could be understood as counter-productive or having a iatrogenic effect, the opposite to that intended in terms of restoring, repairing and reintegrating. For example, Willis (2018) questions the extent to which restorative values of participation, dialogue and equality manifest for individuals from disadvantaged backgrounds with limited access to opportunities that make engagement and inclusion more achievable. She discusses the excluding potential of the formulaic and scripted language of the conference encounter and the possibility of this further shaming and 'othering'. Examining the responsiblisation of parents through conferencing Hoyle and Noguera (2017, p.69) contend that they:

may not be ideally placed to provide support in what is often an emotionally-charged encounter. Indeed, their responses to the process of responsiblisation, and particularly their own anxieties about being judged, may adversely impact on the dynamics of the restorative process.

They cite the potentially toxic mix of fraught parent-child relationships, supporting Prichard's (2002; 2004) assertion that parents consequently might engage in greater self-blaming and recrimination, unhelpful in establishing parental confidence. Responsibilising parents through conferencing may result in negative shame-based behaviours such as neutralising, apologising, punishing and reacting, none of which, in Hoyle and Noguera's (2017) analysis, assist in promoting parenting that supports children most in need of this. Furthermore, Zehr's (2015) highlights the fundamental role of the community in providing support for the needs of all stakeholders in the restorative justice process, and in holding the 'offender' accountable. Community in traditional restorative justice processes is the community of care and concern immediate to the person, with emotional bonds that provide essential leverage in the processes, and where their family is rooted. However, the author acknowledges the challenge of 'community' in the context of increasingly non localised communities with diminished resources, and where the 'reintegrative shaming' purchase of contemporary approaches is potentially



compromised by the absence of an authentic community of concern (Zehr 2015). Several theorists (Takagi and Shank, 2004; Willis, 2018) have questioned whether some current processes predominantly shame the offender (and parents in this case) and increase isolation as opposed to the original restorative justice aim of showing equal concern to all involved and encouraging inclusion (Mika and Zehr 1997).

## **Labelling**

Labelling theory aims to explain how an individual's identity, sense of self, and their behaviour and actions may be shaped by the categories or labels used to identify them. Terms such as 'stereo-typing' and 'self-fulfilling prophecy' are synonymous with this. Originally theorised by Becker (1963), it is often applied to describe how the act of being labelled, for example 'criminal', creates a process where the individual becomes the label in response to this powerful objectification. The following section identifies key elements of labelling theory, and the associated aspects of shame and stigma, before analysing the application of such labels to parents of children in the justice system, in particular through the processes involved in restorative conferencing.

Whilst responsibilisation outlines ways in which ruling groups create and reproduce ideas, using various methods or techniques, or 'modes' of governance (Foucault, 1986) in creating and communicating accepted *norms* or *facts*, labelling theory facilitates understanding of the recursive dynamic that occurs for the individual in society when they challenge ascribed norms. Labelling theory encompasses a range of ideas and concepts developed by several theorists. These have origins mostly within the sociological tradition, developed over decades to a working theoretical framework that seeks to understand the internalisation or dynamic that occurs when a person or group are 'othered'. Within labelling theory, the definition of a deviant is not limited to crime, Becker (1963), includes a 'dancing musician' as someone on the outside of 'normal' or accepted; an example of a deviant. Deviancy is understood as culturally constructed and socially defined to the norms of the context within which the label is ascribed. In explaining deviancy Becker (1963, p.14) suggested that it is 'not a quality that lies in behaviour itself, but in the interaction between the person who commits an act and those who respond to it'.

Labelling theory emphasises the meaning a crime or deviant act has for the individual and society, in particular the motivation to label certain groups and behaviours, and not others. Many people break laws, norms and conventions; however, most will not be labelled as a consequence. Labelling occurs when the individual assumes the label; it becomes their 'master status' (Giddens et al, 2006). The processes of labelling and stigma, particularly in the realm of justice, are synonymous. Bernburg (2009) discusses how in Becker's theory, crime is particularly stigmatising, more so perhaps than for example, mental illness. He suggests that the focus on exclusion, and resulting reduced life chances and access to resources, makes the theory particularly applicable in understanding 'secondary deviation'. This is understood in terms of the individual becoming the label in an effort to cope with the social reaction and personal consequences from initially being labelled (Lemert, 1951, cited in Rock, 2012).

#### *Labelling theory applied to parents of children in the justice system*

Being the parent of a child in the justice system attracts the likelihood of being labelled. By virtue of their 'child status' the young person cannot be held wholly culpable, the deviant parent may be perceived as having failed in their assigned role, and thus the label can be successfully applied. Pitt (2003) illustrates that whilst the parent may not be labelled as criminal, the labels attached are laden with negative stereotypes, for example 'welfare mothers', 'feckless fathers', 'troubled family', 'benefit estates'. Deviancy is considered as socially, culturally and historically relative, and labelling may extend beyond the individual or family to whole areas. At the micro or personal level of labelling, parents are 'identified' and 'othered' (Collins et al, 2015; Gibson, 2015), in police stations, courts, through social services, education authorities, and in communities at shops, schools, amenities and neighbourhoods. Whilst no conscious 'deviant' act on the part of the parent may have been committed, and although the parent might themselves be a victim, as in the case of adolescent to parent abuse (Holt, 2010), harsh consequences can often follow for parents.

Labelling can be particularly important when the notion of 'moral panics' and 'scape goats' in creating them are invoked. Developed initially by Cohen in the 1960s (cited in Goldson and Muncie, 2014), 'moral panic' theory suggests that the process of igniting public emotion, and the

castigating or labelling of the scape goat (in this case parents) and subsequent stigmatising and penalising, is a calculated process in neoliberal authoritarianism, operationalised by the powerful, through media and public opinion, to achieve a political end. The example of New Labour's 'tough on crime, tough on the causes of crime' (Blair, 1993) to the supposed problem of youth offending post 1990 might be considered indicative of such a strategy (Pitts, 2001), culminating in England and Wales with a raft of legislative measures being introduced to make parents 'pay' for the crimes of their children, for example parenting orders, contracts and the Troubled Families Programmes. The problem for a parent having been labelled is the 'indelible stain' (Nussbaum, 2005) or opportunity for 'undoing' of the label. Even where the child's challenging behaviour may have long ceased, the parent will be identified as the 'parent of the young offender/one-time young offender'. Goffman's (1963) theory on stigma is relevant in understanding this process as discussed further below.

Labelling theory has received criticism for its limitations in helping to explain *why* crime happens; Akers and Sellers (2009) argue that it fails to deal with the original transgression. In particular, critics have questioned how serious crimes such as domestic abuse and murder can ever be deemed 'not criminal' or conceptualised through their relative symbolism and meaning (Downes et al, 2016). Yet, as an explanatory theory of deviance, it has resonance to this thesis in understanding the experience of being labelled for parents in the justice system. Even where processes of reintegration and restoring have occurred, a pervasive narrative of the failing parent is difficult to disassociate from. Indeed, Jackson and Mannix (2004) point to a misogynistic determinism in discussing 'mother-blaming', with welfare workers assuming availability, responsibility and culpability of women who encounter these systems.

Goffman (1963) explored the ways in which people managed the label or new identity. Stigma, as a theoretical approach within the tradition of symbolic interactionism, employs the two central concepts of 'stigma' and 'shame' which resonate strongly with the experience of parents where their children are in contact with the justice system. In his treatise, *Stigma: Notes on the Management of Spoiled Identity* (1963), Goffman examined the experience of stigma attached to individuals who physically appeared different, or who had known attributes that were 'different'

enough to deem them as warranting a profound moral repulsiveness from those who ascribed them as 'spoiled'. Goffman predominantly used the example of mental illness to illustrate how the individual becomes defined in terms of a particular feature or identity; as 'less than' (Goffman, 1963). Focusing primarily on the 'total institution' of psychiatric in-patient facilities and prisons, and the institutional shaming rituals, Goffman concluded these settings had a function in the 'de-humanising' of the person. The idea of the shaming institution can extend to institutional processes also, for example for parents this may be attendance at court or police station because of a child's offending.

Parallels are made between the work of Foucault and Goffman; Foucault examined or 'excavated' historical processes to understand how power functions and how this takes place (Gutting, 2005). A relevant example is how the physical spaces of the justice system are constructed, for example the physical environment of the courtroom coupled with the associated prevailing rituals. In creating the knowledge and the environment to utilise it, according to Hawthorne (2013) the object of the knowledge is also created, in this case, the parent in the courtroom. Goffman (1963) was concerned with interpersonal dynamics and the internalisation, specifically shaming, when being 'othered' as opposed to examining the methods or how this is manufactured. As example, Goffman's theory has use in exploring how such experiences fundamentally devalue and humiliate. 'Shaming' is an important aspect of stigma, and critical to this study as it attributes a moral deficit which Muncie (2006) understands as essential to responsabilising the person, or parent in this case.

## **Shame**

Shame can be understood as a feeling that results when an individual's own standards or those expected by society or one's culture, are not achieved (Goffman, 1963). Shame, unlike disappointment, presupposes that the standard which was failed or not achieved was a moral one (Scheff, 1998). Shame is an emotion which can be experienced privately and which Lewis (1998) observes depends on the stigma, or the original violation. This can take various forms, and in this example may mean the offending of the young person, and the processes subsequently

requiring a parent's participation, for example appropriate adult, court, conferencing, professional meetings, custody visits. The literature in this area consistently reinforces how parents recount such occasions as causing deep personal shame (Prichard, 2002; Holt, 2010; Collins, Cox and Leonard, 2015). According to Gibson (2015, p.335) feeling 'inherently inadequate' is the core experience of shame, and efforts at amends do not alter this.

Being perceived as responsible for the original violation or stigmatising act, is necessary for shame to occur. Lewis (1998) and Scheff (2001), differentiate between guilt which can be partial and compartmentalised, and shame which is defining, all-embracing and consuming (Goffman, 1963). For parents in this study this may mean a responsibility for the child who is offending. LeBel (2008) offers an expanded definition of stigma to reflect the focus in contemporary literature on the social context and impact on the person's social identity. He quotes Link and Phelan (2001) who maintained that stigma is apparent, 'when elements of labeling, stereotyping, separation, status loss, and discrimination co-occur in a power situation that allows the components of stigma to unfold' (cited in LeBel, 2008, p.410). Shame may have positive attributes, for example in deterring the individual from negative behaviours and in this respect may be understood as encouraging cohesion, however as Walker (2014) argues, stigma is always negative and will mean the exclusion of the particular individual or group.

Exclusion can be seen as essential in fastening the process of stigmatisation. Having contravened and thus threatened social norms, such processes, for example potential or actual exclusion from community or family, are required if 'shame' is to manifest (Link and Phelan, 2001). For parents of children in contact with the justice system, the circumstances in which the stigmatisation begins to occur are often deeply shaming, traumatic, conflicting, involving separation from the young person, instantaneous labelling and discrimination (Cox and Leonard, 2015; Gibson, 2015). Such issues are further examined when reviewing the literature in Chapter Three and findings in Chapters Seven and Eight. LeBel (2008) in reviewing the literature on perceptions of and responses to stigma, observes its development as a theoretical framework in conceptualising 'concealed stigmas', that is where no observable visible trait is apparent. Goffman (1963, p.23) originally included three categories of stigma including 'physical deformity, tribal stigmas, and

weakness of character'. Along with people with mental health diagnosis, and those with HIV/AIDS, as examples, LeBel's (2008) 'concealment' includes individuals with a history of incarceration. Parents of children who had been incarcerated or involved with the justice system might reasonably also be included in this 'concealed' group, which appears to best equate to Goffman's final category, 'weakness of character'. A particular challenge for parents in this contact is being 'revealed' and the shame attached to this. Gibson (2015) argues that the social work literature should attend further to the shame experienced by parents, challenges in discussing this, and methods services could employ to reduce the shame for parents in contact with statutory systems.

### *Shame and stigma through association*

Literature on 'stigma by association' focuses primarily on stigma experienced by relatives where the 'affected person' has a chronic and enduring mental health problem. Ostman et al (2005) assessed the psychological effects on participants of being related to a person with severe mental illness, examining aspects of care relatives were involved in and support they received. Whilst acknowledging the limitations of the findings in terms of sample size and its exclusivity with relatives of inpatients only; of interest in their findings was the majority of relatives reported feeling stigmatised to the extent that this caused psychological distress, and deep shame. Goffman (1963) identified this effect as 'courtesy stigma' where the individual is stigmatised through association, by virtue of their being intimately related to or privy to the personal world of the 'offender'. However, parents may assume and will often be ascribed a level of responsibility for their child's offending. 'Courtesy' stigma in this sense seems limited in addressing the impact of shame and responsibilisation for parents who, as opposed to experiencing guilt through association, are implicated as cause when their children encounter the justice system.

Academic focus is typically concerned with children's views, as 'unintended victims' (Lee, 2005; Nagle & Watson, 2008), or spouses/partners of imprisoned adults, or where serious offences have been committed by adults, as theorised by Condry (2007). In her primary research Condry explored the experience of a range of family members when their mostly adult relatives

committed serious offences. This resonates with available literature on the experience of parents. Condry (2007, p.67) theorised a 'web of shame' that includes particular components, in this case 'kin contamination', and 'kin culpability'. Contamination can be seen as the idea that a person may be contaminated (not in this example in a physical sense), or tainted/spoiled by association, i.e. being a parent, labelled 'as if' they have harmed. Secondly kin culpability echoes with responsibilisation theory. Critics see official narratives as thick with the language of 'responsibilisation' when referencing parents (Arthur, 2005; Burney and Gelsthorpe, 2008; Holt, 2010; Goldson and Muncie, 2015). Applied to contemporary neoliberal society, Sevenhuijsen (2003) understands policy as a means of embedding established paradigms which serve the privileged classes through the construction of social problems. For example, when launching the Troubled Families programme (2011) the then Communities Minister announced to the Daily Mail what appeared to indicate the government's commitment to overtly pursuing the responsibilisation agenda in stating that, 'We have sometimes run away from categorising, stigmatising, laying blame. We need a less understanding approach' (Eric Pickles 10<sup>th</sup> June 2012). This intent could be seen as reinforced by the Director General of the Troubled Families programme Louise Casey who in a statement to the Daily Telegraph (Winnett and Kirkup, 2012) in July 2012 confirmed that, 'We are not running some cuddly social workers programme ... we should be talking about things like shame and guilt ... we have lost the ability to be judgmental because we worry about being seen as nasty to poor people'.

Processes involved in stigmatisation and shaming appear complex for individual themselves, and also in the social construction of this. For example, Falk (2001) and Link and Phelan (2014) discerned between 'existential' and 'achieved' stigma; the former where the individual is deemed to have limited or no control over the circumstances from which the stigma emanated (Race, age, disability), the latter where the individual is judged to have earned it (criminality). Such categories are contested themselves, an example being the person who develops psychosis because of the effects of a chronic drug problem. For parents whose children have offended, their stigmatisation might be determined as 'achieved'. Parents can experience what Falk (2001) identifies as 'multiple stigmatizations', for example, poverty or with mental health issues, exacerbated or caused in part by the events described above. Most children who are in contact with the justice

system will have faced exclusion, or partial exclusion from school which typically will have involved a protracted process culminating in this experience. The procedures required to allow this can be deeply stigmatising for parents, for example formal educational process involving a raft of assessments, professionals, and potentially including court. In response, parents may attempt to hide and minimise these multiple shaming experiences (Holt, 2010). The literature considers two common coping strategies for the individual managing stigma. Firstly, concealment, in hiding the issue, and secondly, avoiding or withdrawing from situations where there is a risk that stigmatisation might occur (Miller et al, 2001), here the person is in the 'discreditable' scenario. For parents this may mean opting out of, or limiting, their engagement with official agencies, where the environment, language and processes can be experienced as shaming and exclusionary (Arthur, 2005; Evans, 2012).

Reactions to stigma are context dependent, having a child in the justice system might be seen to contribute to and further compound shame and other stigmatising experiences (for example the process of educational exclusion). Arthur (2005) highlights the proven relationship of poverty to parenting in youth justice, and the particular stigma associated with being poor. Walker and Bantebya-Kyomuhendo (2014) consider the inherently stigmatising nature of poverty itself, and how day on day living through this means reduced resources, choices and possibilities. In the example of poverty, shame is experienced because the person is judged to have contravened the norm of financial self-reliance. Horgan (2011) identifies poverty as deeply shaming; she articulates how young people felt being in poverty left them as 'outsiders' in their own community. As argued by Gillies (2006) and Daly and Kelly (2015) parents are too acutely aware of the shame of poverty; not *having* enough being equated with not *'being* enough', and what that feels like for their child.

Poverty is intergenerational, the present experience of this is usually linked to childhood experiences of poverty (Alcock, 2008). The typically circular and complex relationship of parents' own poverty experience, family and parenting capacity, reduced parental coping because of chronic stress, and the actual environment of enduring hardship is now established (Bywaters et al, 2016). Theorists however warn against the herding of people in poverty into one 'class'. Daly



and Kelly (2015) advise against pejorative groupings that imply poverty as a permanence, denying structural factors and institutionalised inequalities that mean equality of access and opportunity are so compromised.

The concept of stigma has received criticism from some sections of the disability movement for what it considers the individualising and pathologising of the person. Sayce (1998) sees it as redundant, and in examining its use in mental health believes that the emphasis ought to be on challenging unjust and oppressive practices that pervade at an institutional and community level. In trying to convey just the extent of the all-consuming, lonely and dehumanising impact of mental illness on the person and their ability to be in the world, Johnstone points to the injustice of the 'stigma of difference'; in this case the othering of a person because they have a mental health problem (Johnstone, 2001). Their capacity and fitness are invalidated. Such experience could be applied to the parent of a child in contact with the justice system. Whilst 'shame' may be seen as reconstructed through the reintegrative shaming possibilities of the conferencing experience, no mechanism exists to reconstitute the stigma of involvement with the justice system (Creaney, 2012; Moore and Tangney, 2017). Johnstone (2001) points to the way in which societal reaction can compound the initial label or condition, consistent with Lemert's (1951) theory on secondary deviation, the process where a person assumes the label.

### *Youth Conferencing as shame management*

An in-depth appraisal of reintegrative shaming and the range of approaches to restorative practices is beyond the remit of this thesis. Given the centrality afforded to restorative justice within youth justice in Northern Ireland, it is however essential to examine the underlying theory of 'reintegrative shaming', and critically consider how this manifests in practice. Braithwaite's (1989) theory of reintegrative shaming underpins much of the approach and practices in restorative justice.

Chapters Seven and Eight examine the impact of shame on parents whose children are in contact with the justice system and the residual harm that often permeates all aspects of their lives and

identity. Reintegrative shaming presupposes that dealing with offending behaviour through a shame management process can have a restorative and reintegrative effect in reducing reoffending, as opposed to retributive justice that research indicates is experienced as remote and retributive (Johnstone, 2003; Smith, 2014). Within contemporary western restorative practices, in reintegrative shaming processes the 'community of concern' that is those close to the offender, typically come together with the 'offender' and 'victim' to examine the harm caused, and how this can be repaired; specifically, what the offender can do to make amends. Muncie (2015) cites the New Zealand model as often referenced in respect of conferencing. This model extends to family group conference processes, which focus on welfare issues also. In both examples, the process is intended to promote inclusion in the 'community' (Braithwaite, 2005).

In reintegrative shaming, shame should be experienced as 'respectful' and cease when forgiveness occurs; shame in this context does not come to define the individual, rather these elements should work to have the effect of reducing the likelihood of further offending (Harris and Maruna, 2006). For reintegrative shaming to happen, people close to the offender are critical in offering disapproval of the act or offence, providing the offender (young person) with a strong motivation to recognise the offence as moral wrongdoing. Understanding the secondary shame of the 'collective', that is those closest to the offender (usually parents), is important here in inducing shame in the offender (Prichard, 2002). The theory attaches much significance to this shaming dynamic and the community of concern (to include parents, the concerned group and ideally a local community) are critical to reintegration. The notion of repair, then reintegration are critical, in theory the community welcomes the 'offender' back in to the fold, this may be seen to be premised on traditional notions of 'community', the status of those facilitating such processes and members trust in both (Zehr, 2015).

Conferencing, in espousing the values of restorative approaches and reintegrative shaming, aims to shift the balance of power and decision making from the legal elites (Cuneen and Goldson, 2015) and provide victims and communities with the greatest stake in determining outcomes. The principles of restorative justice configure crime firstly as a community harm, or harm to an individual, aside from contravening laws. Conferencing and restorative justice practices have

been challenged on a number of fronts, the following discussion focuses on the experience of parents and criticisms regarding the 'moral' intent of conferencing processes, and concerns regarding latent judgement of parents within this reintegrative shaming, as opposed to stigmatising shaming process (Hudson, cited in Johnstone, 2003).

Advocates of conferencing suggest that the process in itself can facilitate or enable the development of moral reasoning where previous opportunities may have not existed or have been limited (Barton, 2003). A 'real victim' is therefore vital in encouraging and enabling the 'moral clarification' essential for remorse in the offender. However, a developing theory base challenges the rhetorical focus on remoralising. Cunneen and Goldson (2015, p.143) question the premise of this instructional morality, or 'moral pedagogy' for the offender. Moral development is understood as a contested and socially constructed phenomenon (Hoffman, 2001), shaped by experience. Cunneen and Goldson (2015, p.144) highlight what they perceive as over-simplistic neo-Christian moralising (Pitts, 2001), in arguing that children in the justice system are:

[...] routinely victimised by their exposure to profound and myriad social injustices and harms. For such children and young people especially those most deeply embroiled in youth justice processes - the fabric of life invariably stretches across poverty, family discord, public care, drug and alcohol misuse, mental distress, ill-health, emotional, physical and sexual abuse, self-harm, homelessness, isolation, loneliness, circumscribed educational and employment opportunities, hollowed out communities and the most pressing sense of distress and alienation.

The lives and experience of parents of children in this situation may be far removed from those of facilitators and regulators of contemporary restorative conferencing. As argued by Johnstone (2003), shame is typically subjective and culturally bound; and in this respect, the efficacy of reintegrative shaming is still challenged. Applied to contemporary democracies Braithwaite (2005) himself warned against the dominance and potential for crushing of indigenous (community) empowerment by prescriptive, standardised approaches to a culturally unique tradition. Braithwaite (2002) also guarded against the insistence on an apology within contemporary restorative processes, yet this is expected in any conference. Where a young person possibly struggles with the process and accepting responsibility for the offence and its

impact, then Harris et al (2004) noted the greater likelihood for moral lecturing to occur, which may be experienced as distressing by parents.

Consistent with Condry's (2007) analysis, it could be argued that the parents of the offending child are seen as 'culpable' in the conferencing process by virtue of their nearness to the source of the crime and therefore as complicit (Prichard, 2001), their child's behaviour reflecting a flawed moral role modelling. Most theorists reference the individual and family experience and needs as typically complex, and not amenable to reductionist stereotyping (Muncie, 2006; McAra and McVie, 2010). Young Minds (2015), the national children's mental health charity, identify five vulnerabilities common among young people involved in offending. These range from mental health issues, behavioural issues, and social problems including housing, and training and education. The challenging lives of young people in this context often mirror parental biographies of hardship, adversity and complexity (Arthur, 2005; Holt, 2010). Youth conferencing services are outcomes-based, premised on neoliberal modes of government which Ritchie and O'Connell (2001) see as exalting free market values of rationalisation, standardisation and quantification. It could be argued that the conference itself is a critical 'tutelary technique to resolve familial moral failures' (Craddock 2007, p.158) and that this explicitly includes remoralising parents.

#### *Parents and challenges to reintegrative shaming*

Within the reintegrative shaming process, shame supposedly terminates where forgiveness begins. In theory, the conference agrees a plan to action remorse and amends through repair and reintegration. However, Prichard (2002) queried the endpoint of shame for parents in the conference or 'ceremony'. Braithwaite's theory emphasised the timeliness of reintegrative shame in differentiating it from stigma, yet Prichard questions the view that 'shame' experienced by a parent is nullified by the processes occurring in the conference. Furthermore, the 'community of concern' represented in the professional ceremony or conference, might be far removed from the reality in the 'hollowed' estates which are home for many families; in Northern Ireland this can further involve the constant threat of paramilitary involvement as discussed later in Chapter Four.

Stigmatisation may remain as a constant for the parent. Condry (2007) cites Giddens (1996) who observes that: 'Shame takes the whole person as its primary object, concerning the overall issues of self-identity' (2007, p.63). In understanding secondary shaming, she cites Nussbaum (2004), in saying that, 'one thing that shaming of sub-groups typically expresses is a denigration of the very humanity of people being shamed' (2007, p.63). These descriptions seem unambiguous in identifying how shame may define the person. It may be reasonable to query how parents who have experience of multiple shaming rituals and processes, including the 'shame management' experience of conference, could reasonably 'park' this (Richards, 2017) or discard shame because a process deems the experience of 'reintegrative' shaming as time-bound.

The extent to which the community of concern extends to actively help the parent in supporting the child is questioned. Some literature suggests that as parents take on the shame, disgrace and guilt of the offence, they also absorb the stress in holding children to agreements and plans, often experiencing this as 'their punishment' (Arthur, 2005). In contrast to Braithwaite's theory, little evidence exists to suggest that when applied to the role and involvement of parents, reintegrative shaming is experienced as a linear emotional or social process. Rather stigmatising shame (Hudson, 2003) emerges as a tangled and multifaceted phenomenon. Prichard (2002) introduced the term 'disintegrative shaming' into the theoretical frame to describe the shame, contradiction and responsabilising associated with such processes for parents. Theorists have been forthright in their assessment of how a mechanism, which claims to enable and empower parents in coproducing positive shaming to effect change and reintegrate their child, can actually, according to Parr (2006, cited in Hoyle and Noguera 2008, p.72) become a: 'process which, indirectly at least, casts them as failures and works as a stigmatising and potentially criminalising mechanism which may engender feelings of stress, alienation and penalisation'. This co-opting of parents is seen by Richards (2017) as an example of the utility of neoliberal power where parents as 'citizens' become active participants in the exercise of governmentality, in this case 'responsibilising'.

## **Loss and trauma**

This chapter began with a focus on responsibilisation as a macro explanatory theory on how parents are responsibilised and become pathologised themselves because of their child's offending. Theory on responsibilisation and labelling assist in understanding how shame becomes individualised. Stigma, as a concept was examined in appreciating the enduring, personalised and all-encompassing nature of shame. Responsibilising, labelling and stigmatising are inter-related processes, on a personal level, being labelled and stigmatised is deeply shaming, this often means isolation, and being excluded. Loss is integral to both these experiences, its impact can be profound and, in this context, requires an examination unique to this setting. The distress and upset experienced by parents also necessitate an understanding on theory of trauma. Trauma is a complicating, encompassing and consuming reality for many parents in this situation (Carlson and Dalenberg, 2000; Visser, 2015). Traumas occurring often mean multiple losses and it is therefore essential to realise how theory on the subject can help understand what parents may be living through. The next section therefore examines theoretical perspectives on loss and trauma, and the application of these concepts to parents with a child in the justice system, followed by a discussion on the development of trauma-informed practices.

#### *Loss, trauma and parents of children in the justice system*

The Diagnostic and Statistical Manual v5 (DSM V, 2013), lists the aftermath of trauma as a mental health condition. The DSM 5 includes a description of symptoms which must be present and indicates the duration these must persist in order to be considered clinically significant in making a diagnosis of post-traumatic stress disorder (PTSD). The definition of what constitutes a trauma within the psychiatric community encompasses threat of injury or harm to a loved one, or witnessing threat or injury to a loved one, which would apply in this case. Trauma is indicated by responses including intense fear, helplessness, or horror, however experiencing a traumatic event, does not mean that the individual will develop PTSD. Bloom (1999, p.15) explains that 'it is not the trauma itself that does the damage. It is how the individual's mind and body react in its own way to the traumatic experience in combination with the unique response of the individual's social group'.

'Trauma' is a widely researched and theorised phenomenon with cross discipline application, for example in psychiatry, psychology and applied social sciences. The trauma knowledge base offers an organising framework to assist in understanding both the idiosyncratic and shared experiences, and their often-enduring impact across the lifespan. As indicated by Bloom (1999) and reinforced in the wider literature (Rose, 2002; Bonnano, 2004) trauma is a multi-faceted, subjective experience influenced by a range of variables unique to an individual's circumstance. How a person reacts and copes with a trauma or crisis will typically be determined by how they are managing in their lives in general when the traumatic event occurs. Allen (2008) acknowledges the impact of having to navigate an additional range of processes at a time of trauma, and how this can exacerbate distress. As discussed, parents in contact with the justice system because of their child's offending will most likely have to deal with any number of not only systems, but also departments within systems from criminal justice, to social services, health and education. Processes involving these systems are examined in more depth in chapters four and five. Northern Ireland's extraordinary context means 'trans-generational trauma', and its pervasive effects on mental and emotional wellbeing continues (Smyth et al, 2004; McLafferty et al, 2015; Fargas-Malet and Dillenburg, 2016).

'Transgenerational trauma' refers to the transmission of the impact of trauma/traumas, to future generations. This occurs in both subtle and overt ways; it is estimated that one in three of the adult population of Northern Ireland experienced a conflict related event (Bunting et al, 2011). Fargas-Malet and Dillenburg (2016) observe for example how silence, or taboo and/or fear of revisiting an event or topic within a group or family can be a powerful transmitter of trauma. Their findings suggest that children whose parents' mental health suffered because of having firsthand experience of the Troubles, were more likely to exhibit certain problem behaviours. These included hyperactivity and emotionality; children who encounter the justice system are twice as likely to have Attention Deficit Hyperactivity Disorder (ADHD) than their peers according to Silva et al (2014). Harpin and Young (2012) state that in the UK 45% of young people in the justice system are assessed as having ADHD. In exploring the intergenerational link, Fargas-Malet and Dillenburg (2016) examined how parents' narratives about the conflict link to children's awareness of trauma and violence. Their findings showed that children whose parents had first-

hand experience of a conflict related trauma, experienced higher levels of hyperactivity and other problem behaviours compared to children where this was not the parental experience. They note how critical community, and 'intra-generational' factors are in this respect, including gender, education, and peers, cautioning the subjectivity of the narratives of conflict (2016, p.450).

This transmission to the present-day generation of children and young people can be unconscious. Whilst there are only limited studies that specifically seek to understand the complex history of parents' relationship with the justice system, and what that might mean for them in trying to support their children, it is useful to consider available literature relating to parenting and intergenerational trauma. For example, Schwerdtfeger et al (2013, cited in Fargas-Malet and Dillenburger, 2016) found that parenting styles displayed by those who have experienced trauma could negatively affect the mental health and wellbeing of children. This is supported by previous research undertaken by Braga et al (2012) finding that the development of resilience in children whose parents have endured conflict can be determined by the parent-child relationship dynamic and the quality and type of communication about the trauma and conflict experiences. However Maxwell (2004) urges caution; using indigenous Canadian communities as example Maxwell's analysis of historical trauma theory argues that elitist academic and professional transgenerational trauma paradigms sometimes risk reproducing over simplistic discourses that implicate parents in the generational transmission of trauma. Whilst the legacy of childhood traumas, as evidenced by Downes et al (2012), may permeate aspects of current daily living for parents, factors are complex and suggestions of a causal link are tenuous, yet as indicated by Bunting et al (2011) the conflict may have continued impact on up to one third of the adult population in Northern Ireland.

#### *Loss and parents of children in the justice system*

Loss and trauma are consistent in the literature in this area and therefore included as a guiding theoretical frame. Loss is an evitable consequence of trauma (Allen, 2008), for example death of a loved one, trauma of an accident and subsequent possible life changes. The multiple losses experienced by parents on many levels are recognised (Hillian and Reitsma Street, 2003; Knowles, 2016). These are interconnected and complex, for example loss of status as a parent, potentially



loss of home, loss of child's school, loss of income, loss of support, loss of child possibly. Coupled with these tangible losses, the parent may have to cope with now being a 'discreditable person' and 'potential stigmatisers' (Link and Phelan 2001, p.374), all exacerbating the trauma and distress from the original trauma or offence.

Theory on loss and trauma identify guilt as a predominating emotional response to these. Whereas shame is the experience of being humiliated, with one's identity spoiled, and self-worth defined through the process; guilt occurs as a consequence of actions committed, or non-action related to an event, for example having 'been a bad parent' or feeling guilty and responsible for a child having committed a particular offence. Wilson et al (2006) understand shame and guilt often as co-existing in the posttraumatic period, depending on the circumstances of the event or events. They further highlight these affects as emotionally painful, debilitating and upsetting to the individual, and severely affecting their capacity for coping on a day-to-day basis. This understanding is useful when applied to parents who will often feel overwhelming guilt and shame for their child's offending. Excessive self-recrimination and deep shame can manifest particularly in withdrawal and avoidance type behaviours, which may be erroneously interpreted as a lack of care or engagement (Wilson et al, 2006; Gibson, 2015). This is further complicated where the original trauma or crisis event was adolescent to parent abuse which Hunter, Nixon and Parr (2010) understand as especially demoralising and disempowering. Exploring theory on loss is helpful in understanding associated processes such as guilt and shame, and how these might feature for parents of children in the justice system who may be coping with multiple losses.

#### *Trauma informed care and parents in the justice system*

Trauma theory suggests that trauma informed practices should be premised on an understanding of the impact of trauma over the lifespan (Erozkan, 2016; Levenson, 2017). The evidence base attests to the need for justice systems involving children to be trauma informed. A set of key elements or principles, which a juvenile justice trauma informed system should observe are

indicated by the North American, National Child Traumatic Stress Network (NCTSN). One of these is 'trauma informed partnering with youth and their families'. Rozzell (2013, p.2) advocates that:

When families are viewed and treated as partners in both their child's care and in the operations of the juvenile justice system itself, the child, the family, and the system benefit. The most effective interventions for youth in the justice system are those that engage families in a strength-based partnership. A trauma-informed system builds on that fact by adopting a collaborative approach to the families and youth with whom they interact.

Much of the discourse on trauma informed practice focuses on the need for professional expertise, and trauma trained professionals, acknowledging the sometimes-severe trauma behaviours displayed by young people in the justice system. Nowakowski and Rowe (2015) highlight the need for trauma informed interventions where adolescent to parent abuse has occurred, recognising the link between trauma and aggressive behaviours. Theory on 'complex trauma' might be applied here when appreciating the multiple potential and actual traumas and losses experienced by parents, combined with the distressing and anxiety provoking experiences associated with these. Complex trauma refers to repeated exposure to traumatic events (Courtois, 2008) or severe stressors over time, which is often the situation for parents of children in the justice system. Complex trauma can involve complex responses and reactions, the impacts on mental health, physical well-being and day to day coping are significant according to Courtois (2008), and likely to be compromised. This knowledge would seem essential for professionals in youth justice systems appreciating how such repeated traumas can affect the continuing wellbeing and coping of parents in such circumstances.

Apart from the NCTSN, limited evidence exists to suggest a systemic application of trauma informed practices in every aspect of the youth justice system and its agencies, with both children and parents. Agreeing a definition of what trauma informed practice is, and how this might be operationalised, is according to Berliner and Kolko (2016), a key challenge for implementation. A trauma informed approach might conflict with many of the established rituals and formalities of traditional justice systems, for example, custody cells, and traditional courtroom processes which can themselves be experienced as traumatising for parent and child. Buffington, Dierkhising and Marsh (2010) understand a trauma informed justice system as essential, where respectful

partnerships between the system and parents and their children permeate every level. They add that: 'Families may need education about traumatic stress and treatments that work so they can be more supportive of their children, and for some families, this education will help them address their own traumatic experiences' (Buffington et al, 2010, p.21). This indicates some acknowledgment of the role and needs of parents, however Bunting et al (2019) in an evidence review of trauma informed care (TIC) approaches in child welfare services found staff training as the most evaluated implementation component of TIC, whereas service user engagement (parents) was under-reviewed. Whilst parents may be referenced in such approaches, limited evidence exists on the extent to which they may be included. Furthermore, some theorists assert that a system identifying as 'trauma-informed' needs to evidence understanding of the interpersonal *and* sociopolitical dimensions of trauma. Arguing a social justice approach, Quiros and Berger (2015, p.150) state such systems must, 'foster safety, trustworthiness, choice, collaboration, and empowerment at all levels of service delivery'.

Whilst parents are broadly referenced in trauma-focused approaches, as outlined above, ways of assessing or addressing their trauma needs specifically are rarely mentioned. Recognition and management of trauma is complex, not least as Bath (2017) argues, owing to the subjective and relative nature of trauma, and associated losses. This may be especially the case in the context of child to parent aggression which itself might indicate untreated childhood trauma for the child yet requires the parent as 'victim' to collaborate as facilitator and 'advocate' for the child 'perpetrator'. As Nowakowski, Sims and Rowe (2015) observe, the nuanced nature of such interventions require an acknowledgment of the enmeshed and aggregate family trauma narratives that pervade the individual's biography. Theory in this area details possible outcomes for health, wellbeing and general functioning where trauma is not attended to, in this case for a parent (Courtois, 2008).

Statistics show that parenting a child in contact with the justice system where they have reoffended (NISRA, 2019), with small exception, means raising a boy for whom violence and the resulting trauma and impact are likely to feature highly for both child and parent (McAra and McVie, 2010). Violence amongst young males and its association to trauma, and early

experiences of trauma is established (Falshaw, 2005; Maschi and Bradley, 2008). With reference to the justice system in particular, Walsh (2018) argues that strategy, policy and practice need to better attend to gender, and the 'hyper masculinity' that justifies and normalises violence in the lives of young males. He explains how 'In the communities which many young men live in, traditional concepts of manhood such as defender, protector and provider become toxic and reinforce the legitimisation of violent behaviours' (2018, p.6). This suggests a complex interplay between experience of trauma and living in a community environment where for young male's violence is routine and anticipated. Yet as Walsh (2018) highlights, little is known about the actual relationship between experience of trauma and violence, and less so the needs of young men in this context. This is significant as mostly it will be mothers who are tasked with supporting their sons in managing the impact of such trauma and consequences in terms of their behaviour.

Whilst the issue of young male violence in communities is highlighted, little is understood about how this might manifest in the home with parents (typically mothers), and consequences for all family members. Abuse in the home, may come to be 'reframed' as 'trauma' as opposed to 'abuse', and the gendered reality of this experience disavowed. Feminist theorists (Tseris, 2017) argue that the 'trauma industry' is often complicit in nullifying the reality of the social justice and gender inequalities inherent in Western patriarchal societies, arguing that clinical definitions of trauma, which often determine access to resources, are based on a heterosexual, White, middle class homogenous experience (Quiros and Berger, 2015). Losses associated with trauma, can be referenced through a narrowed lens that potentially nullifies the gendered lived reality and complexities of coping with multiple stresses.

Although TIC approaches may be positively rated by staff who trained in techniques in certain settings (Bunting, 2019), as previously mentioned, service user perspectives are limited. Reliable evaluation would require shared understanding of what trauma is, approaches in different settings and the respective meaning service users and 'professionals' attach to what might be understood or measured as 'trauma'. In articulating the range of experience meaning, Saar-Heiman et al (2016) use the example of poverty as an 'insidious trauma' in coping with the enduring social reality of continuing hardship. They understand listening and giving witness to

the reality of the service user experience as essential to any appreciation of the nuanced, and relative nature of trauma. The idea of poverty as a trauma, and more than an adverse childhood experience is also supported by Knowles (2018). However, in a 2018 evidence review to the Safeguarding Board NI on developing trauma informed approaches in the justice system, Ireland (2018) understands poverty as a social condition that may exacerbate trauma, as opposed to this experience being sufficient in itself to qualify as 'traumatic'. The review identified workforce development, trauma focused services and organisational change as necessary for a trauma informed justice system. Gender was not highlighted as an over-arching consideration of trauma informed systems change, despite the vast majority of those entering adult and youth justice systems being male, and those supporting them in avoiding reoffending usually being female, or mothers in the case of young people (Farmer, 2017; Klepfisz et al, 2017). User involvement and peer support were included as required aspects of organisational change in a trauma informed justice system. Whilst enduring poverty may not display the 'extreme symptomology' associated with dominant representations of trauma, a social justice framework advocated by Quiros and Berger (2015) attends to traumas manifested in the socio-political and economic environment and their disproportionate impact on often excluded and disadvantaged groups, in this case for parents of children in the justice system. Many social care and justice agencies purport to 'trauma informed' principles, policy and practice in engaging service users. In advocating trauma informed social policy approaches Bowen and Murshid (2016) list safety, trustworthiness and transparency, empowerment, collaboration and peer support, and choice, as key overarching features of trauma informed social policy. They also stress the need for policy makers to attend to historical policy, and the traumas it may have instituted, and which may persist, none less so perhaps than in the justice system. As example, East and Roll (2016) question how oppression and disadvantage may be embedded in institutional architecture of state agencies, in this case within practices in the youth justice system itself, potentially through the process of conferencing as discussed above. They suggest as opposed to an outward preoccupation with the assessment and measurement of *trauma*, rather a historical-cultural analysis of the context traumas occur in and agencies' contribution to, and perpetuation of these, may be more beneficial. The initial section of this chapter focused on responsibilisation, and how this works to pathologise and label

the individual. Acknowledging trauma as a feature of the experience of parents of children in the justice system is important as it inevitably means the loss of something, often through distressing circumstances (homelessness, violence, incarceration) (Buffington et al, 2012; Rozzell, 2013). Trauma informed care in the formal contexts, including the justice system should attend to the consequences of this, not least in assisting parents cope through such times with the losses, exclusions, stigma and enduring shame (SAMSHA). A critical review of theory on trauma and specifically trauma informed approaches reveals little in terms of trauma responsive and trauma resilient (Middleton et al, 2019) justice systems premised on the articulated needs of the parents requiring such an approach.

## **Conclusion**

This chapter began with an overview of theory on responsibilisation in appreciating how on a macro level parents can become implicated in their children's offending. This discussion referenced neoliberalism in locating this theory within the critique of individualism and appreciating how citizens (parents) may come to be castigated and pathologised in such ideological projects. It briefly considered techniques and methods of governance as a means of appreciating how parents are not incidental to the responsibilisation agenda in youth justice, but vital to it. Parents are arguably necessary objects of blame shame, and moralising, failing in their most fundamental task as parents, in maintaining the neoliberal project. Craddock (2007) contends that the task of government in neoliberalism is to responsibilise the citizen, whilst de-responsibilising the state. It could be suggested that an inverse relationship exists between an individual's likelihood of being responsibilised and their access to resources and means.

From here the discussion examined processes through which responsibilising come to be assimilated and individualised. Theory on labelling, shame, and stigma were analysed in appreciating how prevailing ideas infiltrate peoples (parents) very identity and definition of self and explored the potential consequences of this. Exploring 'reintegrative shaming', and 'shame amangement; as modes or techniques of government in responsibilising parents, was therefore critical. Recognising shame as all-embracing and a complex combination of 'sadness, anger and fear' (Turner and Maryanski, 2013, p.306 cited in Walker et al, 2014) assists in challenging the

rhetoric of reintegrative shame in contemporary western societies. This explored the critique that sees this typified in what might be described as the commodified and regulated environment of the youth conference process, questioning the notion of this being reintegrative, reparative and repairing for all (including parent). Integrating theory on stigma is especially important in highlighting how this involves the enduring exclusion of the person, or parent in this case and the indelible quality of stigma, once attributed. Furthermore, it brings awareness to the impact of multiple stigmas, and thus exclusions, for example through poverty and exclusion from employment. Finally, theory on loss and trauma were explored as a means of better appreciating and revealing the cumulative impact of the multiple distressing, upsetting and traumatic events. Furthermore, the analysis of trauma theory, and in particular 'trauma informed care' suggests that whilst the policy rhetoric may acknowledge the diverse contexts and experiences of trauma, it might be argued that implementation reflects a 'top down' commodified approach with limited service user engagement or feedback.

When taken with theory on shame and stigma, theory on loss and trauma facilitates understanding of how traumas and losses experienced by parents when their children are in contact with the justice system may often be endured in isolation owing to their proximity to the original shame (their child's offending). In reviewing a range of theory pertinent to the experiences and needs of parents, this chapter has offered a depth of perspective in appreciating parents' reality, to avoid reducing this to particular academic silos, but rather to acknowledge the diverse, multifaceted, and distressing times they endure. This understanding informs the approach in this exploratory study that seeks to develop knowledge and understanding of the parental experience in these circumstances. The next chapter reviews the available literature specific to the experiences and needs of parents when their children are involved in the justice system in appreciating how the research and evidence base can inform the author's understanding on this complex issue.

## **Chapter Three: The experiences of parents when their children come into contact with the youth justice system**

### **Introduction**

This chapter reviews the literature on the experiences of parents when their children encounter the youth justice system. It first examines the evidence conceptually located within the dominant developmental lifespan approach to youth justice. Whilst not specifically ascertaining the experiences and needs of parents, this approach often references them in the wider risk-protection paradigm and is therefore significant in understanding how parents feature in mainstream research focused on factors that prevent youth offending.

Secondly, the chapter reviews relevant research on parental experiences of criminal justice processes. Sub-sections focus on parents' experiences of the role of the police when arresting, the court system and probation supervision, and parental experiences when children are in custody. Thirdly, is a review of research on parents' experiences of restorative justice as an underpinning approach guiding legislation and practice in this jurisdiction and internationally. Fourth, is consideration of evidence specific to circumstances where parental involvement with the justice system is compulsorily required. The final section reviews research regarding the specific experiences for parents when their child is involved in serious or violent offending. This initially focuses on coping and reaction to this issue, before examining evidence on experiences of adolescent to parent abuse, as a significant developing body of research. Literature relevant to experiences for parents when their child is involved in sexually harmful behaviours emerged as a specific theme, warranting a review of the knowledge relating to this issue.

### **Acknowledging the need for research on parental experiences**

Within the research evidence on youth justice, parents typically feature as variables within large scale longitudinal studies that seek to establish the extent to which they, amongst many other interconnected variables being tested or measured, progress youth offending as potentially a



'causal factor' or prevent as a 'protective factor' (Farrington et al, 2016). This is the largely established conceptual approach to research on youth offending within the risk factor-prevention paradigm (RFPP) which Muncie (2015, p.28) suggests 'peripheralizes the significance of material and social structural contexts.' 'Risk' predominates in western neoliberal government frameworks and, as suggested by Burke et al (2014), engaging parents in research relevant to their lived experience is not consistent with the values of such an endeavour. They describe a tense and tenuous relationship of state involvement with parents in youth justice, with government potentially having to supplant the parental role in managing risk to the young person or community. They go so far as to state that:

juvenile justice professionals, under the broad doctrine of *parens patriae*, oftentimes actively assert themselves into a parent role (acting *in loco parentis*), under the presumption that the existing family dynamics are part of the problem that precipitated state involvement in the first place. (2014, p.40)

Whilst the dominant RFPP conceptual approach informs much research practice in this area, some studies have sought to examine factors specific to parenting. Hoeve et al (2009) conducted a meta-analysis of the literature to determine if a link between parenting and delinquency exists and the possible extent of this. Although their results do not specifically reference studies about the experiences of parents, they do acknowledge the subjectivity of the parent child relationship, observing that:

a bidirectional view on parent-child relations cannot be rejected as we do not know whether the child-rearing characteristics had been influenced by earlier delinquency or other problem behaviours of the child. Thus, the direction of causal influence may run both ways. (2009, p.765)

This suggests that coping with challenges or severe challenges in parenthood, for example Attention Deficit Hyperactivity Disorder (ADHD), communication or learning needs, or autistic spectrum issues which may remain unassessed or diagnosed for years, owing to the demands on services, can exert inordinate pressure on the parenting role and capacity. Hoeve et al (2009) concluded that a link could be established between aspects of parenting and delinquency, identifying that psychological controls, for example withdrawing affection or provoking a child to feel guilty, are as strongly linked to delinquency as behavioural controls, for example harsh

punishment. Recommendations from the analysis include parental support programmes that focus on psychological support for the parent as much as behavioural techniques. The study calls specifically for father focused interventions with boys (however, only if the fathers are 'not offending' themselves), indicating a lack of research available in this area. Hoeve et al (2009) noted the heterogeneous nature of most studies in the meta-analysis sample, identifying only 31% of those reviewed as having included reports from parents, and where this had occurred details had not usually been sought of the actual parental experience.

Whilst not focusing on the actual experience of parents either, Kyle-Cook's (2013) research further acknowledges the essential role of parents in supporting children through probation. This American study surveyed parents of court sanctioned young people to understand the extent to which they believed they had influence with their children when subject to probation. The researcher wanted to identify what could work in helping juveniles successfully complete court ordered probation, given that within the American juvenile justice system parental involvement with probation services in their child's treatment or rehabilitation plan is mandatory. Kyle-Cook's research focused only on the use of parental controls. Examples of these include supervision of their child, reinforcing boundaries such as curfews, and completion of chores allocated; and parental support, for example taking part in activities with their child and providing encouragement and positive reinforcement. The methodology included a convenience sample of 88 parents of court-involved juveniles within the first three months of their probation in one American state. The survey was based on several variables within the categories of control and support including self-reported views on their own efficacy as parents, supervision of their child, engagement with their child, expectations of the child, and reliability in their parenting. Hirschi's social control theory (1969, cited by Taylor, 2001) formed the conceptual rationale in equating parental support with the critical emotional bond of attachment to parent. This is noteworthy as this conceptual framework typically underpins large studies within a risk factor prevention/lifespan approach that employ a quantitative methodological design. Findings indicated that low levels of parental efficacy, that is parental belief in their abilities to effect change, and high levels of parental resignation, meaning a poor outlook on the child's future, together were a risk factor for further delinquency. Results suggested these factors, which can

impact on likelihood of violation of probation, are not attributable directly to parents' reactions and coping with their child's offending alone. Rather they suggest the relationship as more complex, citing the:

culmination of years of problems in other areas of the child's life and not simply with the court. In other words, parents may feel resigned due to problems with the youth's behaviour in the home, school, or community in which the court did not get involved. (Kyle-Cook, 2013, p.539)

This study recognises the complex and circuitous dynamic for parents engaged over time with multiple agencies and systems even before the onset of offending. The need to attend to the emotional impact of this engagement on parental coping and organise services to meet parents' needs specific to the stage of involvement is acknowledged. Findings highlight attending to parents' needs as essential to achieving good outcomes for all, as opposed to child focused interventions alone.

The role of the probation service is emphasised here as critical in forming relationships to provide parents with support and guidance. Kyle-Cook (2013) suggests that interventions should be evidence based and tailored to identified parental experiences and needs as opposed to a 'cookie cutter' production line approach. She concedes the limits of this study where a small number of factors or variables are examined, however it highlights parents' views on the emotional and structural dimensions in parenting a child in the justice system and the need for emotional support with the cumulative impact of this and simultaneous experiences with other agencies. This research is supported by Maschi et al (2013) who sought to explore probation officers' views of the 'ideal parent' as opposed to parents' own views. This study acknowledged the pivotal role of parents in affecting positive outcomes for children and the need to foster participation and improve resourcing to remove barriers to involvement.

### **Parental experiences when their child is in contact with the justice system**

This section reviews the limited research which has been published on the issues affecting parents when their child is in contact with the justice system. It opens with a review of research on parental experiences of procedural justice, turning to issues that arise when children are

arrested or detained by the police; during court and under probation supervision; and when children are detained in custodial institutions.

### *Parents' experiences of procedural justice processes*

Findings from the literature reviewed above reinforce the necessity of knowing more about the context and complex day-to-day reality when parenting a child in the justice system, and the impact of the different processes and events with the child on the parent-child relationship. Several studies have explored in depth the detail of parents' own experiences when they are involved in critical events or processes in the justice system, for example court or with police. Canadian researchers are the most prolific in this respect, and this may be attributable to their exploring if the current legislation pertaining to youth justice in that jurisdiction, which explicitly includes parents as stakeholders, realises this ambition (Varma, 2007). In what they describe as a qualitative action-oriented study of 10 parents with sons who had previous involvement with the justice system across a range of offence types from minor to serious, Hillian and Reitsma-Street (2003) wanted to understand the experience of the justice system for parents and the reality of the requirement of parental involvement for families. Five central themes emerged from their work with parents.

Firstly, parents talked of feeling left out and being uninformed through important processes, for example court. Secondly, 'hard work' emerged as a theme related to the emotional, physical and practical toll. For example, time expended on contact with agencies, attending appointments, managing the child, and emotionally in coping with shame, and the myriad pressures on day-to-day family life. Next feelings of shame and loneliness were common along with exhaustion associated with the everyday practical management of a child in the justice system. Limited support from services in the system was also an issue, parents needed support from professionals who approached their role from a position of support and empathy. Lastly whilst parents overall experienced workers within criminal justice agencies positively, issues such as staff shortages, time delays and the system not recognising other caring demands on parents compounded stress and the experience of exclusion from critical processes. Hillian and Reitsma-Street (2003, p.33) cited the feeling of injustice endured by parents who 'did all the right things' but experienced

systems barriers to engagement; another example being lack of appreciation of employment commitments. Observing this reoccurring experience of loneliness, they stated that 'The absence of critical awareness among participants of their common constrained experience may be a function of parental isolation and the internalized conditioning of self-blame'. This theme of disconnectedness and exclusion underpins much of the qualitative studies on this issue.

All the parents except one in the study were in the middle to high income bracket. The authors queried how those in a similar position but on low incomes and with limited resources and less able to articulate coped, when this sample expressed such traumatising experiences. The link between poverty and young people's offending is established (Gray, 2005; Pierson, 2009; McAra and McVie, 2010). Hillian and Reitsma-Street (2003) described the youth justice system as a 'patchwork' and concluded that whilst parents experience inordinate stress with a challenging child, the system within which their child is 'processed' is often as challenging.

Canadian research by Peterson-Badali and Broeking (2009), examining the views of professionals involved with parents in the youth justice process, appears to reinforce such parental experiences. Their findings from semi-structured interviews with a purposive sample of 41 justice officials, regarding the extent to which parents are included, found most believing the reality of involvement in practice markedly different to the policy rhetoric. The research noted the differing professional perceptions of parental involvement at various times during the process, for example police were least likely to see parents' involvement and attendance as important at arrest with some actually viewing it as detrimental. Peterson-Badali and Broeking reflected on how such views might influence parents' experiences at key junctures, perhaps contributing to the previously discussed isolation and internalisation of self-blame.

Family and community led initiatives are developing themes internationally in research and practice in youth justice in response to generally negative experiences of parents within the system. In trying to ascertain features essential to family focused juvenile justice systems, Luckenbill and Yeager (2009) engaged a range of stakeholders (200 participants) including members of the police, judiciary, probation, lawyers, young people and parents in the juvenile justice system in Pennsylvania, to ascertain their views in identifying and developing an evidence-

based strategy for family involvement in the justice system. In total 16 focus groups took place over a year and a half period in 2007-2008. Three of these were family groups, two young people, and the rest other stakeholders. The monograph documented four key themes including availability and access to early intervention and prevention, communicating respect, practices within the juvenile justice system, and state-wide policy and oversight. The latter applied to the macro context of policy training, practice and leadership approaches to involving parents. The first two directly reflected parents' articulated experiences, particularly their frustration and exhaustion at trying to access services for their child, echoing Hillian and Reitsma-Street's (2003) and Varma's (2007) findings. Moreover, parents felt talked at, rather than to, and felt lost in a system where they were not treated with dignity and respect. The effect was like those cited in the above studies in that parents felt overwhelmed and disengaged, which professionals sometimes construed as detached and uncaring. Feedback from the parents' focus groups led Luckenbill and Yeager (2009) to recommend a family peer advocate service and a parents' network to provide mutual support during key processes.

#### *Parents' experiences with police and outcomes for children*

Many studies highlight the importance of key personnel within agencies and how influential they can be on an individual level to parents' perceptions and experiences overall (Perkins-Dock, 2001; Pennington, 2015; Knowles et al, 2016; Romano and Gervais, 2018). The police service as first point of contact with the justice system could be considered as hugely influential not least in having considerable power through a range of legal sanctions, including the use of discretion (Doob and Chan, 1982; Gelsthorpe and Padfield, 2003). Several studies seek to provide the perspective of parents specific to critical points of contact with key agencies or 'players' in the justice system. Broeking and Peterson-Badali (2010) in a Canadian study conducted semi-structured interviews with 102 adolescents to ascertain their perspective on aspects of their parents' involvement with the youth justice system at key points, because of their offending. Such occasions included first contact with the police, arrest, and inclusion on legal forums/proceedings. Findings showed that almost half of young people had medium to high support from a parent, usually a single mother, and almost a quarter had low support. Only a

minority reported parental involvement in all or most of the stages. The reasons for parents not attending at police stations were complex including parent-child conflict, single parent status, financial pressures and being unable to take time from work. Whilst the study acknowledged the need to gain the perspective of parents directly (Broeking and Peterson-Badali, 2010), these findings offer an alternative view on their previous research (2009), discussed above, which specifically sought the views of professionals. Such findings which suggest factors affecting availability to attend at certain times as an issue for parents, gives support to Hillian and Reitsma-Street's (2003) research which also highlights a lack of understanding on the part of key personnel in the justice system regarding parents' employment as an issue impacting their availability for court.

Some studies specifically address parents' experiences with their young person during contact with the police. In an America study Woolard et al (2008) undertook 170 semi-structured interviews with parents and their adolescent children (age ranging from 11-17 years) to examine whether parents have pre-existing knowledge about police questioning that would enable them to compensate for their child's lack of knowledge, as well as safeguarding their interests and protecting them against potentially coercive practices. Results found that parents did know more, particularly concerning issues of culpability and vulnerability. Parental knowledge increased with older adolescents and some parents understood the implications and consequences of processes involved to a greater extent.

Parents and children had preconceived expectations about the interrogation or questioning experience, with each believing this would be underpinned by respect and regard for both in the pursuit of truth. This finding caused Woolard et al (2008, p.695) to highlight a fundamental concern relating to such preconceptions:

It appears that parents and adolescents across the board expect police behaviour to be governed by consideration for suspects and especially parents in concert with the search for the truth. If parents and adolescents enter the interrogation process with such "rosy" expectations, even police questioning that is well within the confines of the law could foster the illusion of comparable interests between suspect and interviewer.

Parents held some basic misunderstandings relating to the limits of police powers when interrogating juveniles. In this American study, parents erroneously believed police were not allowed to lie to children and that questioning could only proceed with a parent present. The study moderated for factors of income, age, IQ, and Race. Where parents were of a minority racial group, risk was greatest in terms of not understanding processes and providing protection to a child. Woolard et al (2008, p.697) acknowledge the sometimes widely varying expectations of parents and police when children are being interrogated/questioned and describe the implications in terms of outcomes for a child as potentially 'profound'. Taken with Hillian and Reitsma-Street's (2003) and Broeking and Peterson-Badali's (2010) previously cited studies, all reflect distinct challenges for parents when engaging with parts of a youth justice system, including lack of knowledge and what might be described as an incongruity between the 'idea' and 'reality' of interfacing with a plethora of distinct agencies.

Hayley and Warner (2017) sought to assess parents' level of knowledge and the relationship between this knowledge and parental attitudes regarding children's rights during police interrogation. The sample included 249 parents of what they describe as a 'socioeconomically diverse population' comprising 80.9% Black participants (2017, p.782). This was a convenience sample of the general population not limited to parents in the justice system. Results found less than half with correct knowledge on interrogation practices, procedures concerning their role as parents and being notified about their child. Whilst parents held many misconceptions about the parameters of police powers, most were adamant that juveniles should have additional support during questioning and ought not to be allowed to make decisions alone. Parents also felt strongly that this practice should extend to older juveniles who in the crisis environment of a police station may be compromised in their decision-making. The authors understood validation by parents of their children's rights to support and protection as important, however they highlighted their concern that whilst parents want involvement, their knowledge is often limited. For Hayley and Warner (2017), this raised issues regarding the information available for parents, how this may be communicated, and how accessible this is at different stages of a child's contact with the system. The outcome of this research is further supported in a study by Cavanagh et al (2017) which aimed to measure maternal knowledge of the legal system and processes in youth



justice, and what if any relationship this had to their participation with their child and the child's reoffending. From 648 participants (324 mother and son dyads) the average maternal knowledge score was 66% out of 100%. Mothers who scored lowest participated with their child least through the legal process and these same children were most likely to self-report reoffending within 12 months of first arrest.

Consistent with Hayley and Warner's findings, an earlier Canadian study by Carrington et al (2003) examining the use of police discretion with young people found parental involvement along with victim preference regarding offence disposal among critical factors influencing police decision making. The seriousness of the offence, recidivism, and a young person's willingness to accept responsibility, in this order, were most important factors affecting decision-making. Of particular interest is how the 'extent and nature' of parental involvement is defined to include their willingness to take control of their child and the appropriateness of their 'attitude' and home conditions (2003). Yet overall, the study concluded that availability of diversionary programmes was the overwhelming factor in determining whether a charge was brought. Police in the study highlighted their frustration at what they saw as the paradox in needing to pursue charges so that a young person might access support. This suggests that where it comes to parental involvement and outcomes for children, motivating factors in police decision making may be multi-faceted, potentially including assumptive beliefs about parents that might be based on reactions/actions at especially traumatic times, including past experiences of contact with the parents. Earlier Canadian research (Doob et al, 1992), examining factors impacting on police's decision to take young people to court, found that the threat of coercive involvement can pressurise parents to agree to mechanisms or 'diversionary' approaches, which might not address complex needs, for example referral to social services where addiction or mental health support might be needed. Doob et al (1983, p.246) cite Black (1976) who stated that, 'the quantity of law varies inversely with other social control'. The authors suggest that avoiding the range of legal powers associated with traditional retributive justice processes does not necessarily avoid other social controls for a family. Yet the previously cited Carrington et al (2003) study indicates that lack of 'diversion' and supports for children may mean criminalising them, whilst also inducting them and their parents into confounding legal processes because of

resourcing issues. This may be the perceived only option in addressing complex and compounding needs.

### *Parents' experiences of court and probation supervision*

Like the initial experience with police, court can represent a bewildering and anxiety-provoking prospect. Varma (2007), in exploring the issue of parents' role and involvement in court, specifically used a mixed methods approach with a convenience sample of parents that included court observations and transcripts of processes along with data from a range of demographic materials. Her findings are similar to those of Broeking and Peterson-Badali (2010) and indicate that most parents attend court. However, parents had very limited involvement in the process and even where they had input, this had little impact on outcomes for their child. This was the case regardless of whether the court was cognisant of the parents' presence and wanting to be involved, including involvement in supervision plans. This research ultimately concluded that parents are under-utilised and queried the apparatus of criminal justice institutions including the physical space, which she observed as especially intimidating for parents, in realising the legislative requirement of parental participation. The mixed methodological approach, including observations over a three-month period, produced findings which highlighted fundamental practices that Varma (2007, p.254) believed belied the spirit of the legislative requirement of involving parents, stating that:

Rather than exploring the barriers families might face in relation to the crime, the focus was more on what the parent could not do. It seems that parental accountability was intertwined with parental blaming at these court hearings: parents were asked to account for the behaviour of their children and, when explanations given did not suffice, were, to a degree, blamed for their child's transgressions.

The author recommended resourcing for parental support and advocacy programmes that allow them meaningful participation in formal processes. Community interventions were highlighted, for example citizens' panels, however some evidence suggests that attempts at 'community' panel forums and citizen engagement for parents and young people can be problematic and unrealistic (Dignan, 2006; Stahlkopf, 2009). In investigating the implementation of the Referral Order in England and Wales, Stahlkopf (2009) applied a case study approach over 17 months to

two Youth Offending Teams (YOTs), 33 cases were included in the study. Results led her to question the attitude, training and approach of volunteer community panel members who Stahlkopf identified as overbearing, coercive and having little in common with the demographic of children and their parents referred to panels. Findings echo those of Varma (2007) and Peterson-Badali and Broeking (2010) who observed the often tokenistic and shaming reality of how parents were dealt with by the justice system, at odds with the rhetoric of partnership and inclusion.

Pennington's (2015) American study explored parents' experiences of the court system, through an in-depth case study approach with two families. Pennington observed court processes over time and sought detailed interpretation from parents of these interactions, for example during the process of plea bargaining that is unique to the U.S context. The study is unpinned by legal consciousness theory that acknowledges the role of family and community in children's acquisition of beliefs and values about law and order and criminal justice agencies and asserts that: 'views of the court's legitimacy are relational, depending on individuals' communications with family members and others in one's social group' (2015, p.915).

Pennington was keen to understand if and how initial perceptions of the court system might be reflected and possibly reproduced in parents' and their young person's future interactions with the justice system. Her findings suggested that whilst parents began the process with optimism, over time they became frustrated and disillusioned at the lack of 'meaningful engagement' with the mechanisms and system of procedural justice. This is similar to issues of participation and inclusion indicated earlier (Hillian and Reitsma-Street, 2003; Osher and Shufelt, 2006; Varma, 2007; Broeking and Peterson-Badali, 2010). Pennington observed that for parents both 'collective and cumulative disengagement' occurred, highlighting the inherent risk of poor and potentially unethical practice going unreported and unchecked. She cites examples of one parent's understanding that their son would benefit from additional supports which did not transpire, and another parent's dismay at not being able to challenge what she believed were unfair police practices.

Pennington's conclusions relating to specific processes resonate with findings from the Kyle-Cooke (2013) and Hillian and Reitsma-Street (2003) studies in identifying stress and loss, including loss of hope, and resignation. Whilst methodologically distinct in approach, like Luckenbill and Yeager (2009) Pennington identified an interdependence of specific points in the process in engendering such reactions and ultimately impacting on engagement. She cites as example, parents' views on the circumstances surrounding initial arrest as formative in respect of engagement and ultimately outcomes. The study concludes by questioning the extent to which parents can ever experience participation in processes which claim legitimacy for all, but where parents from socially disadvantaged backgrounds are proportionally greatly under-involved yet over-represented. Pennington recommended that further research should focus on the lived experience of families, at critical stages of the youth justice process.

Such a research emphasis is supported by Paik (2017, p.309) who cautions against an 'institutional-centric perspective', rather advocating broader exploration of parents' actions and efforts beyond those that support the authority of court and other procedural practices. Using a conceptual framework merging Goffman's theory of internal and external economy, and legal consciousness theory, Paik undertook an ethnographic study including interview and observations with 40 families of court ordered juveniles over a two-year period. Paik concluded the parents often felt resentful and disheartened by a system which they saw as failing to meet the complex needs of their children. The study cited as examples, lack of mental health assessment and intervention, and breakdowns in communication and trust between parents and professionals. Paik's findings echo those reported by Hillian and Reitsma-Street (2003) of parents feeling marginalised and alienated by the processes and rituals of court. However, Paik stresses the need to observe over time the impact and recursive dynamic of engaging, failed engagement and then efforts at re-engaging with justice system personnel. As stated above, she contends the value of a legal consciousness approach to understanding how attitudes and beliefs about justice and fairness, are formed and maybe reproduced or disputed by experiences parents find disenfranchising, for example in court, or with the police. Maintaining that much research in this area has adopted too narrow a lens on procedure, Paik (2017, p.320) advises that 'understanding family involvement requires an analytical lens that encompasses not just families' actions and

perspectives amid this ambiguity of responsibility, but also those of the institutional actors who are equally complicit in those case outcomes’.

Turning to the role of justice services within communities, Stahlkopf’s (2009) study referred to earlier in this section, intended to assist in establishing a strategic model for state-wide implementation of community alternatives to traditional sentencing approaches. In contrast, Vidal and Woolard (2016) specifically examine parents’ perceptions of and experience with probation officers in traditional procedural justice practice and the extent to which this influenced outcomes for their children. Whilst some literature references the approach and manner of workers within the system (Dawson et al, 2005; Varma, 2007), research on the impact of parents’ relationships with workers is limited. In Vidal and Woolard’s (2016) study, 87 parents of probation-involved young people were interviewed. Findings revealed that where parents had positive and supportive relationships with probation staff, then they were more likely to encourage their child’s co-operation with the court. However, where probation officers had positive relationships with a child, parents were actually less likely to engage in encouraging adherence to probation requirements. This led the authors to question if the assumed ‘disengagement’ of parents reflects more a sense of resignation and lack of belief in their own capabilities. Comparisons to the trained professionals’ aptitude in yielding positive communication with, and responses from, their child may result in parents deferring to the assumed expert knowledge. Although employing a different conceptual and methodological framework this research reinforces studies cited in previous sections highlighting the complex reality of processes and parents’ interactions with them, and the importance of probation officers’ engagement with parents (Kyle-Cook, 2013).

An earlier American study by Osher and Shufelt (2006) used focus groups to explore the experiences of parents across three states whose children were involved with the justice system and had mental health needs. In their study, parents identified probation officers as most helpful where they had specialist training on mental health issues however, peer advocates were by far the most valued form of support. Overall, whole systems failure in terms of its complexity, lack of information and under-resourcing left parents feeling blamed, isolated, and frustrated.

This chapter began with acknowledging the limited evidence on parents' experiences of personnel in the justice system. A phenomenological study by Sattler and Thomas (2016) of 10 case workers' views on the challenges experienced by single parents of children in the American juvenile justice system offers practitioners' perspectives on the systemic nature of challenges confronting these parents. All practitioners were supervising children who had committed a violent offence; they identified five themes within the overarching theme of 'parents need a village' (2016, p.298) Firstly, practitioners saw structural inequalities as a 'perpetually present force in parents' lives' (2016, p.296). Second, they observed services as being not only ineffective but also actually creating barriers for parents. Third, parents become further disadvantaged in being disconnected from their communities. Fourth, parents lack of essential skills was a further theme and fifth, the experience of trauma and mental ill health was understood as ubiquitous to the parental experience in this context. Findings corroborate themes of exclusion, confusion and trauma highlighted as pervasive by parents in earlier cited research (Osher and Shufelt, 2006; Peterson-Badali and Broeking, 2010; Kyle–Cook, 2013).

#### *Parents' experiences when their child is in custody*

'Collateral consequences' is a term increasingly applied in the literature to denote the implications for parents in their lives of their children's offending (Gueta, 2017). Where a child has received a custodial sentence or been remanded, this is usually in the context of serious and established high risk offending behaviour (Farrington, 1986; Muncie, 2015), but their incarceration no less crushing an occurrence for parents. Such is the impact on parental well-being, McCarthy and Adams (2017) use the term 'secondary incarceration' to describe the effect on parents' lives. These findings echo those of Condry's (2007) revealing the experience of relatives' shame, and contamination and culpability as a de facto consequence of being related to the 'offender'.

To establish available evidence in this area, Gueta (2017) undertook a meta-synthesis of qualitative studies with the aim of identifying studies exploring the experiences of, and impact on parents when their children were imprisoned. Research on parents' experiences that relates specifically to custody is sparse however four key themes emerged. These included the complex

challenges of parenting at a distance, the burden of care, the contested identity of 'parent' in this situation, and societal reactions to parents (to include family). Gueta (2017, p.11) concluded that:

the analysis presented here tentatively suggested that the cumulative effect of parenting from a distance and the burden of care, along with accountability, identity change, and the experience of criminalization, might depict an additional form of incarceration, "imprisonment by association".

The author went so far as to introduce the idea of 'imprisonment by association' (2017, p.13) as a conceptual approach to research in the area. These themes are comparable with findings of primary research conducted by McCarty and Adams (2017) who interviewed 61 caregivers (mostly mothers), of young, imprisoned men aged 15-21. In particular, the issue of contested parental identity and the need to almost subjugate feelings of anger at their offspring's behaviour in order to survive and provide emotional support emerged, like that identified in the aforementioned study. The notion of having to appear to support their child as a means of pride, almost respectability, emerged, similar to the previously discussed Sturges and Hanrahan (2011) study. This support to the child often resulted in tense and fractious relationships with extended families. The authors identified single mothers from ethnic minority groups as more likely to be stigmatised and excluded by their families and led them to question how the populist objectification of 'absent Black fathers' fans a political ideologue of the ineffective single mother (McCarty and Adams, 2017). This research highlighted the practical, financial and material pressures on caregivers in maintaining relationships with children in custodial environments, recommending more research focused on the area of visitation. Whilst the participants in the studies discussed in this section are not all parents of adolescents, findings bear out similar themes across the literature to parents when their children are involved with the justice system. For those who are parenting children, loss of child and redefining the role of parent, along with stigma and the inordinate practical pressures in terms of providing support through visitation appear to define the experience.

The role and experiences of parents of young people over 18 years of age has relevance here. The Howard League for Penal Reform (2019) cites evidence from The Lancet (2018) showing maturity as a continuing process, occurring at vastly different stages and timescales in response

to a host of factors, both in the child and their environment. Research by Hillier and Mews (2018) found maturational factors as critical issues when investigating offenders' characteristics potentially linked to short term sentencing. In their research those age 18-20 years old are most likely to reoffend following short term custody sentences. Yet parents of such young people will have greater limits on their contact with their child, and given their age, justice system personnel do not have the responsibility to maintain regular and meaningful contact as is the case when a child is in youth custody (Liefwaard et al, 2016). Gueta's research (2017) further highlighted parents' fears for their child and their relationship with them, if and when a custodial sentence no longer occurred in a youth detention facility.

### **Parents' experiences of restorative justice processes**

Restorative justice practices to include 'conferencing' and more specifically youth conferencing, have rapidly expanded in the literature and in criminal justice practice (Braithwaite and Strang, 2000; Crawford and Newburn, 2003; Maruna, 2007). Restorative conferencing purports to restore, repair and reintegrate by encouraging the offender (young person) to make amends and repair the harm to the victim. Parents are critical to the restorative conferencing process, in fact, shame of the collective to include parents has a function as a conduit in transmitting shame to the young person (Braithwaite, 1989). In offering an alternative to traditional retributive justice, restorative justice in theory should include victim and offender at the core of the process (Muncie, 2015). Reintegrative shaming practice is critiqued by those who query the ethics of 'informed consent' for children with complex needs and status as 'offender', when research shows that being 'victim', of abuse or neglect as a child is in itself one of the most significant indicators of future offending (McAra and McVie, 2010).

In the Northern Ireland context, it is expected that parents will attend youth conferences (as discussed further in chapter 5 and in the findings chapters 7 and 8), and a small number of research studies have specifically addressed the parental experience in the youth conference process. In 2005 and 2007 two separate evaluations of youth conferencing in Northern Ireland were undertaken, however neither consulted with parents. The Youth Justice Review Team (YJRT, 2011) met with parents to ascertain their views as part of a wide-ranging review of the youth



justice system. The review report acknowledged the fragmented nature of support available to parents, the distress of attending court, lack of inter-agency coordination regarding this, and timeliness of support as a vital issue. The review noted parents' emphasis on support being needed much sooner than they were able to access it. Parents' views might be inferred indirectly from other sources, for example, the 2015 Criminal Justice Inspection Northern Ireland, *Inspection of the Effectiveness of Youth Conferencing* whilst not including any reference to parents in its aims or methodology, cites positive feedback from parents about the effectiveness of youth conferences (CJINI, 2015).

As stated earlier, conferencing is criticised in potentially reducing the complex relational experiences and needs of the child to a victim-offender binary, and possibly instituting further shame for child and parent (Prichard, 2002; Muncie, 2015). In her research Barnes (2015) applies Ritzer's conceptual framework of McDonaldisation and assesses the extent to which diversionary youth conferencing in Northern Ireland has succumbed to a prescribed and standardised archetype of neoliberal governance. She observed that diversionary youth conferences can positively influence the parent-child relationship, with children indicating increased monitoring by parents post conference. However, whilst this was the case for children, parents in the study discussed their discomfort and embarrassment of the 'gaze' meaning the unwelcome focus on them physically and symbolically from other participants.

Some studies focus solely on the parental role or participation in restorative conferencing. Prichard (2002) provides background to his study examining the assertion within the literature of reintegrative shaming, that parents have parity in the process and play a similar role as citizen stakeholder, equal to other participants in the restorative justice conference. He observed 34 youth restorative conferences, the impetus for the research was his own observation of a conference where the father of the young person who offended, having agreed to substantial reparation, stated to the conference on behalf of himself and his wife, 'we are not bad people'. Prichard found that parents use several mechanisms to manage the conference process from magnanimous gestures, to denial of culpability and apology, concluding that a revision of the position of parents in conferencing is required to better account for the socio-economic

hardships experienced by many. Furthermore, Prichard queried the appropriateness of parents being part of the 'community of concern', essential to the collective shaming ritual of the conference, when often they are experiencing multiple exclusions. He observed that, unlike other conference participants, 'parents are generally aware that they are perceived to have a very close proximity to the root of the problem' (2002, p.333). Proximity here is similar to Condry's (2007) research identifying commission and contamination. Again, the research is based on observation and analysis, not the narrative of parents' own experiences. With additional data Prichard (2006) developed his theory on the experience of parents in conferences to suggest that they occupy the position of the 'contributor-victim' paradox, feeling responsabilised by their child's actions and victimised owing to the consequences for themselves. This appears to challenge Braithwaite's (1989) ideal of the 'community of concern' and foregrounds the often conflicted, ambiguous and typically disenfranchised position of parents.

### **Parents' experiences when participation is enforced**

Within Northern Ireland no provision exists in legislation that gives a youth court authority to impose any sanction or requirement on a parent, for example to attend a parenting programme. In England and Wales however the Crime and Disorder Act 1998 introduced the Parenting Order, extended in 2003 despite a lack of evidence to link imposing an order to reduced offending (Ghate and Ramella, 2002), to allow police and schools to make an application. Consideration must be given to making a Parenting Order when a child under the age of 16 comes to the court's attention on a criminal matter (YJB, 2018). The Order requires parents to attend parenting interventions and/or counselling for a period of at least three and possibly up to 12 months. Prior to an Order being made a Parenting Contract, that is a signed undertaking by a parent, should be attempted and attendance at a Family Intervention Project attempted (YJB, 2007).

This provision prompted a raft of studies examining effectiveness in reducing reoffending. Many are located in a critical, social constructionist approach. For example, Holt (2010a), conducted narrative style interviews with parents who were subject of a Parenting Order on at least one occasion, to ascertain how they experienced this. Discourse analysis was applied to the data, of

the 17 participants, 15 were mothers and 2 fathers. Results revealed three additional tasks or issues which parents had to contend with on a day-to-day basis.

Firstly, managing family involvement in the child's contact with the justice system proved stressful. As example this included appointments their child needed to attend as a condition of their order, as well as the requirements placed on themselves in complying with the order. The article cites one parent commenting on the frustration of the responsibility for ensuring her son's compliance, stating that 'it's me that's doing the time not him'. Secondly, parents identified the 'stand-by' nature of their lives, needing to be constantly available for schools, education/training and police. This was experienced as intense and exhausting especially in the context of family life and other parenting responsibilities. This proved to be extremely anxiety provoking and appears to support previously cited research (Hillian and Reisma-Street, 2003; Knowles et al, 2016) which emphasises the demand on parents practically, financially and emotionally in managing their limited time and resources. Lastly, parents discussed the experience of having to report their child's crimes to the police and needing to demonstrate responsibility whilst experiencing overwhelming guilt, and a sense of failure in the 'no win' situation (Holt, 2010).

Holt (2010) highlights the gendered realities of government 'technologies' that mostly impact on households where women parent alone, adding further support to findings from Sattler and Thomas' (2016) interviews with caseworkers on the challenges experienced by single parents of justice-involved children. As example, Holt references the extent of the challenges faced by parents in steering requirements of an order, the threat of non-attendance, and managing a young person whose very behaviour may be experienced as physically abusive or threatening by the mother. This resonates with Pritchard's (2002) victim-contributor paradox, except in this circumstance punishments explicitly extend to the parent who ironically may have been impacted by the initial offence, and who Walters and Woodward (2007) contend are further stigmatised, criminalised and thus excluded.

Analysing the efficacy of enforced parenting, Evans (2012) in a case study analysis compared outcomes in cases where a Parenting Order was made with similar cases where no such Order was made. The comparison revealed that even where a Parenting Order was in place and parents

attended most sessions, outcomes were poorest for this group in terms of reconviction rates for children, causing the researcher to query whose best interests such enforcement actually served. As opposed to outcomes specifically, Burney and Gelsthorpe (2008) sought to explore patterns of use in Parenting Orders and impact in reducing offending. Their mixed method study combined official Home Office (2006) statistics and semi-structured interviews with Youth Offending Team personnel. Results indicated a complex reality in terms of interpretation of legal guidance relating to the Order, standardisation of provision, consistency with regards to professional administration and practice, and limited evidence to suggest a reduction in recidivism leading them to conclude overall that:

Yet again, a disproportionately heavy legal instrument has been created to address a numerically small problem of non-compliant parents – a problem which would surely shrink away if timely and appropriate support were available, with resort to the family court for hard cases. As it is, many poor parents are the scapegoats for government failure. (2008, p.483)

Findings echo research by Drakeford and Calliva (2009) who interviewed parents, social workers and magistrates to understand how compulsory parenting through the Parenting Order was being operationalised by key personnel in the youth justice system. In-depth interviews with four parents revealed anger and frustration on their part due to their experience of support only being available after entering into the justice system. Whilst services provided were positive and helpful for their child, in cases where participation was enforced this was experienced as blaming, shaming and rigid. Parents felt that they had 'cried out' for support prior to involvement from police and courts, like findings from previously cited Canadian and America studies of procedural justice processes where parental involvement is mandatory when their young person is subject to a court order. Drakeford and Calliva comment on the sense of resentment parents felt in that the consequences of not engaging with enforced parenting, i.e., breach of the Order, can mean a criminal charge even though they have not committed a crime. The authors' conceptual basis for the study asserts that the myth of coerced parenting providing better outcomes is grounded in a wider political ideology of social authoritarianism, as opposed to any evidence base. They further argue that youth justice social workers need to be aware of being co-opted in such

coercive endeavours under the auspices of 'support', and warn against the negative consequences of inducting parents who want support in a non-voluntary manner arguing that:

For these parents the utility fallacy has bitten very harshly. Made subject to non-negotiable help because they appeared to be the sort of people likely to be impressed by compulsion, the price of their being wrongly identified is to be drawn, rapidly, into the criminal justice system. (2010, p.224)

This threat of breach was especially alarming for mothers who the authors cite will largely be the recipients of any such action. The study supports previous literature observing that mothers overwhelmingly will be the 'poor parents' on the receiving end of interventions, mandated or otherwise (Henricson et al, 2000; Hannem, 2009). Taken together these studies appear to raise concerns relating to the interpretation, effectiveness, and equity in terms of the making of this disposal.

### **Parents' experiences when violent, serious and sexual offences are committed**

This section reviews the evidence on parental experiences with sub-sections focussed on situations where children have committed violent or sexual offences; when violence is inflicted by children on the parent themselves; and finally, when the child is involved in sexual offending.

#### *Parents' experiences when children have committed violent and serious offences*

Statistics indicate that serious violent offending by young people, particularly offences against another person are rare: in Northern Ireland of the 1712 total referrals to the Youth Justice Agency in the year 2018/19, violent offences accounted for just 4.7% of all offence types. Research in this area tends to be limited, especially in relation to parental experiences. Grimshaw (2011) conducted in-depth qualitative study with three young people convicted of serious offences; findings suggest histories of violence, trauma, abandonment and normalising of criminality within the immediate family system. Some studies where young people have committed serious offences have specifically sought to provide insights on the perspective and experience for parents when this occurs. In an American study, Bradshaw et al (2006) used a quantitative methodology to explore parents' beliefs and practices when parenting aggressive, and what are defined as 'oppositional', adolescents to better understand the interaction of

context, parenting, and youth violence. The issue of adolescent to parent violence (discussed below) featured as a dimension of violence and aggression. The authors explored parents' perceptions of its likelihood and the extent to which this featured within the transactional relationship process or had an influence in potentially engendering fear, hopelessness, and negative beliefs about their efficacy as parents. An ecological perspective informed the conceptual basis of the research. This approach considers 'person in environment' and understands behaviour as occurring within the social context beyond the micro system of the immediate family (Payne, 2015). Although acknowledging the multiple levels of environmental factors and issues impinging on development (context), the research focused on family and community level factors and their bearing on violent and oppositional behaviour. The study surveyed 203 parents of court-involved juveniles to ascertain their parental perception of three issues critical to the ecological model. Firstly, community context, for example, levels of violence and perceived support from statutory agencies within the community. Secondly, their parenting practices, for example, monitoring of their child, and lastly their beliefs about their being a parent, for example, fear of, or anger towards their child.

The study found that parents of children in the juvenile court are highly stressed in their role, and often angry with their child yet fearful of the potential risk of violence from them. Findings also reported parents had serious problems in monitoring their child and overall felt helpless and inadequate (Bradshaw et al, 2006). Two findings resonate with this study. Firstly, it highlights the need to recognise the emotional impact on parents partly because of the complex parent-child synergy occurring, and the limited research focus on the parental experience, given their fundamental position as 'change agents'. Secondly findings here support the later Kyle-Cook (2013) study, in articulating the need for support to include 'emotional support', as opposed to 'parenting-family work' alone. Whilst quantitative data collection is predominantly a feature of RFPP/lifespan research methodologies, this study differs in focusing on the importance of attending to parents' self-articulated emotional needs and experience, when intervening to help them in their parenting.

As detailed earlier in this section, most offending committed by young people will be of a non-serious nature. However, where offending is serious and causes significant harm to the victim or communities, consequences can be especially difficult for parents. The role of group and mutual support in coping with this unique life circumstance, and its ramifications, emerged as a feature of a number of qualitative research studies. Condry (2007) based her ethnographic study, exploring the consequences for relatives of serious offenders, primarily within a self-help organisation for families of offenders. Over a six-year period 32 participants were interviewed, 17 were mothers and one a father. Whilst most offenders were adults, two were under 18 at the time of the offences with one having committed a serious sexual offence. Shame emerged as the core organising theme of her findings. Condry observed a 'web of shame' that is; an organising network of attributes that interplay to reinforce the 'shaming gaze' (Nussbaum, 2004 cited in Condry, 2007). This classification of shame has five traits which she lists as 'association and genetic' based on contamination by family or kin ties, and 'omission, commission and continuation' (Condry, 2007, pp.125-136). Omission refers to what relatives did not do or should have done better and are thus shamed for. Discussing 'commission' Condry specifically references mothers, who in her study articulated shame because of their very identity as 'mother' based on their role as nurturer of their child. 'Continuation' related to blame and stigma associated with choosing to provide continued support to the offender (Condry, 2007, p.78). Condry's themes have much in common with the available literature in this area and especially the core experience of shame, hardship in providing support, and exclusion both by formal and informal systems as referenced previously (Pennington, 2015). Exclusion here can mean lack of provision of services to meet specific needs or feeling isolated or not acknowledged by services offered. Jones (2015), like Condry, reiterates the indelible quality of shame attached to serious offending, usually meaning offences against the person. Both studies resound with American research exploring the effects of their children's criminality on mothers. Sturges and Hanrahan (2011) conducted 27 semi-structured interviews with mothers of offenders aged mid-teens to 50s. The study did not specify a number of participants parenting teenagers; however, findings indicate themes similar to those cited above including initial stigma, blame, systems issues,

relationship dynamics, and coming to terms with life as the parent of an offender. They observe that:

For the women we interviewed, a son's or daughter's criminality is not an event, for example, say, an arrest. It is not even a series of events, like a rap sheet might suggest. Instead, it is a continual process of adaptation and adjustment, response and solution seeking, that stretches over years of the mother's life and permeates virtually every aspect of it. (2011, p. 911)

Research by Granja (2016) examined the experience of relatives in general when a family member was imprisoned, focused on parents in particular. Findings reinforced themes of loss and role ambiguity, and highlighted how parents felt they almost needed to reframe how they define parenthood, and their role.

Research studies exploring the specific experiences of parents in the UK are limited. Knowles et al (2016) used a narrative approach in researching the experiences of parents where their child was involved in serious offending with the aim of gaining insight on parents' views regarding their child's journey to the offending. Six parents participated in in-depth interviews about their experiences, these were analysed using narrative analysis. Knowles et al (2016, p.450) applied 'an attachment and systemic lens' to reflect the fundamental nature of the parent child relationship and systems important to the context of this, for example immediate or extended family. Using systemic principles to inform the conceptual framework resonates with other studies (Hillian and Reitsma-Street, 2003; Varma, 2007; Pennington, 2015; Paik, 2017), and constructionist approaches that attend to wider systems impact, for example poverty, culture and trauma (Pitts, 2003; Muncie, 2015).

The study revealed three key themes from parents (Knowles et al, 2016). Firstly, trauma and loss and the cumulative impact of these on both parents and children emerged as significant. The researchers reference the experience of domestic violence, traumatic death in the immediate and extended family, and separation through a care placement, as examples. Other studies revealed that for girls within the juvenile justice system, trauma and chaos related to family life are likely to be more complex and extreme (Crick and Grotperter, 1995; Chamberlain and Moore, 2002). Secondly, for parents was the experience of seeking help for their child, and not feeling



that they were usually listened to or taken seriously. Parents were especially aggrieved by this, leading the authors to query if children develop negative beliefs about services from attitudes displayed by their parents, which is similar to Pennington's (2015) findings. Lastly, the environment for both the young people and parents and their vulnerability within it emerged as a theme, reflecting the precarious and unpredictable nature of their child's situation personally, and within their community, possibly in a gang for example. Here the child's offending behaviour may come to be framed by the parent as a form of protection, defence, or coercion in an unsafe environment. This may be understood or framed as 'colluding' by agencies or services yet Sturges and Hanrahan's (2011) research identified that mothers outwardly performed to socially required norms of how they should behave as mothers whilst inwardly feeling emotionally drained and powerless.

Knowles et al's (2016) study described a lived experience for both parents and children of constant heightened stress in anticipation of the immanence of some trauma. The researchers theorised that from an attachment perspective this might be seen to reflect the internal intergenerational working family model. This is consistent with emerging evidence-based intervention approaches advocating 'trauma informed practice' as fundamental to family involved youth justice systems (Ko et al, 2008; Rozzell, 2013; Garfinkel, 2014). Knowles et al (2016) emphasised the extent to which parents felt ignored and wary, stressing the need to actively and empathetically explore the story of the parent. They argued the need for whole family approaches that validate the traumas and life course of parents, and the potential for multi-systemic therapy in so doing. This seems to support a review of available literature on trauma informed practice in this area by Knight (2014) who emphasised the need for such an approach when intervening to attend to the intergenerational trauma needs of the parent, as well as the developmental trauma needs of the child (2014, p.26). She suggests establishing a working alliance based on an awareness to trauma responses can be a means through which 'self-capacities' and resilience are developed, by all.

Knowles et al (2016) also include a recommendation for services to offer support spaces for mutual and group self-help, reinforcing other findings (Condry, 2007; Jones, 2015) as isolation of

parents in this position is a common theme in the literature. Their findings support the pull of 'environment' and its impact on behaviour. Knowles et al's conclusions appear to reinforce an earlier meta-analysis by Perkins–Dock (2001) of interventions with families with incarcerated youth which suggests that whole family approaches offer best hope in reducing recidivism, citing the use of family therapy in particular. Whilst the literature to date references trauma and upset as innate to the experience of parents when their child encounters the justice system, studies in this section highlight the particularly distressing and isolating experience where violence is involved.

*Parents' experiences of child to parent violence and aggression.*

Violent offences committed by children and young people are regarded as particularly grave, however the phenomenon of 'adolescent to parent violence and abuse' (APVA), or 'child to parent violence and aggression' (CPVA) as it is more commonly described, is a constant and contested one in the literature in this area. In a review of available literature on the subject, Simmons et al (2018) suggest that difficulties with definition and terminology reflect a fundamental need to establish a robust theoretical framework with research premised on theoretically derived constructs. They suggest this is presently underdeveloped leading to disparate and fragmented approaches to expanding the evidence base.

Regardless, mothers emerge in the research as those most likely to experience violence or aggression from their children. In the 1980s, researchers were identifying mothers as unacknowledged victims of adolescent violence, mostly from their male sons (Patterson, 1982; Noller and Callan, 1989). Research by Gallagher (2004) evidenced mothers as five times more likely to experience such abuse than fathers. Cottrell and Monk (2004) highlighted the devastating whole family impact when this occurs, including for the young person themselves. Wilcox (2010, p.278) offers a definition by Patterson et al (2002) stating that children's and young people's behaviour should be acknowledged as violent or abusive 'if others in the family feel threatened, intimidated or controlled by it and if they believe that they must adjust their own behaviour to accommodate threats or anticipation of violence'.

Holt (2015) continues that the experience is beyond 'hitting out' and defines it as a 'double stigma' as it will involve the parenting of a child most likely having been labelled as 'problematic' already. However, she recognises difficulties with definition, ascertaining actual prevalence, cultural and institutional acknowledgment, and establishing a conceptual framework for research and practice. Whilst awareness is increasing, the issue remains taboo not least as it can be a relational, culturally relative and contextually specific phenomenon (Holt, 2015). However, practice responses have developed within England and Wales with the inclusion of an objective specifically relating to adolescent to parent violence in the Violence Against Women and Girls Action Plan (The Home Office, 2014) and the Adolescent to Parent Violence and Abuse Information Guide (2015). The latter document cites Metropolitan police statistics indicating that in 2010 almost 2000 cases of parent to adolescent abuse were recorded in the greater London area, most of these involving sons to mothers. The Guide confirmed this number of cases as probably reflecting national rates, per capita (The Home Office, 2015). Recent research by Thorley and Coates (2018) recommended that CPVA is understood as an Adverse Childhood Experience (ACE) for siblings. They argue for formal acknowledgment of the link with special educational needs and CPVA, and the financial and emotional cost to parents and families of coping, advocating recognition of CPVA as a separate category within the Diagnostic and Statistical Manual (DSM) and International Classification of Disease (ICD).

Shame associated with adolescent to parent violence and abuse is highlighted in research by Brule and Eckstein (2016), Coogan (2012), and Holt (2015). Each discuss how parents experience labelling as the 'bad parent' and increased stigmatisation for their perceived inability to control their child, further exacerbated when the young person is involved with the justice system. Research indicates where a Parenting Order is in place, fear of the consequences of disclosure can compound secrecy and exacerbate shame (Condry and Miles, 2013; Holt, 2015). Edenborough et al researched the experience of mothers living with child to parent violence, in their findings they reported that:

There was a sense that they were walking on eggshells, living in fear, not knowing when their child or children might become threatening and/or violent. One participant was

worried, she wrote '[whenever her son would] "punch the wall or door" [she would be left] wondering when he might snap and hit me instead' (2008, p.469).

A link is established between childhood experiences of witnessing domestic abuse and perpetrating such behaviours. Calevete et al (2015) indicate exposure to violence is a precursor to child to parent aggression and violence. Factors which contribute to the problem of child to parent violence and aggression are multi-faceted, complex and deep-rooted (Contreras and Cano, 2014), however, Wilcox (2012, p.284) concludes that the 'gendered parenting/mothering discourse', leaves 'no space for the mother to be constructed as a 'victim' of the child's violence; instead, she is seen as failing to exercise proper parental control and, therefore, is portrayed as irresponsible and to blame'. This responsabilising of women and mothers for aggression perpetrated against them resonates with Humphreys and Absler's (2011), and Douglas and Walsh's (2010) studies which both address professionals' complicity in 'mother blaming' and constructions of mothers in this context as somehow not 'ideal victims' in warranting empathetic responses that a 'worthy victim' (Meyer, 2015) might receive or 'deserve'.

Recent research on CPVA by Clarke et al (2016) sought to understand the experience of parents where abuse or violence from their adolescent child had occurred. Three Youth Offending Teams (YOTs) specifically focused on working with young people already in contact with, or at risk of becoming involved with the justice system took part in the study. Six participants, one father and five mothers, all of whom identified as white, participated. Interpretative phenomenological analysis (IPA), as a qualitative data analysis approach was applied to data from semi-structured interviews with parents where actual or threatened physical abuse, along with verbal abuse had taken place. Three themes emerged from the findings, 'tensions' was the first of these and had multiple meanings. Parents described tensions related to the build-up, or anticipation of abuse or violence, and tension in terms of wanting to physically and emotionally detach from the situation yet being conflicted in terms of their parent role within this (Clarke et al, 2016). Ambiguity as a theme related to, 'uncertainty about the acceptability of the abusive behaviour, ambiguity about the causes of the abusive behaviour, ambiguity about the seriousness of the abusive behaviour, and ambiguity about the identity of self and others' (2016, p.1427). Without condoning, the authors locate the behaviours of CPVA as occurring during a developmental life

stage where boundaries are challenged, and uncertainty often defines the parental role at this time.

Lastly, 'managing the harms' emerged as a theme in terms of parents attempting to cope with what was happening. Findings suggest that in the absence of being able to understand or explain their child's behaviour with reference to any relative comparators or measures, parents tended to pathologise it, seeking clinical assessment or diagnosis as confirmation of it being maladapted. This was understood as having the dual purpose of both ameliorating the sense of self-blame and potentially providing access to services. This is supported by Thorley and Coates (2018), discussed above, seeing this as necessary in removing bias and legitimising essential supports to parents in a non-criminal framework. Managing harm also included parents receiving medication themselves to cope with the emotional toll on their mental health and finding or availing of confidential supports for parents. However, whilst all participants reported such strategies as helpful in terms of managing, they did not necessarily affect a reduction in levels of abuse and violence in the home, rather better enabled parents to cope with the on-going situation. Mostly, parents could only hope that their children would grow out of the behaviour. This life stage is typified by risk taking and peer influence, with Calvete et al (2015b) establishing a link between substance misuse in boys and violence towards a parent.

Clarke et al (2016, p.1424) observe the 'patchy nature' of institutional awareness on the issue and the wide-ranging approaches, attitudes and practices in dealing with it. This study captured the experience of a small group of parents whose children were involved with youth offending services and the lived experiences for them where they were also subjected to abuse or violence from them. They reflect an often fraught, uncertain and exhausting reality when living with CPVA. Unlike Paik's (2017) American research this focused on one specific issue and was restricted to semi structured interviews. Yet it uncovered features particular to the experience for some parents and taken with the research on procedural justice, it could be suggested that parents in this situation are further stigmatised and undermined. Awareness raising and training for professionals was indicated as essential in Thorley and Coates' (2018) recommendations. A 2018 study by Gabriel et al reinforces factors of shame, stigma and lack of awareness of sources of

help for parents, but also as highlighted by the previous authors, the need for knowledge and support in knowing how to approach and deal with the issue. This small-scale qualitative study sought the perspective of young people, parents and practitioners on youth to parent aggression and violence. Themes emerging included children's previous experience of domestic abuse and violence, parents' feelings of incompetence and inadequacy in coping with their child's behaviour towards them, and lastly the need for practitioner support and training and the potential of vicarious trauma occurring in this practice area. Findings likewise emphasised the conflicted, frightening, lonely and shaming experience this can be for parent and child (Gabriel et al, 2018). Similarly, Williams et al (2017) in a New Zealand based qualitative study with parents and grandparent kin carers who experienced violence from their adolescent child or grandchild, identified three over-arching themes. 'A never ending bloody emotional roller coaster', 'judgment; I feel more judge by myself', and 'absent fathers; that boy stuff, that man stuff' (pp. 597-606), as defining for participants. The authors summarised that shock, self-blame and judgement, and fear of further judgement, meant abuse was not reported or further reported, as initial help-seeking often resulted in blame and re-victimisation. As cited by previous research in this section, recommendations highlight the need for policy makers to appreciate the unique dynamic, and response required on the issue.

#### *Parents' experiences when their child engages in sexually harmful behaviours*

Actual prevalence of sexually harmful behaviours involving children and young people is difficult to determine. Using official police records Barnardo's (2017) suggest that recorded incidences have risen by 78% in 3 years, with over 9000 alleged offences reported in 2016 in England and Wales, excluding data from 7 out of 43 police forces. Most sexually harmful behaviours by children will not reach the criminal justice system, except on the rare occasion of these being very serious in nature. Research indicates that overwhelmingly such children will have experienced a combination of neglect, physical, emotional or sexual abuse themselves (Hackett, 2014). When children and young people are involved in sexually harmful behaviours, attention will invariably turn to their childhood experience in the immediate family environment in an effort to understand such behaviours. Research by Vizard et al (2007) provides detail on

categories of abuse and neglect experienced by children in this situation. In a case file review of 280 referrals to a national service dedicated to working with children and young people involved in sexually harmful behaviours, Vizard et al (2007, p.62) found that 92% had experienced neglect, and that lack of parental supervision represented 73% of such cases. This might suggest that parental availability for whatever reason, is an issue in such circumstances. Zankman and Bonomo (2004) emphasised the fundamental importance of parental involvement in treatment programmes for juveniles who committed sexual offences. They suggest that recidivism rates are halved when parents are engaged in treatment, highlighting how parents are consistently referenced by adolescents in this situation and whilst not actually responsible, will have a critical impact on outcomes. In their findings, Zankman and Bonomo provided a list of assumptive beliefs that professionals can hold about parents which may prevent them from proactively trying to involve them in their children's treatment. These include issues of responsibility, notions of parental incompetency, relationship complexity and family chaos. Regarding this last belief, Zankman and Bonomo (2004, p.145), argue that the professional task is to work with the family to effect change and reduce shame as opposed to co-opt dominant scripts that espouse removal of the young person stating that:

The problem with this outlook is that although the therapist may not agree with the families' methods of managing life, the family is still the youth's home environment. At these times, expectations for change must be realistic. Therapists might want to examine the realistic changes the youth and the youth's parents can make that might interrupt the cyclical patterns that eventually lead to abusive behaviours.

Whilst not including parents in their research, parental shame was identified as a particular barrier to engagement.

Where children have sexually offended and the perspective of parents sought, shame is highlighted as profound and core to the experience. Using a trauma informed conceptual framework Jones (2015) in examining the experience of parents when their child sexually offended, conducted a two-phase study initially examining the supports parents provided to their sons who had sexually abused, and secondly, exploring parents' own coping mechanisms. Content analysis was applied to data collected from two sets of semi-structured interviews with the same four parents and a focus group. Findings identified shame, blame, shock and grief

attached to a non-sexual offending child but emphasises the particular nature of the stigma associated with a sexual offence and the lasting repercussions for family. Jones (2015) identified four key themes emerging for parents. These included the trauma of coping initially, feeling responsible, feeling alone and overwhelmed, and lastly the benefits of using available supports and treatment.

This last point highlights that 'clinicians need to encourage these parents to relieve themselves of blame to transition to forgiving themselves and focus strengths that they have to contribute to change in the lives of their family and themselves' (2015, p.1318). This reinforces Zankman and Bonomo's (2004) assertion of the need to involve parents. Treatment in this case includes individual and group support from other parents in a similar context. Research by Romano and Gervais (2018) exploring the impact on parental mental health where a child is involved in sexual offending identified treatment as essential to parental/care-giver coping. In a mixed methods study themes of emotional impact, detriment to mental health, stress and hopelessness emerged. However, treatment and support were themes associated with coping; with advocacy and being resourceful and socially connected, pivotal to maintaining hope. The authors underline the complexity of issues that are often prevalent with such behaviours but urged that parents wanted tailored support, and were often ideally placed to support other parents as experts by experience (Romano and Gervais, 2018)

In a review of the literature on the characteristics, challenges and interventions with parents where their children were involved in sexually harmful behaviour, Worley et al (2011), similarly identified that whilst multiple risk factors often present in the family, protective factors can also exist and needs or potential barriers must be addressed through a therapeutic systems approach if good outcomes are to be achieved. They recommend that:

Caregivers should participate in the assessment and treatment phases of interventions for adolescents who sexually offend. Such participation by parents should include the identification of important family needs which can be addressed in family therapy sessions. Additionally, these caregivers may benefit from addressing personal issues in individual therapy or by learning from other parents and families in group or multi-family group therapy. (2011, p.444)



Here peer support is recognised as an important mechanism for parents in strengthening their protective capabilities. Mutual support and participation emerge as critical issues for parents in many studies that directly seek their views (Condry, 2007; Pennington, 2015). Where children are engaged in sexually harmful behaviours there is a strong likelihood of involvement by a range of agencies and organisations. The emergent literature suggests that how systems engage with each other and parents is fundamental to outcomes for children, yet little is understood of these dynamic, recursive processes over time, prompting Paik (2017, p.313) to argue that ‘there is still relatively little research that empirically studies multi-institutional involvement for various members of the family or how the family’s involvement in one institution shapes its involvement in others’. This assertion is consistent with findings from Archer (2017, p.7) who in an in-depth study with six parents of young people who had engaged in harmful sexual behaviour observed ‘that parents’ experiences and meaning making appeared intimately woven with a complex web of powerful relational and socially constructed factors’. This research identified themes of devastation and overwhelm, feeling threatened, challenging relationships, and hope through hopelessness. The role of parents as central to the success of any therapeutic encounter for children was emphasised.

## **Conclusion**

This chapter began with reviewing literature relevant to the risk factor prevention paradigm as the dominant research approach in criminal and youth justice. Findings reflect how in this approach a range of factors (family), and related variables (for example, single or lone parents) are measured to ascertain their relative value in positively or negatively impacting offending.

Crossley (2015) cites Gregg (2012) who used the term ‘policy informed evidence’ with reference to this paradigm’s colonisation of knowledge production in criminal justice. In this description parents are reduced to factors and such ‘evidence base’ offers no insight of their lived reality, leaving Muncie (2015) to query the value base in findings that recommend interventions parents should be partaking in, as opposed to consulting with parents on their needs.

This literature review mostly revealed qualitative studies, which sought to understand the lived reality for parents in terms of some aspect of their contact with the justice system and its agencies because of their child's offending. Four over-arching key areas emerged from the literature, firstly parents' experiences of processes, agencies and personnel in the justice system, including the experience of having a child in custody. Next the experience of restorative justice, and parents' experiences where involvement is court ordered or enforced emerged. Literature relating to the experience for parents when offences are violent, including sexually harmful behaviour, was identified as a significant area. This included an analysis of the emerging literature on adolescent to parent violence and aggression and parents experience of this.

Where research actually gathers the experience of parents themselves this is typically powerful and provoking. Shame and stigmatisation, loss, fear, isolation and often despair all emerged as key themes. Regardless of what particular aspect of the process, for example court (Varma, 2007; Pennington, 2015) or police (Woolard, 2008; Hayley and Warner, 2017) these issues occurred and parents quickly seem to become, shamed, frustrated, resigned and disconnected when interfacing with complex, heavily bureaucratised systems (Hillian and Reitsma-Street, 2003; Sattler and Thomas, 2016).

The limited available evidence on parents' involvement and experience with restorative youth conferencing was considered. This is essential given its relevance in Northern Ireland and whilst it has been evaluated a number of times and an expectation exists that parents will commit to ensuring their child's adherence to conditions, little is available on the experience of parents, nor do they specifically feature in aims and objectives where evaluation is available. Australian research questions the premise of reintegrative shaming and the reality for parents and children in Braithwaite's *community of concern* (Pennell et al, 2011). In fact, Barnes's (2015) Northern Ireland based study challenges what could be described as the shoehorning of the ethos and principles of restorative practices into a homogenous and highly regulated event. Shame emerges as mostly reinforced as opposed to reintegrated.

This review has revealed that UK research specific to the lived experience for parents is relatively small, as with available Northern Ireland research. The introduction of Parenting Orders in

England and Wales prompted a number of studies on the issue of enforced parenting. These revealed immense pressure on parents with regards to their child's attendance, the threat of breach, as well as the anger at feeling punished, professional scrutiny of them, and responsibility in reporting (Holt, 2008; Drakeford and Calliva, 2009).

What is clear from this review is how consuming shame and isolation were experienced when offences were serious, and where aggression was directed towards parents, of a sexual nature, or where their child was imprisoned. Pathways for participation and inclusion as indicated by, for example, Justice for Families (2012) the America based advocacy organisation, were experienced largely as tokenistic or not at all. Shame and guilt were identified as underlying experiences for parents in this situation especially (Worley, 2011). Studies on adolescent to parent violence and abuse appear to feature increasingly as a research focus responding to practice issues with parents and young people in the youth justice system. The research suggests it is a particularly stigmatising and taboo issue, associated with great shame and considered as almost a 'deserved' consequence of bad parenting. The literature here provokes consideration of the task of parenting a child where the likelihood of abuse is a factor in an already volatile context (Clarke et al, 2016).

That the experiences for parents when their child is in contact with the justice system on any number of levels or through the range of processes is challenging, distressing and further shaming would appear to be established. For Northern Ireland in particular, at best understanding is vague, inferred from the available literature nationally and internationally. Whilst this can inform to an extent, it fails to give recognition to the particular experiences of parents in this unique region, which operates in a distinct justice framework. Enforced parenting through ASBO, Parenting Contracts or Parenting Orders are not a feature in this region therefore many studies whilst corroborating experiences on a general level, have limited application in allowing reliable comparisons to the specific experiences of parents in Northern Ireland.

Cusworth-Walker et al (2015) comment on the sparsity of knowledge focused specifically on parents' experiences identifying a clear need for an organising research framework specific to family involvement in juvenile justice. They highlight the paradox of the centrality of the parental

role as an extension of the 'courts surveillance and authority' (2015, p.411), yet a scarcity of research in this area, never mind the often marginal and tokenistic nature of parents' active involvement in what evidence is available.

In conclusion, the available literature suggests that parental experiences are ultimately deeply shaming, traumatising at points, and characterised by loss, guilt, and isolation. Limited access to resources and institutionalised exclusionary practices work to compound this lived reality. Increasingly in the international literature and policy rhetoric, family involvement is espoused, and Chapter Five illustrates this also to be the case in Northern Ireland. Yet Paik (2017) argues that to involve families means not only to engage them about outcomes, but to first consult with them and to understand the range and dynamic of interactions with justice and other systems that merge to establish and perpetuate their often negative experience. As a pre-requisite this means desisting from what often, though not exclusively, is continued 'mother blaming'. As this review indicates their experience where available is defined by shame, trauma and loss, fear, guilt, stigma, frustration and isolation, which can be reinforced by poverty and practices that reproduce exclusion. Overall, the experience of multiple exclusions and the extent to which the faulty parent paradigm (Hillian and Reitsma-Street, 2004) thrives when pathologising narratives and practices remains unchallenged appears borne out in this review. Paik (2017) argues that research in this area must adopt a 'wide-lens' approach examining whole systems, characterised by institutional bias as opposed to coordinated structures. Such a framework would assist in appreciating the holistic experience and needs of parents allowing them as experts by experience to participate in service design and delivery.

This chapter has explored the available evidence base in seeking to understand critical issues, practices and perspectives on the experiences of parents. Moving on, Chapter Four focuses on key factors pivotal in shaping the current Northern Ireland context that parents of children involved with the justice system find themselves in, including this region's history of conflict which has been formative in this respect, and its transition to peace. The chapter examines the legacy of the conflict including the continued traumatisation of children and parents through paramilitarism in poorer and disconnected communities. The chapter identifies and analyses

critical issues for parents in Northern Ireland when their children are involved with the justice system, including the socioeconomic reality of life, and the task for parents in accessing vital health and social care, and educational support services. Locating these regionally unique circumstances is essential to understanding why parents here need to articulate their truth on this experience, molded by this reality.

## **Chapter Four: Northern Ireland socio-economic and political context**

### **Introduction**

Chapter Three reviewed existing literature on the experiences and needs of parents of children involved with the justice system. Parents in Northern Ireland are exceptional to any others in Ireland, England, Scotland and Wales as all, unless raised elsewhere, will have grown up experiencing the latter stages of the conflict. Whilst, as highlighted by Jarman (2016), Northern Ireland is hailed internationally as an example of conflict transformation and peace building, it is unique also in that the period colloquially known as ‘the Troubles’ extended over 30 years. Those who are parents today may have been impacted by their Troubles during their youth, and they and their children may continue to experience the legacy in their communities and perhaps personally and in their families. The chapter begins with an overview of the context of conflict in Northern Ireland, including discussion of conflict-related trauma and victimisation; violence and abuse within families; and the continued context of paramilitary violence. Having established this background, there follows an exploration of the contemporary socio-economic and political context for families. This details the priority issues impacting many parents and families and includes an examination specifically of the policy context and evidence of the extent of poverty and financial hardships experienced. This is critical given that the previous chapter identified the shaming and stigmatising impact of inequalities which includes access to basic health and wellbeing needs. The chapter then focuses on implications for provision of key services that parents and families in contact with the justice system will require, including mental health, and education.

### **The Northern Ireland conflict and everyday life**

This contextual section opens by outlining the realities of life in Northern Ireland during the conflict and the legacy of this violent past. It next discusses women and children’s experiences of conflict and violence within families. The section finishes with discussion of the context of paramilitary violence in communities.

Whilst children currently growing up in Northern Ireland have not experienced the sustained levels of violence of the Troubles, those raised here and tasked with parenting them most certainly will have been affected (Include Youth, 2008). Northern Ireland has a population of approximately 1.8 million people (NISRA, 2015), most of whom will have been impacted directly or indirectly by the 'Troubles'. At the beginning of the conflict in 1968, the population was 1.5 million. During a 30-year period, three and a half thousand people were killed, over 2,000 of whom were civilian (Sutton, 1994; McKitterick et al, 2007). Overall, 186 children under the age of 16 died as a direct result of the conflict (Duffy and McClements, 2019). The consequences for those nearest to these individuals are immeasurable and dealing with the past remains a highly emotive issue for families and communities (Harland and McCready, 2014). Tomlinson et al (2014) found that 45% of adults in Northern Ireland had experience of injury or the death of someone known to them personally. In total 56.6% of the adult population had witnessed conflict related violence including murders, assaults, bombings and riots and consequently may have specific trauma needs (Tomlinson, 2012).

The conflict brought with it extraordinary state powers. Emergency powers, first introduced in the early 1970s could be, and sometimes were, extended to children (Ellison and Smith, 2000). Special powers allowed for such measures as internment without trial which Human Rights Watch (1996) observed as having dramatic consequences for basic human rights. At the most extreme this meant the arrest and detention of children with no requirement to representation or protection. The consequences of emergency powers were disproportionately felt in the Catholic community, though not exclusively (Wartchow, 2005). Other examples of such measures under the Emergency Provisions Act 1973 included 'stop and search' which extended to children, allowing security forces to question them regarding their movements and identity without representation or support from an appropriate adult (McVeigh, 1994). Children's mere physical presence on the streets made them visible and liable to stop and search, more so in poorer areas which were, and continue to be, subject to greater scrutiny (Kilpatrick, 2011).

Interaction with the police and army was a regular and often negative feature of life growing up. The Nationalist/Republican population overwhelmingly became suspicious of, and averse to, any

contact with the Royal Ulster Constabulary (RUC) particularly in relation to their children and not least for fear of being coerced to inform on their community (Smyth, 1988; Mulcahy, 2006). Being seen to communicate with security forces could risk being labelled as an informer (Cairns, 1987; McVeigh, 1994). In terms of children's involvement in political violence, Curran (1984, cited in Cairns, 1987) draws upon records from the now defunct Policy Planning and Research Unit of the Department of Finance and Personnel which indicate that between 1975 and 1978, 100 children and young people aged 10-17 years old were charged under anti-terrorism legislation, mainly for offences involving rioting. The Committee on the Administration of Justice (CAJ, 1983) reported that children as young as 14 years were being detained for extended periods alongside adults.

Neither community was immune from these experiences, McVeigh (1994) found that Protestant young men from working class areas reported comparable experiences of security force harassment as young Catholic men with similar socioeconomic backgrounds. Human Rights Watch (cited in McVeigh, 1994, p.51) reported that 'harassment of children in troubled areas' was so routine that children and parents regarded it as a 'matter-of-fact part of everyday life', with some parents alleging a 'constant campaign of harassment' against teenagers. Community policing was unworkable in segregated Nationalist areas. Whilst ascertaining exact figures on 'non-political' or ordinary crime by children and young people is problematic, it is accepted that youth offending in Northern Ireland was probably at a lower rate than in the rest of the UK at that time (Powell, 1982; O'Mahony, 2000).

Local environments, particularly urban areas, were often visibly devastated by the conflict. Cairns (1989, p.99) discusses the 'spatial and temporal dimensions' of unrest, that is the spaces and areas that childhoods happened in. Bell (2013) details the extent to which much of the landscape was marred by bombed and burnt-out buildings. Communities were transformed by the erection of barricades, checkpoints, watch towers and huge army compounds (Cairns, 1989). Areas were patrolled by armed, camouflaged soldiers, and jeeps and Saracens were a constant feature along with the unrelenting drone of helicopters, in some areas (Jarman, 2005). Such features provided an intimidating environmental backdrop for community life (Zurawski, 2004; Leonard, 2006).

*The conflict and violence within the family*



Conflict impacted upon every aspect of life in Northern Ireland including family. As stated above, communities, especially Nationalist ones, were often wary of any aspect of state involvement in residents' lives. Seeking assistance outside of the community was actively discouraged and treated with suspicion (Ellison and Smith, 2000). The Black Report (1979), commissioned by the British government to report on legislative and policy reform of children's services, discussed further in Chapter Five, lauded the Northern Irish family as society's essential institution, propping up a volatile and fragile region. However, this idea of the family as a 'fortress' was challenged by McShane and Pinkerton (1986, p.174) who suggested that the levels of behavioural problems among some groups of children could be attributable not only to experiences of conflict, but also to the high prevalence of violence and abuse within marriage. They cautioned that:

This darker side of family life must be weighed against Black's bulwark model and placed within the wider context of the disorder and violence so intricately interwoven into the range of social institutions and practice, State and civil, that go to make up Northern Ireland's social structure.

This observation seems supported by Ward's (2013, p.4) comment that 'while domestic and sexual violence persists as a highly gendered problem across the globe, it is a particular and often hidden problem in societies emerging from conflict'. Some women challenged the ascribed or assumed view of their role, rejecting the patriarchal autocracy of managing behavior through intimidation or violence, and collaborating with statutory and community groups to develop services. However, challenging traditional assumptions and practices was potentially dangerous; and the consequences could be borne out for women in the intimate relationship space i.e., domestic abuse, or by being ostracised in the community (Hamber, 2007). Moreover, in Nationalist communities the Catholic church's stranglehold on personal and family life was buttressed by conflict (Ashe, 2012; Hoewer, 2013). The extent of male clerical abuse is now better understood as a potential feature of life for children in Catholic areas during the conflict (Keenan, 2013). Institutional abuses perpetrated against children from both communities in state/institutional care were subject to a historical investigation by Hart et al (2017). Such public mechanisms are essential in addressing an area of trauma enmeshed and often obscured by Northern Ireland's complicated recent history (Wright, 2017).

Officially reported incidences of domestic abuse during the conflict are most likely are not representative of actual prevalence (Hoewer, 2013). Hoewer (2013) cites Police Service of Northern Ireland (PSNI) statistics indicating that reported incidents of domestic abuse rose from 5,900 at the height of the conflict to 15,500 almost ten years post ceasefires in 2003. During the conflict years women generally coped alone, feeling unable to turn to either the state police or the paramilitaries (McWilliams, 1997; Ward, 2013). Growing up in an environment where domestic abuse is a feature of the parental relationship is now recognised as an adverse childhood experience with potential negative consequences across the life span (Felitti et al, 1998; Anda et al, 2006). Radford et al (2011) highlight that one in five children in the UK have been exposed to domestic abuse. In Northern Ireland physical abuse and neglect, or a combination of both are responsible for 81% of child protection registrations (NISRA, 2019). Speculating causes of the continued upturn in forms of violence is cautioned. At the very least these point to levels of distress in families and some parent-child relationships.

Forms of violence and aggression in the home involve complex issues that Simmons et al (2018) see as best understood through a systems perspective that also appreciates the relationship of the wider systems outside the family on how it functions. The concept of 'violent conflict masculinities' is evoked by Hamber (2007, p.382) to describe how violence and control become perceived as legitimate means of asserting male identity in communities where resources and opportunities are limited, with this also including violence in the family. In Chapter Three adolescent to parent abuse emerged as a significant issue. The PSNI's current definition of domestic abuse includes abuse directed at any family member, for instance, adolescent to parent (NISRA, 2018). The NI government website (2019) specifically mentions children when suggesting that such abuse may be perpetrated by anyone who makes a person feel afraid or intimidated in their own home. As detailed in Chapter Three, the issue has attracted research attention in the wider UK regions, yet little is known regarding it in Northern Ireland. However, it is generally accepted that the issue is significantly more prevalent than imagined, and a range of challenging and aggressive behaviours are established long before being reported or detected (Thorley and Coates, 2018).

### *Paramilitarism and the conflict*

Cairns (1996) observes how childhoods in Northern Ireland's segregated communities were as likely to be impacted by paramilitaries, as by state security forces. Paramilitaries were a constant feature in neighbourhoods and had little regard for the rights and wellbeing of children. As the security forces were rejected by communities, rendering 'normal' police functions impossible, paramilitaries came to control many aspects of life (Mulcahy, 2013), summarily adjudicating over brutal and violent forms of 'justice' and retribution in local areas (Muldoon, 2004). Helsinki Watch (1992, p.56) reported on what it saw as the impossible position of many children in segregated areas 'caught between two powerful groups in their society; police and paramilitaries'.

Families living in segregated areas where paramilitaries remain most prevalent arguably experience a relatively different peace. Between 1990 and 2013, over 500 children were physically abused by paramilitary groups, 167 of these having been shot (McKinney, 2019). The Northern Ireland Human Rights Commission (NIHRC, 2015) cites figures from a report undertaken for the Children's Law Centre (Campbell and McMahon, 2015) stating that from 2009-2014, 12 children were the victim of a paramilitary shooting. The rise in threats against children has necessitated the Western Health and Social Care Trust, one of five Trusts in the region, to issue draft guidance to social work and social care practitioners in response to the volume of threats against children and young people who are in need, or at risk.

This legacy is arguably most apparent in the current levels of paramilitary attacks; between September 2017 and August 2018, 54 attacks were officially recorded (PSNI, 2018). In some areas the problem appears to have deepened, in Derry City punishment style attacks are increasing with concerns about these being administered by way of a highly structured 'appointment system' (McKinney, 2019). O'Shea (2018) reported how parents have on occasion been required to *produce* their child for an 'appointment' to be beaten or shot. Additionally, O'Shea suggests that the true level of attacks and threats are underestimated due to fear of reporting. This is supported by the Independent Reporting Commission's (2016) first report on the North-South intergovernmental 'Fresh Start' Agreement, one of the objectives of which is an end to violence 'for once and for all' (IPC, 2018)

Browne and Dwyer (2014) note the persistent threat from paramilitaries and the associated risks for young people navigating their own communities, with parents needing to be hyper alert to such risks. Recent research by McAlister et al (2018), cites young people's accounts of what they themselves describe as their *lost childhoods*. They (2018, p.1) quote one 16-year-old who described the day-on-day reality, stating that:

The paramilitaries are everywhere, you can't escape them and it's just really dangerous. You can walk into someone's house and you're guaranteed someone's probably watching you go into a house. They're, like you cannot walk round \*\*\*\* [area] and feel safe. No matter what, there's someone watching you.

McAlister et al's findings suggest children's lives continue to be shaped by the conflict, and the area where a child grows up now matters as much as it did to their parents' generation. Earlier research by Merrilees et al (2011) examining transgenerational trauma found that mothers' self-reporting of living through the experience of political violence is linked to both their own and their children's mental health. McAlister et al's (2018) research evidences the pressure existing for young people in segregated communities from paramilitaries just by 'being' in their own areas. The potential anxiety felt by young men in this situation is examined by Ashe (2012), who discusses the notion of 'militarised masculinities' and queries how young men and boys are supposed to be 'male' or perform 'maleness' in such a threatening environment. This is significant as parents must guide and help young males find their way in communities with limited resources and opportunities. In such circumstances, masculinity, or what it means to be male, can be contradictory (Lysaght, 2002; McDowell and Shirlow 2011). Young men may feel challenged to reject traditional representations of 'maleness' in a modern society transitioning from conflict, yet in their communities pressed to project a certain accepted representation of this; the 'hyper masculinity' described by Walsh (2018) which often is displayed through violence.

The stress experienced by parents where a child is under paramilitary threat can only be imagined and the 'frozen watchfulness' described by McWilliams (1997) in anticipating such an atrocity, must be as applicable now to parents whose children are currently under paramilitary threat, as it was during the Troubles. It is possible that this generation of children may not only assimilate the reactions and coping mechanisms of family and indeed community (Bunting et al, 2011) but

experience the legacy of conflict through continued segregation. McDowell and Shirlow (2011) argue that paramilitary narratives are often still communicated in the 'streetscape' through statements and messages placed (often painted) in segregated suburban environments .

The experience of peace is subjective, and as argued by Ferguson et al (2010) dependent on proximity of family and community to past traumas and violence, and current or potential violence or threats. Examining the continuing effects of political violence on young people, Smyth et al (2004, p.106) warn of the potential intergenerational impact of the conflict when commenting that:

The lost childhoods of the previous generation are not often explicitly addressed, nor is their loss marked in any way. Yet this foreshortening of the childhoods of their parents' generation may inhibit the protection of the childhoods of the current and future generations.

This legacy of conflict and trauma may have a direct bearing on coping for today's parents. Aside from paramilitarism, Kilpatrick's (2011) research details the challenges for young people in working class areas and the fractious encounters and consequences for them, through simply being in their own area, with other young people. In a report for the Commissioner for Victims and Survivors Northern Ireland, Bunting et al (2011) use the term 'troubled consequences' to describe the continued victimisation and trauma which permeate many aspects of daily living.

This legacy of trauma manifests through continued deprivation, segregation and victimisation, including paramilitarism within communities (Topping and Byrne, 2011; Kelly, 2018) along with the cumulative impact on health, coping and mental health and wellbeing, as underlined by Merrilees (2011) and McNally (2014). McLafferty et al (2018) highlight the complex link between the Troubles in Northern Ireland and the occurrence of adverse childhood experiences (ACE's), and subsequent post-traumatic stress symptoms in adults. As discussed in detail in Chapter Three, the relationship between physical, mental and emotional wellbeing, and the experience of having lived through conflict is complex but established (Bunting et al, 2013; Muldoon, 2013). The processes by which the past trauma experiences of parents and communities are transmitted intergenerationally is, according to Prager (2003), a national health issue which occurs as a result of national trauma. The duration of the Northern Ireland conflict may constitute a reason why

individuals routinely have several conflict related experiences, and why a substantial section of the population continues to experience the impact of exposure to trauma (Ferry et al, 2013). Available evidence tentatively suggests some connection between current parenting practices and resources, and having lived through violent conflict (Braga et al, 2012; Fargas Malet and Dillenburger, 2016). Chapter Two cited historical trauma theory (Maxwell, 2014) which cautions against making general assumptions, or objectifying experience through a reductionist clinical lens that may negate the diverse contexts losses and traumas occur and are maintained in. The reality is complex, and the experience of loss and trauma, when combined with deprivation, can undermine parents' capacity for emotional responsivity towards their children (Tomlinson, 2006; CVS, 2015).

### **The socioeconomic context: poverty, segregation and parenting**

Conflict and poverty are recognised as toxic co-indicators of poor life chances and opportunities, not least in health and education (Cairns and Toner, 1993). The childhoods of those who today are parenting children in the justice system were often characterised by poverty and adversity. The previously mentioned Black Report (1979) identified unparalleled levels of disadvantage for children socially and economically, and Northern Ireland historically has featured highest on UK-wide indices of poverty and deprivation (Gordon et al, 2013; Child Poverty Alliance, 2014; Bernard, 2018). Twenty years after Black (1979) reported, Fay et al (1999) in examining the cost of the Troubles found that people in high intensity areas (which experienced more than seven deaths per thousand population) were more likely to be unemployed, living in public housing in segregated communities, and exposed to a greater number of conflict related experiences. They were least likely to seek help from professionals or outside sources, although most likely to be permanently taking anti-depression medication. Segregation along religious lines was noted as both *experience* and continued *effect* of the Troubles. This study recommended investment in community led regeneration and peace building initiatives, not least to encourage sustainable industry and enterprise.

Connections between economic marginalisation and conflict are well documented; the Portland Trust (2007, p.4) in a report examining factors essential to peacebuilding stated that: 'economic disparity was a principal aggravating factor in touching off and sustaining violence'. Years after the 1998 Good Friday/Belfast Agreement, Jarman and Byrne (2010, p.442) noted the continuing challenges for children and their parents in poorer segregated communities:

Those who lived in the inner-city, working class communities and especially those who lived in close proximity to areas that had witnessed frequent acts of violence and disorder had more frequent street-level interactions with the police. They also held stronger and more negative views of the police than young people who lived in middle-class areas or in the suburbs.

No one raised in Northern Ireland during the Troubles would have been unaware or unaffected by segregation. Every person knew the areas, places or people that they should or could not be in or associate with. Poorer families typically lived in starkly segregated areas, often in substandard housing conditions, with limited infrastructure and employment opportunities (Breen and Whelan, 1999). Discussion on the roots of the Northern Ireland conflict is beyond the remit of this thesis, however Darby (1986) argues that political elites and the state encouraged segregation over the years in maintaining their power base. Segregation in Northern Ireland is described by Leonard (2006) as a key factor in perpetuating sectarianism, whereby religion becomes a marker for deeper structural inequalities. It has provided 'a basis for the emergence of strong intra community solidarities based on ethno-sectarian identity' (Leonard, 2006, p.226). Understanding segregation is critical to this thesis in appreciating how the areas that today's parents grew up, and where families now live, were marked and identified, and how segregation continues to allow paramilitaries to physically control working class areas. The third report by the Independent Review Commission (2020) stated that the reality of paramilitarism remained, with thousands of individuals across the region signed up members, and a small number actively engaged in illegality on an on-going basis.

In 2003, almost a decade after the first ceasefire, Hillyard et al (2005) reported that over a third of children and young people in Northern Ireland were growing up in poverty. The study concluded that transcending social division was as vital as political agreements to peace building, yet that 'denial' exists with regards to poverty as both cause and effect of conflict. In 2009 the

Joseph Rowntree Foundation (cited in Horgan and Monteith, 2009, p.13) also found that, 'Northern Ireland's most disadvantaged children and young people live in communities that face social exclusion and still experience violence that is the legacy of the conflict'. Horgan and Monteith (2009) argued that in tackling poverty, increased educational attainment and more provision of alternative education were required. The recent Independent Reporting Commission Report (2020) commented that socioeconomic disadvantage provides the fuel for engagement in paramilitarism and sustaining it in poorer communities.

Hargie et al (2011, p.893) identified poverty and segregation, including educational segregation, as standout established codependents for the worst impacts of conflict in Northern Ireland, warning that in the absence of a 'deep-rooted' peace; social exclusion, isolation and social apartheid become further driven by paramilitaries in interface communities. Research by Ferguson and Michaelson (2013) similarly confirmed a relationship between inter-community street violence and low educational attainment for children in Northern Ireland. The location where a child is educated in Northern Ireland is in most cases a prime indicator of identity. Where children are educated and with who, remains a deeply contested issue, as segregation in education is the experience for most. Of the 173,744 children enrolled in primary schools in Northern Ireland, just 10,000 attended an integrated school. Overall, 93% of all education is segregated (NISRA, 2018). Disparity in educational opportunities and achievement extends along class lines, Northern Ireland's grammar schools compare with the highest achieving in the UK. In recent years the 'gap in educational attainment among richer and poor children has narrowed slightly but remains very large' (JRF, 2018), Borooah and Knox (2015) point out Protestant working class boys fare worst in educational outcomes.

Recent figures from the Joseph Rowntree Foundation (2018) indicate that poverty rates have remained stable over the past decade with one in five people in Northern Ireland living in poverty, a figure that includes 110,000 children and 220,000 working age adults. Highest levels of poverty are among families with children; with one in ten of the poorest 20% of families experiencing 'problem debt' (JRF, 2018). Figures from JRF (2018, p.7) show lone parents as having the highest rate of poverty amongst any group measured; 40% compared to the overall UK average of 44%



for this group, indicating a slight reduction over the decade. Poverty is also higher for those living in public housing (40% in poverty), and rented accommodation (34%) compared with homeowners (13%). Of relevance to this thesis, JRF (2018, p.17) report that 'The stress of living on a low income can be linked to relationship breakdown among couples, and to the relationships between parents and children.' Department for Communities (DfC, 2018, p.6) statistics indicate a small overall reduction in poverty, however this still leaves around 78,000 children living in absolute poverty, and 93,000 in relative poverty.

Within Northern Ireland child poverty is highest for the 10-15-year-old group, the upper age limit reflecting the stage at which most youth offending or contact with police begins (YJRT, 2011; Muncie, 2015). Added to this, children from 11-18 years also represent the largest group of 'looked after' children (DoH, 2018). It is established that Northern Ireland has been hardest hit by austerity as 62% of the population depend on public services spending compared to a 40% level in other regions (Slack, 2014). This means significantly reduced overall public spending on essential services like health, youth and community facilities, education, and benefit reductions under the Welfare Reform (NI) Order 2015. In reflecting on the challenges financially to the region, Tinson and MacInnes (2016) commented on the impossibility of meeting the 2020 deadline for the Anti-Poverty and Social Exclusion Strategy (OFMDFM, 2010), including a commitment to end child poverty.

The impact of enduring adversity for families may be reflected in current levels of childhood neglect in Northern Ireland. Devanney and McConville (2016) cite the overall increase in cases to childcare services being met with a year on year decrease in funding to essential support services. More children are currently in state care than at any other time since the introduction of the Children (NI) Order 1995, 3109 from a population of 436,403 (DoH, 2018). The authors cite Children and Young People's Strategic Partnership (2015) data indicating that in the previous year, of the 2,635 families referred for family support most requests to Family Support Hubs were from parents seeking help with problems in managing their child's emotional or behaviour problems, either primary or post primary school, and for help financially. Such demand for access to vital supports is in the context of diminished spending on public services, coinciding with latest

figures showing that in 2018 the region had the highest number of children on the Child Protection Register compared to England, Wales or Scotland (DoH, 2018).

Poverty in Northern Ireland is exacerbated by lack of opportunity to employment that provides access to a job with a decent living wage (PSE, 2015). Unemployment rates have decreased to 3.5%; almost half of those who are unemployed have been for over a year (NISRA, 2019). However, this is more a reflection of an economic inactivity level at almost 29%; this includes individuals who cannot work due to disability, caring, retirement or other. Added to this employment does not equal economic security, Wilson (2016) suggests that proportionately it is estimated 18,000 people regionally are in zero-hour insecure employment. For parents of children this may mean having no ability to plan, pressure to attend at all costs, and no labour protection. In exploring the impact of poverty, like Horgan (2011), Daly and Kelly (2015) discuss how image is important to self-worth and integrity for any family. Parents will be painfully aware that how their adolescent children 'present' to peers and community can be all consuming, and often face significant financial stress in ensuring that nobody 'looks poor' (Horgan, 2011). Poverty impacts basic needs and parents in this situation may have to make difficult decisions based on scarce resources. In Northern Ireland one quarter of those accessing food banks are in employment, low income accounts for 77% of referrals (NISRA, 2015).

Added to this, the number of people regionally who have a disability at almost 12%, compared to a 5.5% rate in the UK. Significant regional variations are evident, with the rate of disability rising to 30% in the poorest areas (NISRA, 2019). Wilson (2016, p.106) in examining life inequalities states that the 'little-discussed symptom of health inequality in Northern Ireland is the high rate of dependence of many working-class women on prescription drugs'. The All Ireland Drug Prevalence Survey reports 35% of the population from most deprived areas having taken, or currently prescribed anti-depressant medication, compared to 19% in least deprived areas. This is in the context of health and social care board statistics evidencing that one in three people in Northern Ireland experiencing a mental health crisis had to wait up to 13 weeks for a specialist appointment. None of the five health and social care trusts were able to meet the agreed nine-week limit for specialist treatment (McGeown, 2016). Similarly, recent statistics reveal a

ministerial target of 95% of first cancer treatments occurring within 62 days from GP referral as having not being met (DOH, 2019). Those in the poorest areas, who cannot afford private sources of expertise, wait longer. Typically, analysis has tended to focus on inequalities between the two dominant communities, which Wilson (2016) views as unhelpful believing that policy must be predicated on an understanding of inequalities in wellbeing for *all* citizens.

These conditions of poverty, inequality and segregation occur in the context of a recently re-established Northern Ireland Assembly following a three-year 'democratic deficit' (Heenan and Birrell, 2018), where essential decision-making functions were acceded to senior civil servants. Strategic developments in priority public services such as health, education and justice, were as Wilson (2016) notes, mothballed. The Northern Ireland Assembly was reinstated in January 2020, and the Finance Minister Conor Murphy has described the budget as 'woefully inadequate' suggesting a resulting £1billion shortfall in the public spending budget for the upcoming year alone (Moriarty, 2020). This would mean an impact on justice spending, including, youth justice. In the allocation of public funding, justice and youth justice as argued by Goldson and Muncie (2015) are far down the pecking order in provoking a public response. Added to this is what Burke (2016) observes as a growing anxiety of the implications of Brexit for Northern Ireland, in socio-economic, political and legal terms and uncertainty as to how this will translate in the day-to-day realities of an already volatile and 'incomplete peace' (Monaghan and Gormley-Heenan, 2012).

### **Access to services for children's mental health and substance needs**

This chapter has highlighted the interconnectedness of poverty, class, segregation, and gender. Health and adolescent mental health are equally implicated in a range of multiple inequalities for the poorest and most excluded, however access to mental health services can be a challenge for any child and their parents. Chapter Three highlighted that for parents whose children are in contact with the justice system, much time and energy is invested in trying to access scarce resources in what can seem like a web of complex bureaucratic systems. This is often in the context of other caring responsibilities and family and employment demands (Hillian and Reitsma-Street, 2003; Sturges and Hanrahan, 2011; Knowles et al, 2016). This section discusses

the challenges for parents in availing of support from health, mental health, justice and education providers, then turning to the particular issues in accessing support for children's educational and communication needs.

In Northern Ireland 26% of 16-year-olds report having serious personal, emotional or mental health issues. Data cited by the Mental Health Foundation (2018) indicates that where a young person is from a 'not well-off background' this figure increases to 43%. Health, and specifically access to mental health services is often problematic for parents when their child is in distress, and perhaps especially when a child is in contact with the justice system. Young Minds (2013) research cites the views of young people who felt they were sometimes stigmatised when encountering mental health services because of offending and co-occurring issues with substances. This research highlighted how mental health and disability typically feature in a range of co-existing vulnerabilities that increase the likelihood of children becoming involved with and remaining in the criminal justice system. Eighty per cent of children and young people in contact with the justice system will have between one and five vulnerabilities ranging from social, educational, behavioural and mental health issue (Young Minds, 2013).

The Northern Ireland Commissioner for Children and Young People (NICCY, 2018) recently recommended a multi-disciplinary CAMHS approach that better responds to knowledge about the unique needs of young people who come into contact with its service, and their parents. Mental health issues also include conduct and behavioural problems which can affect learning. This represents the most common category of mental health problem and will typically manifest in severe and persistent behaviour problems, including criminality (Burke et al, 2008; Centre for Mental Health, 2019). The needs of children in this context are complex, requiring support to parents, and responsiveness and flexibility on the part of services. NICCY (2018) details the difficult situation currently faced by young people and their parents when desperately trying to access much needed mental health services. Rigid criteria, lengthy waiting lists, inaccessibility in terms of location, lack of support for parents, poor transitional arrangements to adult mental health services and poor communication with drugs and alcohol services were all detailed as barriers for families in Northern Ireland to receiving vital and timely support. Flexibility of approach and

location, including children's own home, and support in terms of establishing a relationship with parents and children, were reported as essential. However, whilst choice of venue, and support before and between appointments are critical, current service structures and resourcing limit such possibilities. Frustrations identified by parents and young people mean that delay in accessing limited and often inflexible services mean crisis occur, often reoffending (Young Minds, 2013; Mental Health Foundation, 2018; NICCY, 2018).

Evidence shows that serious offending in adolescence is often linked to drug and alcohol abuse (Mulvey et al, 2010; Muncie, 2014), yet when they and their families are proactively supported in addressing their needs, young people report reduced offending (Young Minds, 2013; Transitions to Adulthood, 2018). Accessing appropriate treatment can be challenging, for example NICCY (2018) highlight the need for a combined mental health and drugs and alcohol services that addresses these needs simultaneously, as young people report misusing substances to cope with their mental health needs and distress. Where these issues coexist, then parents will need to try to work with their children to encourage their engaging with services. These are sensitive and challenging circumstances for all the family, including parents but are essential to address if young people have any chance of avoiding further offending.

Chapter Three evidenced how harm caused, especially when under the influence of substances, may include adolescent to parent abuse or violence (Miles and Condry, 2016). These can be fraught times for all with parents barely coping in managing young people whose mental health needs leave them volatile and fragile, yet outside of voluntary organisations, support for parents is often contingent on their child's engagement with a service. This may provoke a crisis and require police involvement. NICCY (2018) identified the lack of services in this area, calling for day and inpatient treatment facilities for young people with substance abuse issues. Research supports the need for a multivariate approach to drug and alcohol problems, NICCY (2018) and Liddle et al (2010) both emphasise the importance of therapeutic support, that where possible includes families. Hogue (2014) and Bertrand et al (2013) recommend the inclusion of parents in treatment, the former finding a symbiotic relationship between improved maternal mental health and adolescent mental health when mothers were actively involved in treatment

interventions for their children. NICCY has stressed the need for parents' engagement in the best interests of children. For children and parents in contact with the justice system, needs led, responsive and flexible mental health services are essential in reducing recidivism as evidenced in research by Chitsabesan et al (2006) and Kessler and Kraus (2007).

Since 2015 the Public Health Agency in Northern Ireland provides alcohol and drugs services through multi agency drug and alcohol coordinated teams (DACT's), that includes provision for children and young people. For under 18-year-olds assessment and intervention will usually be provided by organisations in the voluntary and community sector. Parents can refer as well as health and social care professionals. Such community-based services also provide support to families of children; examples include ASCERT, Daisy Project, Youth Engagement Centres, which operate with a range of funders in providing services, including local government, charitable sources, and PHA. However, the precarious financial reality for such organisations means their services are often constantly at risk. Two long established community-based drugs and alcohol projects closed in recent times due to lack of funding, FASA in the east of the region (Belfast Telegraph March 2016), and Divert in Derry, provided alcohol and drugs supports to young people and families in local communities. No dedicated young people's inpatient detox facility exists, although the Department of Health (2019) acknowledged the unsuitability of children being placed or detained in adult psychiatric settings. One psychiatric inpatient facility for the entire region is based in Belfast and typically has a waiting list. Where children have 'co-morbid' mental health, substance and/or alcohol needs, CAHMS teams now have allocated drugs and alcohol specialists case workers who can refer to or seek consultation with the consultant lead (DAMHS). This service is typically reserved for those young people most in need (DoH, 2019).

NICCY (2018) highlighted the issue of communication and lack of a joined-up approach across statutory and voluntary agencies, for young people and their families. In October 2019 the Department of Health published an interdepartmental draft action plan in response to 'Still Waiting'. Five key themes were prioritised including, working effectively and collectively, accessing help, supporting adults working with children and young people, specialist support and moving from child to adult services (DoH, 2019). An update by the Department of Health

(December 2019) on outcomes with regards to key targets suggested some progress in support for parents and young people, with mental health and social work practitioners able to offer initial support and brief interventions in GP surgeries as part of multi-disciplinary teams established under the Health and Wellbeing 2026: Delivering Together Strategy (2016). However, the key issue remains access to specialist support, the December (2019) update highlighted the need for much greater community based CAMHS provision. It stated the need for a funding transformation in enabling this, citing a 29% increase in the number of referrals accepted to CAMHS in the past three years with no increase in funding.

#### *Access to support for children's communication and educational needs*

The Royal College of Speech and Language Therapists (RCSLT, 2017) report that 60% of young people involved with the justice system will have speech, language and communication needs (SLCN), this increases to 65% where young people are subject to intensive support and surveillance. This means that young people can have problems with understanding language, verbal communication, social interaction, abstract cognitive processing and listening and attention. Parents are typically in the role of articulating their needs in such circumstances and being their biggest advocate in accessing services. Yet Thorley and Coates (2018) stress the need to attend to special educational needs (SEN) as a potential risk factor for child to parent violence or aggression. Parents often must manage volatile parent-child interactions whilst arguing for their child's need for services and support, with no help available for them. Such needs often manifest in significant problems in formal education, particularly for children with attention deficit disorder (RCSLT, 2017). The RCSLT highlights the vital need for practitioners to appreciate that children coming into contact with the justice system who have SLCN will struggle with the language, information being communicated, requirements, keeping appointments and basic literacy needed. Young people in any situation will struggle to communicate with their parents regarding their offending (Noller and Callan, 1989), likewise parents will struggle to make sense of and communicate with their children about their behaviour. Yet, as highlighted by RCSLT (2017), Young Minds (2013), and Jacobson et al (2010), parents are considered essential to supporting children through the justice system process. Often communication and learning needs

remain undiagnosed and support unavailable for children, or parents in guiding them through difficult and tedious processes. Or, as in the case of mental health services, waiting lists are such that a crisis in some aspect of their lives warrants urgent attention, for example offending, school exclusion or mental health. Young Minds (2018) reported just half of children assessed as requiring treatment received this within 18 weeks, stating that, “many parents don’t know where to turn to get help for their children”.

The interconnected relationships between education, mental health and communication needs of young people in the justice system are well documented (Farrington et al, 2016; O’Carroll, 2016). The Taylor Review of Youth Justice in England and Wales (2016) placed education at the heart of all efforts to help children avoid and desist from further offending. Education is fundamental to diversion from offending, increasing social and educational capital, skills and esteem; this cannot be overstated (Goldson and Muncie, 2015). In 2017-18 in Northern Ireland 3755 children in Key Stage 3 and 4 (age 11-16 years) were temporarily excluded, 15 children were permanently excluded. This means a sizeable number of parents having to manage this difficult and stressful process of statutory exclusion, possibly this may be compounded by engagement with the justice system, and a range of other services as well. NICCY (2018) cites figures from HM Treasury indicating that education in Northern Ireland is under-funded in comparison to other regions. Where a child is on a reduced timetable or in Education Other Than at School (EOTAS), provision can be limited, meaning only a few hours of education availability weekly owing to financial constraints and waiting lists. Other daytime opportunities for children outside of education will be limited and this may place real pressure on parents in diverting young people, keeping them occupied, or with their own employment. This is notwithstanding the immense strain this is likely to place on the parent-child relationship, added to which is delay in the process of referral and accessing a Special Educational Needs assessment. Parents will be too aware of the severely diminished chances of future employment that a possible criminal record, and low or no educational attainment may result in, increasing the likelihood of further offending, mental health problems, and paramilitary involvement (Tanner et al, 1999; Farrington et al, 2012). On average 18.5% of 18-25-year old's regionally are not in education, employment or training



(NEET), compared to 11.9% of this group UK wide, the majority derived from young people who did not complete education (Wilson, 2016).

The Northern Ireland Audit Office (2017) reported that waiting times for assessment may vary widely from six months up until two years, with 79% of statements not completed within the 26-week required legal timeframe. In addressing this delay, it recognised communication with health trusts who are critical to this process as a concerning factor, also highlighting the need for specialist training amongst all staff in early identification of potential learning needs. This is within an education system where the National Association of Head Teachers point out, 'spending on pre-school, primary and secondary education per pupil is 46% higher in Scotland, 18% higher in England and 31% higher in Wales' (NAHT, 2019).

## **Conclusion**

The chapter began by providing a synopsis of the unique situation that the current generation of parents will have grown up in and some of the exceptional circumstances they and their families will have lived through because of the Troubles. These are fundamental in appreciating the myriad ways in which the past continues to influence many aspects of private life, and public policy. Paramilitarism and victimisation remain endemic in many communities, especially those most impacted by multiple inequalities. Despite commitments at a political and governmental level, the experience of these continues to be reproduced in the current generation of young people. Children involved in the justice system are especially vulnerable, therefore this is a key issue when considering the needs and experiences of their parents who are charged with protecting them. While Maxwell (2014, p.425) guards against a universalising or over-extrapolation of how individuals 'perform' transgenerational trauma, evidence cited in this chapter suggests a connectedness of several factors, not least the experience of some trauma and poverty in determining how parents manage when their children become involved with the justice system.

The section on paramilitarism discussed that the reality of their involvement in the lives of some children. Parents may live in fear of a cycle of paramilitarism, and literature cited indicates they continue to dominate, with implications for parents in trying to guide their children out of poverty, segregation and disadvantage. Deprivation and paramilitarism remain synonymous in Northern Ireland, parents will be aware that paramilitaries' involvement in organised crime and racketeering may hold appeal for their children who may believe they will never legitimately access means and therefore leave them vulnerable to victimization, As evidenced, in all likelihood some parents of children most in need, will also have to 'cooperate' with requirements of paramilitaries who their children may have come to the attention of, in the knowledge that they may groom and attempt to recruit them.

This chapter continued to explore evidence examining how the legacy of the past influences societal institutions and the lived reality for families in Northern Ireland. It has demonstrated how parents cope with a range of adversities in their homes and communities, and how this can be a day-on-day struggle, for example continued segregation of for some, and access to services. Supports from statutory and community services for example mental health, drugs and alcohol, and education as indicated above, are often difficult to access and negotiate.

The interrelationship and transmission of fears, hurts, losses and traumas which research indicates as a particular feature for societies transitioning from conflict, was examined. As stated earlier, representations of this as a clinical category were challenged in appreciating the complex, symbiotic and relative nature of the phenomena. Increased risk of mental health problems in the post conflict population has been established by the research evidence.

The potential legacy of toxic or militarised masculinities for young men was examined, and the challenges this presents for parents in guiding and supporting their son's positive self-identities where legitimate opportunities and resources are seen as unavailable and unachievable. The cross-cutting impact of socio-economic status and segregation underpins much of the analysis in each section of this chapter and evidence to support the relative disadvantaged situation of Northern Ireland in accessing vital resources is provided. This socioeconomic context is persistently referenced in underscoring its relevance for outcomes, life chances and

opportunities for parents and children. Chapter Three highlighted the extent to which dominant ideologies and resulting discourses readily apply blame and pathologise parents to the neglect of structural issues. This chapter has argued that the reality of poverty and its enduring and pervasive impact in all aspects of life, is foundational in creating and maintaining sectarianism and possibly trauma (Brewer et al, 2003).

The chapter further analysed the current context in terms of the needs children will sometimes experience with regards to health, mental health, learning, and communication and education, and the task for parents of negotiating and availing of support for their child in contact with the justice system. Processes associated with childcare services and school exclusion can be weighty and legal. Along with the associated stigma is the knowledge that school exclusion will impact all aspects of the lives of parents and children. Evidence presented in Chapter Three suggests that the needs and experiences of parents throughout the various processes, remain largely peripheral. Their central role in a range of formal process and 'expert' by experience position is acknowledged or facilitated to a limited extent. If anything, it may be suggested that systems and their practices and processes which the evidence suggests are currently inaccessible, inflexible, pathologising and clinical, and are often experienced as shaming and exclude for parents who desperately want to help and support their children.

To establish the context within which parents and their children experience criminal justice processes and practices in Northern Ireland, the following chapter examines the development and implementation of legislation and policy. Aside from charting the development of youth justice policy in this unique region, the chapter will consider how law and policy have responded in meeting the complex needs of children in the justice system. The chapter will consider if parents are, and what mechanisms or processes might exist to ensure their participation as critical to outcomes for their children.

## **Chapter Five: Context of Youth Justice in Northern Ireland**

### **Introduction**

The criminal justice system in Northern Ireland was, and remains, deeply affected by the conflict and its legacy (McAlinden and Dwyer, 2015). Chapter Four discussed the socio-economic and political context from the conflict and through to the contemporary environment, with consideration of the implications for parents of children in the youth justice system who may be trying to access supports and resources. Against this backdrop, this chapter reviews the development of youth justice, with particular reference to the role of parents. The youth justice system in Northern Ireland has undergone substantial change in recent times. The chapter reviews key developments affecting children in contact with the system and their parents. Taken together, Chapters Four and Five establish the context for an exploration of the experiences of parents, considered within the findings and discussion chapters of this thesis.

This chapter is structured into four sections to reflect critical periods in youth justice policy and practice. First, is a review of the recent history of youth justice policy and administration from partition through to the early 1990s. This references the tensions between welfare and justice in response to children's needs and offending, and how law, policy and practice have developed differently to other UK jurisdictions. The second section focuses on reforms during the 1990s, influenced by the international emergence of children's rights, most notably the United Nations Convention on the Rights of the Child (1989). This includes discussion of the Children (NI) Order 1995, and the Criminal Justice (Children) (NI) Order 1998 (CJCO). The third section identifies the reforms in youth justice that came out of the Criminal Justice Review (CJR, 2000) following the 1998 Belfast/Good Friday Agreement, including the creation of a Youth Justice Agency (YJA); revised legislation and changes to custodial arrangements; and initiation of restorative justice-based responses to young people's offending. The reforms in policing following the Patten Report (1999) are also briefly described. A decade later, the multi-party Hillsborough Agreement (2010) included provision for the establishment of an independent Youth Justice Review (YJRT, 2011), the findings and recommendations of which are explored. The final section focuses on the current

situation, with sub-sections on each stage of the justice process, from contact with the police, prosecution and court, through to interventions including custodial remand and sentencing.

### **The post-partition context of youth justice in Northern Ireland**

Following the partition of Ireland in 1921, a separate youth justice system developed in Northern Ireland (Convery and Seymour, 2016). The law in place at the time was the Children's Act 1908, British legislation governing juvenile justice and children's care, that established separate youth courts and confirmed the minimum age of criminal responsibility (MACR) at seven years of age. In 1938, the Lynn Committee considered whether the British 1933 Children and Young Persons Act should be introduced in Northern Ireland. Reporting that youth crime in the jurisdiction was mostly of a minor nature, while noting the context of unemployment and housing overcrowding, the Committee attributed youth delinquency 'primarily to a lack of parental control and illegitimacy' (Convery, 2014, p.259).

War intervened and the Children and Young Persons Act (Northern Ireland) was not introduced until 1950. The Act raised the MACR to eight years, brought 16-year-olds within the youth court, and legislated for the renaming of reformatories and industrial schools as Training Schools in which children could be detained for justice or welfare reasons for indeterminate periods (Moore and Convery, 2008). The 1950 Act directed courts to take appropriate measures to remove young people from 'undesirable surroundings' and secure adequate provision for their education and training (s.46(1), cited in Convery, 2014, p.60). It also allowed the transfer of children as young as 14 years from Training School to the adult prison system. There was no requirement to include parents in decisions about their child's care, nor any means of redress if a parent objected to their child's treatment.

Training School provision was divided along religious grounds, with courts obliged so far as possible to select a 'school for the religious persuasion to which the girl or boy belonged' (section 72, Children and Young Persons (NI) Act, cited HIA, 2015: volume 5 chapter 4, p.4). St Joseph's Training School near Armagh city was the only Training School for Catholic girls and Protestant girls were detained in Whiteabbey Training School (HIA, 2015). The 1952 Training School Rules covered 'education, training, control and welfare', including 'religious instruction, recreation,

visits, letters, home leave, and medical and dental services' (Convery, 2014, p.260). In 1956 a borstal was opened in Millisle for young men aged 16 - 21.

The MACR was raised to 10 years in 1968 by the Children and Young Persons (NI) Act (Moore and Convery, 2008). The same year Rathgael opened as a purpose-built Training School for boys (taking girls from 1985 after the closure of Whiteabbey). Civil unrest in Northern Ireland grew from the late 1960s, with increased conflict between nationalist communities and the predominantly protestant state police forces (the Royal Ulster Constabulary (RUC) and the Ulster Special Constabulary or 'B Specials'). The British Army was deployed from 1969 and internment without trial introduced from 1971. In 1972 Direct Rule from Westminster was established, following the suspension of the Unionist government at Stormont.

The emergence of violent conflict brought a rise in the numbers of remands and Training School Orders, including for young people involved in rioting and unrest (HIA, 2015). Symbolic of the use of the emergency to legitimise more punitive conditions within the juvenile justice system, a secure Training School, Lisnevin, was opened in Millisle in 1973 for Catholic and Protestant boys (Convery, 2014). Boys with no record of offending, who had been admitted to more open conditions in other Training Schools, could be transferred to Lisnevin without any court order required (HIA, 2015). Parents experienced significant difficulties in visiting Lisnevin, owing to the remote location and poor public transport (HIA, 2015). With concerns about its harsh environment and regime, Lisnevin later became the focus of campaigns by children's and human rights organisations, leading to its closure in 2003, as discussed later in this chapter (Convery and Moore, 2006). Hydebank Wood Young Offenders Centre (now Hydebank College, and Hydebank Wood women's prison) opened in 1979 and continued to hold boys aged 16 and 17 years until May 2016 (CJINI, 2016). Girls under 18 years of age could be detained in Mourne House a women's unit in Maghaberry Prison, and after that unit's closure in June 2004, in Hydebank Wood women's prison (Scraton and Moore, 2007).

In 1976 the Black Review Group was commissioned to review services and legislation, given the lack of developments in comparison to other UK jurisdictions. Observing that 40% more children per capita were placed in care in England and Wales, the Black (1979) report commented that

the conflict seemed to bolster family strengths and resilience. Black therefore encouraged 'prevention and the meeting of children's and young people's needs through resourcing families and other formal and informal child care institutions and networks' (Pinkerton and Stein, 1995, p.701). Black also recommended reform of the Training School system, including separation of the systems for childcare and youth justice.

The community sector was identified by Black (1979) as vital in addressing the vacuum left by the refusal of some sections in communities to engage with government agencies. The report established the basis for the Probation Board for Northern Ireland (PBNI) and that organisation's non-departmental status within the Northern Ireland administration (McGonigle, 2004). Being 'non-partisan' was necessary in allowing the PBNI to fund grass roots projects that parents actively became involved in, for example in managing the serious issue of car crime in West Belfast. Through its union, the National Association of Probation Officers (NAPO), PBNI staff refused to undertake any reporting or statutory supervision of young people or adults being prosecuted for politically motivated crimes. Carr and Maruna (2012) cite probation officers' concerns that under emergency legislation a child could be detained in the Borstal for six months for an offence such as rioting, and about their own role within this process. Circumstances coalesced to create an environment where many people had no faith in the justice system's capacity to protect them from crime (Zinstag and Chapman, 2012), contributing to a situation where paramilitaries became the unofficial enforcers of 'justice' in communities. In practice this meant paramilitary punishment attacks, often against young people. Parents were typically tasked with 'producing' their child for the punishment. In attempting to divert young people from anti-social behaviour, communities developed their own grass roots programmes, sometimes supported by voluntary agencies. PBNI worked closely with such community efforts, providing funding and co-facilitating programmes (Chapman and O'Mahoney, 2008)

As Fulton and Carr (2013) observed, voluntary sector and community groups became a staple of criminal justice service provision for young people. For some this was experienced through the 'Whitefield' community-based model, working with 'at risk' young people. Nonetheless it took until the mid-1990s for anything like this to be established province-wide (Carr and Maruna,

2012). Whitefield only served a section of the community in Greater-Belfast but ultimately was the forerunner to the Youth Justice Agency. Chapman and O'Mahoney (2008) highlight the irony that limited regulation and bureaucracy allowed for more flexibility in working with parents and families and enabled the development of creative and innovative projects, for example 'Watershed' a residential adventure learning programme for high-risk young people. Stout (2013) notes PBNI had wide acceptance in both communities, owing to their refusal to work with those charged with politically motivated offences, and that ironically the conflict created the conditions for responsive, 'bottom up' collaboration with parents in addressing high risk offending by young people. In 1994, PBNI provided two million pounds in funding to community and voluntary groups (White, 1994) and part funded the West Belfast Parents' Support Group in the late 1980s (Chapman and O'Mahoney, 2008), along with the Turas project as a direct response to the concerns of mothers where children were engaged in high-risk behaviour. Parents desperately wanted support and when listened to and meaningfully engaged by such cross-body initiatives, were integral to service development.

However, increasingly the inherent contradictions of a justice system which claimed to promote children's welfare (Black, 1979), yet simultaneously incarcerated them in the prison system under the 1968 Act and emergency legislation, were exposed and became the subject of national and international condemnation (Human Rights Watch, 1992; Titterton, 1995). High levels of surveillance in segregated and typically poorer areas meant increased risk of police contact (Mackel, 2011) and concern was increasing about young people's treatment by the security forces (Human Rights Watch, 1992). Community police stations did not exist (Mackel, 2011) and for a parent or child, encounters with security forces on the street or in physically imposing 'interrogation centres', fortified with barbed wire, steel walls, no windows, narrow corridors, and reinforced doors, were a terrifying prospect.

Convery (2014) comments that although the psychological and therapeutic needs of the Training School population were identified and there was a high (93%) reconviction rate, 'security' was the dominant focus. A link between the threat of young people's 'delinquency' and the conflict was evidenced in official rhetoric, without evidence for such assertions, and was used to



legitimise the criminalisation and incarceration of young people (Convery, 2014). Consequently, Northern Ireland had more custodial provision per capita than any other region in the UK, yet the lowest record of 'ordinary crime' (McEvoy and Mika, 2002, p.463). For a young person from a working-class area negotiating adolescence, fear of arbitrary removal from parents was very real; contrary to Black's (1979) recommendations which had advocated diversionary practices involving families (Chapman and O'Mahony, 2007).

### **Youth Justice in Northern Ireland in the 1990s: the emerging context of children's rights**

In 1994, the ceasefires were agreed and a peace process commenced which would eventually lead to fundamental change in the government and administration of Northern Ireland. Changes to both youth justice and child care legislation enacted during this period were influenced by the UK's adoption in 1991 of the United Nations Convention on the Rights of the Child (UNCRC, 1989) which stressed the need to prioritise the child's best interests (Article 3), and enable their participation in decision-making (Article 12).

Underpinned by the principle of paramountcy of the child's best interests, the Children (NI) Order 1995 marked an ideological shift in the state's relationship to children (Kelly and Pinkerton, 1996), afforded parents greater rights and required public bodies to evidence transparency, accountability and partnership when using statutory powers to intervene in family life (White, 2004). The Order safeguarded the child's wishes and best interests, for example requiring a Guardian ad Litem in all public law cases (Fortin, 2005). Critically, it removed the power to detain children in custodial facilities for welfare issues, separating justice and childcare systems.

The 1995 Order, like its parent statute the Children Act 1989 for England and Wales, promised a new relationship with parents based on partnership (White and Adcock, 1991; Brandon et al, 1999). Under the 1989 Act, this was reflected in a higher threshold for compulsory state intervention in the life of the family, reduced statutory powers and greater scrutiny (Fox-Harding, 1991). For example, childcare departments had a higher evidential test, the Welfare Checklist, to show the court that the child's needs had been considered. Parents had to be consulted and

maintained parental responsibility when a child came into care unless a reason of such seriousness should exclude them. Restrictions were placed on the amount of time a child could be accommodated outside the family home without a care plan that included consulting with parents (White and Adcock, 1991). The court was required to consider not making an order at all, 'no delay' became a key principle applied to all proceedings, and 'significant harm' was considered a higher threshold to prove in the state intervening with a child and their family. Yet, Aldgate and Hill (1995) questioned the extent to which the values within the Children's Act 1989 were ever realised for the poorest and most excluded of parents.

Whilst the Children's (NI) Order 1995 had 'no order' as a guiding principle in all matters coming before the family courts, within criminal proceedings a child could be subject to several disposals simultaneously, for example an Attendance Centre Order (ACO), and Probation Order (PO) concurrently or, if over 16 years, potentially a Community Order as well. Whereas an ACO was made in the youth court with a maximum duration of 24 hours, a PO was typically imposed in adult courts but when applied to a child had the potential for their being supervised for up to three years with a number of requirements. Practice in the criminal justice sphere contrasted with the spirit and ethos of the Children's Order. For example, in 1997 custody accounted for almost one fifth of all disposals in the youth court (Chapman and O'Mahony, 2007). No presumption of bail existed. Most children who were bailed went to a home address, however intensive bail support services which might have supported parents, who would be primarily tasked with maintaining curfews, were not available. Haydon and Scraton (2008) highlight how during the late 1990s remand for months was still common, delay for up to a year in hearing cases in the juvenile court was routine, and young men under 18 years were regularly sentenced to the Young Offenders' Centre (YOC).

Family relationships were most likely deeply impacted by the pressure of maintaining bail requirements where delay was on-going. Where a pre-sentence report was requested by the court the PBNI were charged with this task, effectively drawing a child and their family into another agency of the justice system. Children over 10 years of age could be subject to a

Probation Order, with a possible duration of three years and a range of requirements, such as attendance at mental health or drug and alcohol facilities (White, 2004).

The Criminal Justice (Children) (NI) Order 1998 (CJCO) introduced significant changes, including arrangements for 'child friendly' youth courts (White, 2004), with magistrates dispensing with formal robes and privacy in proceedings. The CJCO (Article 15) stated that a child should be accompanied by a parent unless good reason existed as to why they should not attend. However, there was no guidance about how a parent might experience court and parents had no right to be consulted in court. Bail was now presumed in all cases involving children. Training schools were renamed Juvenile Justice Centres and the new Juvenile Justice Centre Order (JJCO) introduced determinate sentencing with a maximum custodial element of 12 months (matched by a period of supervision within the community).

While these reforms were progressive in many aspects, fundamental differences were apparent in how children's rights, and the involvement of parents were reflected between the childcare and justice legislative frameworks. The CJCO 1998 (Part II) required the court to consider the child's welfare in decision-making, a lesser standard when compared with paramountcy of the child's best interests within the Children (NI) Order 1995. A further distinction was that whereas the 1998 Order acknowledged delay as likely to prejudice the child, the Children's Order had the principle of 'no delay' as unequivocal.

### **Youth Justice following the Good Friday Agreement**

Following the ceasefires, fundamental change was occurring across societal institutions, owing to the negotiated peace and the 1998 Good Friday/Belfast Agreement (GFA). Parity and equality were values to be espoused across all departments, including criminal and youth justice, of particular significance given the extraordinary criminal justice context of the Troubles and criticism of human rights abuses during this time (Bell, 2003). In post conflict societies, legal reform is essential to peace building in restoring public confidence, legitimacy and accountability where previously this was compromised, or where institutional abuse of power occurred, as McGrattan (2009) attests was the case in Northern Ireland. For this reason, the GFA had as a key recommendation the establishment of an independent Criminal Justice Review (CJR, 2000). This

was envisaged as an opportunity to fundamentally re-imagine how justice was conceptualised and delivered (Warchow, 2005), including for children and young people. Policing was afforded a separate review, the 1999 Independent Commission on Policing for Northern Ireland, known as 'The Patten Review', reflecting the importance attached to reform of policing which Ellison and Smith (2000) commented on as 'militaristic', 'unaccountable' and 'divisive', requiring fundamental change.

Chapter Four detailed some of the legacy issues for policing in Northern Ireland. The Royal Ulster Constabulary (RUC) was largely unacceptable to the Catholic/Nationalist population and therefore mostly unable to perform policing duties in Nationalist communities (Brewer and Higgins, 1998). The Patten review sought fundamental reform to all areas of policing. Training in human rights standards became the overarching principle to be embedded in all areas of policy and practice for the new Police Service of Northern Ireland (PSNI). A new code of ethics, and a policing board comprised of a representative cross section of members including community leaders was instituted. The office of police ombudsman with the power to not only investigate received complaints, but also instigate inquiries, was created. In terms of policing in communities, police officers were now required to record every stop and search, heavy armored vehicles to be replaced by patrol cars, new custody suites to have CCTV enabled for all PACE interviewing, and police to be instructed in problem solving as the preferred approach (Patten, 1999). Despite the spirit of Patten, it was acknowledged that implementation was inconsistent, for example, officers having no specific training in working with children, or in administering cautions (PSNI, 2007). A restorative approach was introduced under the Youth Diversion Scheme, reflecting the overall restorative philosophy in the new youth justice system, post Criminal Justice Review. However, in a response to the Section 75 Equality Impact Assessment (PSNI, 2007), both the Northern Ireland Commissioner for Children and Young People (NICCY) and the Children's Law Centre highlighted that Catholic males between the ages of 15-18 years were 11.9% more likely to be recommended for prosecution than their Protestant counterparts. NICCY further highlighted the need for improved communication with parents at the arrest and interview stage (PSNI, 2007).

The terms of reference of the CJR extended to the structure, management and resourcing of the system, including youth justice. Whilst this was potentially an opportunity for inclusivity and user informed services, no evidence could be found to suggest that the CJR (2000) specifically consulted with parents of young people involved in the justice system, although young people themselves were consulted. Children's interest groups such as Include Youth and the Criminal Justice (Children) Lobby Group made representations to the review and some of the CJR recommendations were progressive. However, some contested issues such as the low age of criminal responsibility remained. Commenting on this tendency in youth justice, McAra (2017, p.10) observes that for policy UK-wide, a clear recursive pattern is evident:

each time a new government takes office: differentiation from the past; construction of new or revised institutional architecture; selection and nurturing of new audiences (groups to whom policy 'speaks'); introduction of greater complexity into policy discourse – adding new paradigms onto the extant framework; and looping – re-presenting older youth justice narratives as something new and distinctive.

Northern Ireland, as argued by Eriksson (2015), added a new paradigm into its institutional justice system architecture with the introduction of restorative practices; endorsed by the CJR (2000) as the overarching approach to youth justice and central to legislative reform. At the heart of this approach was Youth Conferencing, a forum where victim and offender come together to look at how amends could be made, harm repaired, and the young person reintegrated. Restorative practices were seen as synchronous with the values of a society emerging from conflict (Braithwaite, 1995; Muncie, 2011), yet the stated aims of the new system were protection of the public and prevention of further offending by children and young people.

Following from the CJR, the Justice (Northern Ireland) Act 2002 embedded restorative practice in a range of disposals available to the court. In almost any situation where an offence was prosecutable, the Public Prosecution Service (PPS) or youth court magistrate were now required to consider a restorative youth conference, even in the case of some indictable offences (White, 2004). The option of a diversionary conference was available where a young person admitted guilt when charged, thus diverting and avoiding the youth court process. The Youth Justice Agency (YJA), established in 2003, was tasked with implementing the legislative changes. However, unlike the Youth Justice Board for England and Wales, it had no strategic role in

developing youth justice policy regionally, with this responsibility positioned within the Northern Ireland Office (CJR, 2000). The CJR (2000, p.245) recommended that guidelines should be published on the renamed youth court, and that these address the:

need for all participants to be able to hear what is being said in court, the need for simple and plain language to be used during the proceedings, the need for the defendant and his or her parents to be given opportunities to participate and express themselves freely.

Under the 2002 Act, seventeen-year olds were included in the youth justice system. Agencies were required to consult with and include parents in all issues relating to their child. Yet, the age of criminal responsibility, although widely challenged (Creaney, 2012; Goldson et al, 2013; McDiarmid, 2013), remained at 10 years with significant implications for children and parents.

The situation for children in custody was highlighted by the publication of two reports (Kilkelly et al, 2002; Convery and Moore, 2006) by the Northern Ireland Human Rights Commission. In these the Commission was critical of the low age of criminal responsibility, over-use of custodial remand, physical restraint and isolation, inadequate staff training, and poor conditions in all three Juvenile Justice Centres (St Patrick's, Rathgael and Lisnevin JJs), calling for Lisnevin to be closed. Lisnevin subsequently closed in 2003, and in 2007 Woodlands JJC opened on the same site, replacing the other JJs and today remains the sole custodial unit for children under 18 years in Northern Ireland, housing up to 48 boys and girls.

### *The Youth Justice Review and the Devolution of Justice*

In 2010, the Hillsborough Castle Agreement provided for the devolution of policing and justice matters to the Northern Ireland Assembly, allowing regional determination over justice arrangements. Hillsborough established an independent review of youth justice, due to continuing concerns including ongoing delays, over-use of custody, the effectiveness of conferencing and the MACR (Kilkelly et al, 2004; Kilkelly et al, 2006; Convery et al, 2008), as well as a review of the prison system. The Youth Justice Review Team (YJRT, 2011) provided the first comprehensive review of the system, from initial police contact, through to custody, making recommendations based on international obligations and evidence-based practice. Significantly, the YJRT consulted parents, whose key concern was accessing help for their child at an earlier

stage, before situations reached a crisis or their child formally entered the justice system. The YJRT (2011, p.10) stated that:

Provision for preventing offending and supporting those struggling to parent well is piecemeal and evaluation is limited. For most of those in difficulty the route to gaining help is neither clear nor guaranteed, with some parents sometimes being passed from one agency to another. Parents told us that support should be available as soon as it was needed, but they believed there were insufficient parenting programmes for families in difficulty.

For the first time, parents' frustrations and efforts in trying to access supports for their children appeared to be acknowledged.

The YJRT (2011) identified key development areas including early intervention, policing, systems delay, youth conferencing, courts and custody, and accurate statistical information on youth offending. It acknowledged the plethora of strategies prioritising early intervention and work with families but noted a lack of clarity about what this meant in practice, in addition to limited understanding between agencies and departments about each other's role. Of concern was a policy vacuum and low priority given to youth justice within the Department of Justice. Thirty-one recommendations were made including: the MACR to be raised to 12 and then 14, and all under 18s to be removed from prison custody. Encouraging early intervention and a family-focused approach, the YJRT recommended that the aims of the youth justice system should, 'include a presumption that low level offending should be dealt with by parents (with support where necessary), school and communities or through a police disposal' (2011, p.114).

The issue of mental health awareness and skills training emerged with regards to the PSNI. The YJRT recommended that the PSNI implement a more robust complaints and, in relation to its role in youth diversion, the introduction of a system of triage at arrest, extending discretion, and greater use of warnings and cautions. To reduce the use of remand, the YJRT recommended the active participation of parents to encourage young people's adherence to bail plans. Better communication by the PSNI and PPS with parents was recommended. To reduce delay and divert young people from court, Youth Engagement Clinics (YEC), recommended by the YJRT, were first introduced in the Belfast area in 2012. A YEC involves a meeting with the young person, police, YJA, and an appropriate adult (Dugmore et al, 2007) with the purpose of informing the young

person of the PPS decision and options available. Where a young person has five previous convictions or the offence was sufficiently serious to warrant being dealt with in Crown Court (PSNI, 2017), then this pathway is considered unsuitable. NICCY (2013) has stressed the need for young people and parents to have access to legal advice in order so that they have full knowledge of the potential implications of decisions taken in a YEC.

As previously mentioned, the YJRT recommended focused training for police when interacting with children and young people. This was likely to become especially relevant with the introduction of the Justice Act (Northern Ireland) 2011 and Policing and Community Safety Partnerships being rolled out across Northern Ireland. More police presence in communities meant increased likelihood of children encountering them as a result, thus reinforcing the need for specific training. Kilpatrick's (2011) research found that young people in poorer, segregated areas are those most likely to experience stop and search.

### **The contemporary youth justice system**

The chapter thus far has explored developments in youth justice policy from partition through to the YJRT report. The remainder of the chapter explores the contemporary youth justice context in Northern Ireland including policy, policing, administration of justice, sentencing, restorative justice and use of custody. This is in the context of Northern Ireland being without its local elected government between January 2017 and January 2020.

#### *The contemporary policy context for parents*

No over-arching policy or strategy exists focusing on support for parents and families when children are in contact with the justice system. The Children's Services Co-operation Act (NI) 2015 places a responsibility on the Northern Ireland Executive (NIE) to promote and facilitate cooperation between public bodies and to develop and implement a strategy which improves the lives of children and young people (Department for Education, 2016). This should include all aspects of a child's health and well-being such as mental health, education and their contribution to their communities and society. The Children and Young Person's Strategy (2017-2027) sets out the entire Executive's responsibilities in improving the well-being of children and young people,



as now required in law (HMSO, 2017). Beyond these exist a raft of departmental and cross departmental strategies, thick with the rhetoric of support and collaboration with parents, as 'stakeholders' (La Placa and Corlyon, 2014; Children in Northern Ireland, 2018). All, as observed by Byrne and Lundy (2015), espouse an almost identical narrative of a coordinated approach to early intervention and diverting children and young people from the justice system. Examples include the draft Community Safety Strategy (DOJ, 2012), the Strategic Framework for Reducing Offending (DOJ, 2013) and the Delivering Social Change - revised Child Poverty Strategy (DHSSPSNI, 2016). Each acknowledge the impact of inequalities on outcomes, including involvement in crime and anti-social behaviour. The Children and Young People's Strategic Partnership was established to implement the 10-year strategy; one of the regional sub-groups being 'children and young people and offending' (Northern Ireland Executive, 2017).

As discussed, early support for parents and diverting children from the justice system offer best hope in preventing offending (Baker, Kelly and Wilkinson, 2011; Case and Haines, 2014; Muncie, 2015). All the documents discussed above are interspersed with reference to parents, the Early Intervention Transformation Programme (EITP) as a cross cutting policy initiative between the Departments of Justice, Health, and the Atlantic Philanthropies Signature Programme, aims to provide such 'early intervention' (Children and Young Person's Strategic Partnership, 2014), focused on 'needs' and 'vulnerabilities'. The Early Intervention for the Prevention of Offending Programme was one example of a multi-agency initiative, aimed primarily at 8-13-year olds and their parents. The 'Strengthening Families' parenting programme is a similar example of an EITP initiative, favorably evaluated through a number of reviews (Lindsay et al, 2011). In an audit of 'evidence-based' parenting interventions in Northern Ireland, Montgomery et al (2016) reported 80-95% completion rate in such targeted programmes in some areas. However, the authors suggested that when planning policy and programme implementation, providers should consider the needs of families specific to the area they live in and attend to what parents say they want to achieve in helping their child avoid offending.

Existing cross-departmental rhetoric espouses an early intervention, rights based, family focused, and welfarist policy approach, which ostensibly parents should be at the heart of. Added to this,

in March 2016, the then Justice Minister, David Ford, reported on a scoping study launched the previous year to assess whether the 'legislative, strategic and structural architecture surrounding the youth justice system was adequate to address the many and complex *needs* of the children who come into contact with it'. This aimed to regather the momentum of the YJR, indicating three areas for reform and potentially a 'fundamental shift' for youth justice strategy. These he listed as: 'putting welfare at the heart of the system'; 'maximising community involvement and increasing exit points from the justice system'; and 'developing the disposals available to the judiciary and reducing the use of custody to make it truly a measure of last resort'. This suggests a more welfare based and needs focused re-orienting which can only occur when parents are front and centre. However, it is unclear if, and when the new Justice Minister (Naomi Long as of January 2020) will pursue this agenda, aside from how this would fundamentally impact agencies and institutions in the justice system, and actually manifest for parents when their children are in contact with the justice system.

### *Policing*

Chapter Four highlighted evidence showing how contact with police as first agency in the justice system is critical to perceptions, future encounters and outcomes for parents and their children (Cavanaugh et al, 2017; Hayley and Warner, 2017). Despite the post-Agreement reforms, policing endures as an often-contentious issue. Sindall et al's (2017) research found a strong correlation between young people's attitudes to police and those of their parents. When examining attitudes in sectarianised working-class areas typically demarcated as 'Loyalist' or 'Republican', Topping and Schubotz (2018) found that 62% of 16-year old's in Loyalist areas felt the police treated them fairly compared with 40% in Republican areas. Poorer Catholics were the demographic most likely to believe police as not treating them fairly (37%). The most recent inspection (CJINI, 2018) of Woodlands JJC highlighted concerns about the over-representation of Catholics admitted to the Centre, reaching 76% in the year 2016-2017.

Chapter Three cited several international studies establishing the range and complexity of parents' experiences, needs, and concerns when their child has contact with the police (Broeking and Peterson-Badali, 2010; Cavanagh et al, 2017; Hayley and Warner, 2017). The recent PSNI

Service Instruction for Youth Justice (2018) for all officers deals specifically with the protocol where an offence is suspected, outlining how an investigating officer should proceed, including contact and advice to be made with parents. It includes an aide memoire explaining the role of the appropriate adult to be shared with both child and adult prior to questioning. Early information sharing with parents, and informed consent in every aspect of involvement is emphasised throughout. This is especially the case with regards to informing parents to seek legal advice at the earliest point where an offence is committed. No review of parents' experiences or their feedback on this critical process has occurred.

Research indicates that 10% of sixteen-year olds in Northern Ireland have experienced 'stop and search'. The Police and Criminal Evidence (NI) Order 1989 (PACE) and the Misuse of Drugs Act 1971 (MDA) provide for this where there are reasonable grounds to suspect that a person is carrying prohibited objects or substances; the legislation applies regardless of age and understanding. However, of the respondents in Topping and Schubotz' (2018) study, 69% reported not having been given a clear reason for being stopped, with 41% eventually searched. Research further indicates that parents from working class areas worry about the consequences of their child's contact with police, aware that they are disproportionately more likely to have contact with them (Brunson and Weitzer, 2011). Aside from the legality of a number of such apprehensions, no receipt of the process was provided to 88% of the young people, let alone contact with parents made, yet the majority cited their name having been taken (receipt of stop and search should be provided in all cases (PSNI, 2018). Topping (2017) described the process of 'stop and search', as often antagonistic for young people yet parents may never be made aware about the interaction that occurred for their child, despite parents identifying this as a key concern.

Within the UK context, StopWatch (2017), whose stated purpose is to promote fair, accountable and effective policing, issued a guide to help parents communicate with their children on the issue. It highlights parents' greatest concern as their child's vulnerability in such a situation where police have significant power but often limited, if any, training specific to children and young people. The lack of regard to this issue might be seen in the PSNI only releasing figures on age

related stop and search since 2017, despite there being a 74% increase in occurrences between 2004/5 and 2015/16 (Topping and Schubotz, 2018).

In 2011 Kilpatrick highlighted the behaviour and conduct of a minority of PSNI officers toward young people under PACE powers as a serious issue reinforcing the need for ongoing training, later echoed by the YJRT. StopWatch (2017) notes the limited opportunity for redress parents have in this context as often children are stressed or unclear regarding what was communicated. In examining the efficacy of 'stop and search', Flacks (2017, p.384) concludes that this process needs recalibrated to conceptualise children in terms of 'harm' as opposed to 'crime', suggesting a safeguard mechanism such as the appropriate adult which exists in the official space of the police station interview room. This is further supported by Dehaghani (2017), who argues that where a child does not 'perform vulnerability' this does not mean they are not vulnerable and that as parents attest, arrogance or 'cocksureness' is often evidence of an inability to cope. Where a child is arguably most vulnerable at the point of arrest for 'offence' behaviour, the PSNI (2017, p.7) details how this should occur consistent with Articles 37 and 40 of the UNCRC which deal with arrest and detention.

The PSNI service instruction outlines the role of police in ensuring that information given to children and parents is clear and informed consent achieved in progressing to a sanction or outcome. The PSNI (2018) Youth Strategy affirms the responsibility to inform parents about any actions taken in relation to their child. No recent review or inspection specific to the views or experiences of children and parents in Northern Ireland when in such circumstances has been carried out. However, the DOJ (2016) cites data indicating that overall, only 42.9% of participants believed that the criminal justice system was effective and 49.2% felt it was fair. Research, discussed in Chapter Four, explored parents' concerns in fulfilling the appropriate adult role given their limited understanding of the law and legal processes (Hayley and Warner, 2017). In researching young people's knowledge of the implications of a criminal record, Carr et al (2017) found they had limited understanding of the future impact, thus leading them to question the issue of informed consent.

A CJINI (2015) follow-up inspection on the implementation of YJRT (2011) recommendations reported appropriate skills or training for police and the implementation of a robust local complaints system, as not met. Whilst the report indicated progress in establishing YECs, it reported that extended use of discretion as a means of diversion is not yet achieved.

#### *The administration of justice: prosecution and delays*

Although delays within the youth justice system have reduced, they remain, and lack of clarity can be distressing for children and parents. Henderson (2010) in recommending the use of advocacy and the opportunity of group support during this time, notes that distress often occurs because parents have a limited, or no, supportive network and struggle with the associated shame and stigma experienced. DOJ (2017) figures show that of all children and young people who offend, one third will re-offend and in almost half of these cases this will occur within three months of the original offence, which may mean prior to the initial offending having been dealt with by the system. The youth justice system's move to promote the current drive to 'speedy justice', early intervention, and diversion through the triage system of YECs, reflects efforts to reduce delay (Shapland et al, 2017). In the year 2018-19 less than 400 young people were disposed of in the youth courts in Northern Ireland, compared to almost 800 young people in 2009/10 (NISRA 2019). Where a young person is required to attend court then an adult must accompany them, and delay can be lengthy from initial arraignment until disposal. In Northern Ireland, the PBNI has responsibility for the Pre-Sentence Report (PSR), which can mean engaging with yet another agency and further delay while assessment is undertaken and reported on within the mandatory four-week timeframe (PBNI Standards, 2018). Although CJINI (2015) reported delay as reduced since the YJRT, in some cases this persisted. The Children's Law Centre and Save the Children (2015) report to the UN Committee on the Rights of the Child noted delay in proceedings as an on-going issue for too many children. In addressing the issue of delay for children in all court proceedings, NICCY (2016) requested that Statutory Time Limits (STLs) are implemented as a matter of urgency, however this has yet to occur.

Parents often struggle to understand the implications of youth justice processes, particularly at stressful times (Cusworth Walker et al, 2014). NICCY (2013) queried support available for parents

who may have mental health or learning issues. In reporting on an equality impact assessment of the Youth Engagement Clinics pilot scheme (NIA, 2014) a Northern Ireland Assembly member of the Justice Committee reported feedback from parents who cited fear of escalating situations, or being seen to perceive the situation as serious, as reasons for not availing of legal advice at clinics. This is reflected in the most recent Department of Justice statistics, showing that 75.3% of parents and young people who took part in a YEC did not avail of legal advice, confirming NICCY's (2013) early concerns on this process. Luckenbill and Yeager's (2009) findings highlight the need for purposeful communication with parents, in helping them support their child in an informed manner. This would seem essential given that the majority outcome for parents and children was a youth conference plan which when ratified is legally binding, with breach potentially a court matter.

#### *Sentencing, restorative justice and the implications for parents*

Under the Justice (NI) Act 2002, the Youth Justice Agency is the authority delegated with ensuring the requirements of the court and diversionary orders are provided for and met. Children and young people are referred by YECs, PPS or when required to attend by the court through sentencing or bail support (White, 2004). When a young person is referred to the Agency, engaging parents is a key task of the child's key worker. The Agency's 2016-17 annual report frequently cites involvement of parents and families as integral to all disposals in the community and restorative justice interventions (YJA, 2017). Diversionary disposals, mostly diversionary youth conferences form the majority of referrals to the agency (49% in 2016-17, with 35% of overall workload being court ordered). The remaining 15% of workload involves work with other agencies and preventative work. In 2016-17, 893 young people were involved with the Agency (YJA, 2017), most live at home with parents. Reviews and evaluations of the Agency's work have sought parents' views. These have always been almost overwhelmingly positive in terms both of staff interaction with parents and perceptions of how staff worked with their child (Maruna et al, 2008; YJRT, 2011; CJINI, 2015). Views are sought on their experiences of current provision, rather than their perspectives on strategy or policy.

Youth conferencing, the flagship intervention of the Criminal Justice Review, hailed as international best practice, established restorative principles at the core of the youth justice system (Jacobson and Gibbs, 2009). Restorative approaches and reintegrative shaming for children, and their parents were critically reviewed in Chapter Three. Conferencing depends heavily on the support of parents, yet the efficacy and ethics of their involvement is questioned (Hoyle and Noguera, 2008). Convery and Seymour (2016) cite CJINI (2013) which noted a reframing from a less punitive to more proportionate conference plans overall, yet query the 'just' in restorative justice for children who Brown (2005) argues never had an apology, or 'restoring' for many of the wrongs they themselves experienced. The Northern Ireland Audit Office (NIAO, 2017, p.30), in examining 'value for money' in public services, reported that despite successive evaluations and reviews indicating participant satisfaction with the process and outcomes, 'earlier assertions that youth conferencing has been a success are not necessarily supported by subsequent evidence'. The report indicated reoffending as increased across all categories of disposal from 2010-2011, querying the efficacy of repeated youth conferencing with the most prolific offenders, resulting in what McAlister and Carr (2014) define as 'conference fatigue'.

#### *Custody for young people and the implications for parents*

Custody represents a particularly difficult time for parents and children. Case and Haines (2020, p.390) highlight how 'custody of children has been found to compound pre-existing disadvantages, to exacerbate broken links with family and social networks and to cut off opportunities for reparation'. The analysis below reviews key issues for parents, and children and young people in custody in Northern Ireland, in Woodlands JJC for boys and girls under 18, and Hydebank Wood for young adults.

Woodlands JJC can accommodate up to 48 children, however the average daily population in 2016/17 was 23. In this period 139 young people entered custody and 39% of these were 'looked after', either 'accommodated' or on an order. Most are held on remand, aged 16 to 17, and male (Spain and McCaughey, 2017). The Justice (NI) Act 2002 outlined the legal requirement of the presumption of bail in all circumstances where a young person is remanded in custody. Where

the young person resides at home, parents will typically be integral to any bail support package proposed to the court. If not living primarily at home, parents will still be involved and at least, consulted, where possible. In addressing the need to reduce remand under PACE, the YJRT (2011) recommended the active participation of parents in supporting young people to adhere to bail plans. The available literature indicates that in Northern Ireland parents have concerns about the wellbeing of their child in custody including, distance from home and the use of remand, and access to treatment for mental health issues (YJRT, 2011).

In a follow-up to the 2014 inspection of Woodlands, CJINI (2018) made specific reference to issues affecting parents. PACE continued to represent most of remand, with 50% of those being released within 24 hours, leading inspectors to question its use. Whilst regretting the continued inappropriate use of remand, CJINI noted that parents were involved in decision making and care planning and that family visiting was encouraged, as well as the opportunity for parents to spend overnights with their child at the facility. However, the location of the JJC means that it is inaccessible for many families, with a potential three-to-four-hour one-way journey on public transport from furthest western regions, and for this and other reasons most families would be unable to avail of overnight stays. Parents will typically be central to any discharge plan. The availability of a Belfast based parents' support group was considered a positive step and CJINI noted that support for drugs issues was available in the JJC.

The needs of young people who enter custody are multi-faceted, whilst their behaviour will have caused harm and placed others and themselves at risk potentially, they will have multiple vulnerabilities. Outcomes for young people who enter custody are poor, the NIAO (2017) report that 89% of all those released from youth custody will reoffend, questioning the inappropriate use of custody. Their parents will experience the greatest levels of deprivation and complexity of needs (Evans, 2014), leading the author to query expectations placed on them by professionals, and actual quality and availability of user informed, and practical support provided. These are the parents who strongly expressed to the YJRT the need for support with and for their children who have mental health and drug and alcohol issues.



In terms of custody for older young people, imprisonment for young men aged 18 – 24 is in Hydebank Wood Secure College (formerly Hydebank Wood Young Offender Centre). These young prisoners were described as the ‘forgotten group’ by the Prison Review Team (PRT, 2011, p.70). The most recent inspection found that since the implementation of changes recommended by the PRT, there has been a ‘major shift in the ethos of the institution’ with the emphasis ‘now clearly on providing educational and learning opportunities to break the cycle of reoffending’ (CJINI, 2016, p.5). However, a significant proportion of young prisoners reported having mental health difficulties, and some felt unsafe due to the availability of drugs, and associated problems of bullying. Murray’s (2020) observational research in Hydebank found a culture of masculinity, conducive to intimidation and bullying, and detrimental to mental wellbeing. Many young men had been subject to violent paramilitary attack before their imprisonment, and some remained under paramilitary threat. Young women from the age of 18 are detained in Ash House, an adult women’s prison unit on the Hydebank site. The imprisonment of women within a male prison establishment has been consistently condemned by inspectors and the Northern Ireland Human Rights Commission (Moore and Scraton, 2014).

## **Conclusion**

Most children will not be involved in serious offending that harms others. Only a small minority of those involved with the youth justice system will not or cannot have any contact with a parent. Most do, and this chapter has highlighted little evidence of formal and meaningful parental participation and co-production in service planning, as those who know best what might support them with their child. Tobis (2013) argues that non-participation and meaningful engagement of parents in powerful system that they must contend with, can only result in further shame, exclusion and poor outcomes for children.

This chapter outlined the development of law and policy relating to youth justice in a unique context during an extended period with no strategy, little scrutiny nor acknowledgment of the role or needs of parents. In attempting to chart the extent to which key milestones in the development of youth justice have attended to the needs and experiences of parents, for example the CJR and later YJRT, it has been able to locate much substantive evidence of this.

Apart from their contact with the Youth Justice Agency, parents' marginalised position is palpable in the limited reference to their needs including at crisis points when police become involved.

In the absence of a strategy for children and families in the justice system, agencies may not be held to account. As example, evidence of dedicated training for police officers on the mental health needs of young people in the justice system, despite this consistently being identified as a priority need, has not occurred. The Police Foundation UK (2018) now advocates a developmentally aware approach continuing to young adulthood when engaging children. This seems essential to instilling confidence for parents, in the police role with their children. The above foundation cites knowledge and specialism as key to what happens at critical moments. It could be argued that the same is required of all criminal justice personnel and legal professionals involved in critical processes and decision making regarding children. Research has shown drugs and alcohol issues coexist with other criminogenic factors where young people's involvement with the justice system is most frequent (Papp et al, 2016). To date no rehabilitation facility exists specifically dedicated to young people's alcohol and substance misuse, yet parents consistently reference such provision as essential in helping them to prevent further offending.

As indicated above, aspects of restorative practices have been embedded through the Justice (NI) Act 2002, but the system remains essentially retributive, with restorative processes arguably shoehorned into procedural justice practices where parents feel responsiblised, shamed, and will not have been integral to the design or service planning nor co-opted as 'trusted' stakeholders. The challenges of participation for a child in a room full of adults is highlighted by Duff (2002); similarities are apparent for parents in 'restorative' processes, as the adults with least power and choice. Evaluation indicates their desperation in forfeiting the right to legal representation due to fears of this escalating matters, as opposed to being a basic right as highlighted this is a concern to rights based lobbyists (NICCY, 2017). Parents struggle to access essential health services for their children who can become inappropriately remanded or detained in police cells; with the experience for both parent and child far from the values of restoration and reintegration espoused. In practice the YJA emerge as a positive support and resource, but with limitations in support for parents beyond its statutory requirement.

The examination of how parents are positioned in official discourse, shows that they sit uncomfortably in justice system publications relating to children's offending, if at all. Reference to parents in cross departmental strategies tends to be tokenistic and predictable. No framework is evident from any department in systematically gathering their views as service users regarding what may be of assistance, except perhaps through the previously referenced parents' support group. Departmental strategy specifically targeted in meeting the needs of parents in helping their offending children, is non-existent. For most agencies or departments reference to parents is often in ensuring legal compliance in seeking consent owing to the child's age and parental responsibilities and rights. It is difficult to comprehend why parents are marginal in legislation, policy and official literature of the agencies within the justice system when overwhelmingly they are integral to the core aims in helping children avoid offending and making communities safer, as consistently borne out by the evidence base.

Ultimately, the NIAO (2017, p.3) recommended 'A specific strategy to guide the Executive in terms of youth justice policy and interventions and to help co-ordinate the delivery of youth justice services'. It documented key times in the years since the CJR, and Youth Justice Review, when motivation to progress recommendations had evaporated, with no ultimate accountability. Parallel to what might be perceived as limited efforts in addressing the needs of the most vulnerable young people, Case and Haines (2020) argue for a 'children first, offender nowhere' model, that supports parents and children as the preferred paradigm for young people with such complex needs and circumstances. The new Justice Minister Naomi Long has yet to make any statement on youth justice, or update on future strategy development in this area.

The following chapter outlines the methodological approach and design in this study to critically examine what such a strategy vacuum and contested policy context means for parents in their everyday lives when their child encounters the range of agencies in the justice system in Northern Ireland.

## **Chapter Six: The research methods and design**

### **Introduction**

This project aims to understand the experiences of parents who encounter the justice system in Northern Ireland as a consequence of offending by their children. This chapter revisits the research aim and objectives before considering the process in selecting the methodological approach. Next, the research paradigm within which the study is positioned is examined in appreciating the methodological ‘fit’ with the identified philosophical position. This provides a critical reflection on the value perspectives informing the project. The methodological approach and design are then discussed. This section initially focuses on the challenges of formulating a research design that systematically addresses the aim and objectives. Issues involved in gaining ethical approval are explored, as working with parents who are often ‘hidden’ required scrupulous attention to ethical issues in ensuring the safety and wellbeing of all concerned. Following on, sampling is discussed and the process of negotiating access. Sample characteristics are identified, include a breakdown of sample size, gender, and brief details of their child’s level of involvement with the system. The process of focus groups and semi-structured interviews as the chosen methods of data collection are outlined. Factors relating to the structuring, content and undertaking of both these are explored. Lastly, the approach to data analysis including transcribing, coding and theming is considered before finally reflecting on the overall process and key learning for future research projects.

### **Research aim and objectives.**

This research aims to explore the experiences and needs of parents when their children come into contact with the justice system in Northern Ireland. The objectives are:

1. To compile a thematic review of the available literature relating to parental experiences when children encounter the justice system and to ascertain how the justice system interacts with them through the process.

2. To critically examine parents' experiences from first contact with the justice system, and the subsequent lived experience throughout the duration of their child's involvement with the system.
3. To explore how parents experience the different agencies within the justice system, and how these agencies respond to and interact with them, as the person with parental responsibility.
4. To ascertain how parents perceive the impact of their child's offending behaviour and subsequent contact with the justice system, on their relationship with them.
5. To understand what supports, or what would support parents overall, at critical points of their child's involvement with the justice system.

### **The rationale in adapting a qualitative approach**

Contemporary research pedagogy highlights the necessity of reflection in practice regardless of methodological approach. In encouraging reflexivity as an essential feature of qualitative approaches, Lewthwaite and Nind (2016, p.426) describe it as 'an ability to locate and situate oneself, and one's methods decisions within a wider methods landscape', further explaining this as involving active awareness of the politics of research, meaning its relationship to dominant discourses and powerful ideas. Review of the literature required critical reflection in appraising the evidence, for example, Chapter 3 discussed the 'risk factor prevention paradigm' (Farrington and West, 1993; Farrington and Kapardis, 2016), a highly influential body of evidence with an established relationship to government policy within criminal justice (Muncie, 2015). The need for transparency in the case of the researcher acknowledging their position relative to both the subject under investigation, and their philosophical approach in examining this, is stressed by Caelli et al (2003). Thorne et al (2004, P.7) remind that 'the researcher's consciousness of the overall point of the exercise will influence many of the choices in the construction of the research product'. This resonates as having worked as a social worker with parents in their homes, courts, and youth justice premises including custody, I was clear that the purpose of the research was to

reflect the parental experience across the range of agencies with their child, throughout often protracted processes, and including the impact on them and their family.

Unlike quantitative approaches, which Neuman (2013) advises have measurement of certain phenomena as a fundamental objective such as collating data on demographic features, this methodological framework aims to explore as opposed to quantify. For example, numerous metrics and descriptive features may be available about parents *because* of their child's contact with the system. Such data is collated by agencies at point of contact yet gaining information on needs and experiences necessitates a more relational approach which qualitative methods are better suited for.

This intention to represent parents' lived experiences determined the eventual research approach. A range of potential methodologies were explored in an effort to best address the research aim. Alvesson and Skoldberg (2000) encourage probing and scrutiny in questioning methodological approaches, believing this necessary in offering powerful counter approaches and views which may challenge the researcher's attachment to a particular method. They advise the need for significant support to the new researcher in engendering a 'disciplined reflexivity', to mean encouraging consideration of the range of methodological approaches in addressing the research question. Chapters Two and Three identified the rhetoric or 'lazy debate' regarding parents in this context as inept, neglectful and uncaring. The review of the literature in Chapter Three (Hillian and Reitsma Street, 2003; Holt, 2010; McCarthy and Adams, 2017) suggests such a narrative as inaccurate. The author was determined that the design and methods of data collection and analysis used in exploring the detail of lived experience, might assist in dismantling such erroneous representation. The challenge was in ensuring a robust approach with integrity. Merriman (2009) reassures that research orientations intersect and need not be framed as exclusive categories. Initially I was preoccupied with using a mixed methods approach, believing this essential in evidencing skill and depth of knowledge across methods. Wanting to represent the experiences and needs of parents reflects an interpretivist position, whilst examining their situation within wider socio cultural and political discourses and representations, lends to a natural locating within a constructivist paradigm. Thus, a qualitative approach situated in an

interpretivist/constructivist paradigm as the epistemological basis of the project seemed to best 'fit' in positioning the research.

Further supporting this choice, as referenced in Chapter Three, the introduction of restorative approaches and specifically youth conferencing dominated the youth justice research focus in Northern Ireland, overwhelmingly concentrating on experiences and outcomes for young people themselves. Few reports or evaluations have included parents in sampling, nor under research aims. Whilst the Criminal Justice Inspection Northern Ireland (CJINI, 2015) referenced having met with parents in the 2015 evaluation of the then Youth Conferencing Service, and the 2011 Youth Justice Review Team (YJRT) sought the views of a selected group of parents on several specific issues, no study has sought the particular views of parents on either an individual or group basis. Yet the unique modern history of the justice system in Northern Ireland as outlined in Chapter Four, renders comparisons to the experiences and needs of parents in other regions unreliable.

To date no other studies have approached the lived experiences of parents when their children come into contact with the justice system in Northern Ireland from a qualitative perspective. Reasons for this are unclear, accessing 'hard to reach groups/hidden populations' may be a factor. Noaks and Wincup (2004) in referencing research in criminal justice suggest that the politicisation and thus priority afforded to 'risk' and public protection in this area leads to it dominating the research agenda. As discussed earlier, at best tentative comparisons and general understandings could be applied between studies undertaken in other regions, using different approaches, and Northern Ireland.

Examining the challenges of developing qualitative research proposals, Marshall and Rossman (1995, p.7) suggest that 'want-to-do-ability' that is the researcher's enthusiasm for the project, or passion regarding an issue, ought not to be considered a negative or taken as some indication of inherent bias, rather: 'qualitative inquiry acknowledges that all social science research may well be subjectivist and shifts the discourse to a discussion of epistemology and strategies for ensuring trustworthy and credible studies.'

This study aims to understand parents' experiences as opposed to testing outcomes. Qualitative research seeks to understand subjective experience and the meaning of this for the person/s as

they describe it. Lincoln and Guba (1994) argue that in attending to the context of the subject under investigation/exploration; qualitative methods provide relevance, a quality criterion not indicative of the 'context stripping' nature of investigation in quantitative approaches. On balance, talking to parents face to face in interview, and focus group, or both seemed the best means of achieving the research aims.

### **The research design process in addressing aims and objectives.**

Having settled on the 'why' and 'what' of the subject under investigation or exploration, research design concerns itself with systematically detailing the 'how' this will happen. As previously stated, the literature concerning qualitative research methods stresses the need to apply quality criteria in a systematic way, at each stage of the research design process. Reflexivity on design is advised in qualitative research texts and was essential to this study (Fereday and Muir Cochrane, 2006; Turner, 2010). Exploring this literature forced reflection on the authenticity of recollections and experiences as potential constructions of the parental experience. For instance, I queried the extent to which certain topics should be addressed, for example, contact with police, or how parents experienced court; my recall of these was as largely distressing for parents. Gaining knowledge of qualitative methodologies initially raised such concerns about neutrality and transparency, prompting review of self-perceived ideas about the parental experience. Again, I questioned if I was 'over sympathetic' and lacked objectivity given how immersed I had been as a professional social worker and academic, in the experience of parents in this situation. However, supervision provided perspective and instilled confidence in deciding on focus groups as initial data collection in an iterative process.

As observed by Kam (1997) the supervisory relationship is a bidirectional one, and at early stages significant guidance and reassurance was required in the reflective space. Supervision both challenged and affirmed issues, for example provoking consideration of how parents themselves may relate to and voice their story to the 'researcher' as opposed to the social worker and deciding on focus groups and individual interviews as the means of data collection. In preparing for the task I requested to attend the London School of Economics Qualitative Methods Summer School, an experience which reinforced the need for constant focus on the research question at



all stages of the research design, and the fundamental importance of quality criteria in qualitative research. Through a process of research, supervision and having consulted expert methodologists at the above training, eventually a clear research design emerged. Focus groups with parents whose child was involved with the justice system would provide initial rich data and inform the template for semi-structured interviews with a schedule informed by data analysis from the focus groups, along with available evidence and prior professional knowledge of the youth justice process for parent having worked for years as a social worker with them.

Focus groups are a staple of qualitative research. Tarr and Biquelet (2015) suggest their appeal lies in the interviewer/moderator providing the questions and the participants providing the data through their responses. The group environment allows the opportunity for diverse and contrasting viewpoints, along with reactive and reflexive responses to the topic/question under discussion. Secondly, Marshall and Rossman (1990) extoll their potential value to participants who may struggle to find spaces where their views can be articulated and acknowledged in the 'permissive environment' that offers questions which are deceptive in their simplicity yet encourage self-disclosure and are flexible in anticipating the unexpected. Lastly, as argued by Gibbs (1997), they allow 'experts by experience' to contribute to shaping themes for the semi structured interviews. In terms of engaging 'hidden populations', Wilkinson (2004, cited in Silverman, 2004) believes the concurrent participation of members shifts the locus of control and provides an egalitarian model. The 'real time' nature of the focus group experience lends validity, which Leung (2015) understands as a critical quality criterion in qualitative research.

Whilst having no previous experience of focus groups, as a practitioner in Child and Adolescent Mental Health Services (CAMHS), I planned and facilitated numerous group work programmes with parents and believed I could harness some of this previous knowledge and skill in managing dynamics and processes in a focus group. The decision to include two focus groups was opportunity led, when presenting to the Youth Justice Agency (YJA) senior management team they informed of an ongoing parents support group, and YJA staff later suggested bringing a group of parents together for this purpose. This allowed insight and perspective from two groups with differing compositions and dynamic but where all had contact with the youth justice system.

Morgan (1997) in reviewing features of stranger (where participants have never met prior to the actual focus group occurring), and acquaintance groups (participants are previously known to each other), outlines positives and negatives for each. For example, he cites invisible boundaries around a taken-for-granted-ness as potentially stifling discussion in acquaintance groups. Alternatively, Morgan sees the value of mutual support for self-disclosure which can be a particular feature of social science research. I was curious as to how data from both might compare and valued the potential insights in this exploratory study. Both Daniel (2010) and Scott and Garner (2013) support the value of more than one focus group in achieving breadth and depth on sensitive issues, such as the current study. Also, given the iterative, qualitative nature of the study it was anticipated that two groups might validate key themes as the basis of a guide in deciding upon the structure of the semi structured interviews.

The predominant choice of interview format in such research is the 'semi-structured interview' (Flick, 1998), often referred to as semi-standardised. This type of interview provides a structure through questions that are constructed around key themes, yet flexible in allowing the interviewer to digress from the schedule to elicit detail relevant to the themes and research question overall (Hardwick and Worsley, 2011). Flexibility of approach and adapting means (questions) to achieve research aims is privileged within the research.

The above understanding emerged as a result of genuinely needing to question and 'respectfully' argue in supervision as to 'why' I was using semi-structured interviews. I had assumed I would undertake these as a given in qualitative research, and the 'semi-structured' composition would manage concern about my newness to the whole experience of this type of interviewing. However, this rationale preferenced my needs as opposed to the project aims of providing optimum conditions and method to allow parents to tell their story and experiences. Seidman (2006, p.9, citing Reason, 1984), in responding to challenge on the validity of qualitative interviewing in research was asked if telling stories was science and replied that:

The best stories are those which stir people's hearts, minds and souls and by so doing give them new insights into themselves, their problems and their human condition. The challenge is to develop a human science that can more fully serve this aim. The question then is not, 'Is story telling science?' but 'Can science learn to tell good stories?'

This elevating of the 'story' reinforced the value on the parents' narratives and my task in faithfully capturing these. It was essential that this occurred on a face-to-face basis so as not to lose the authenticity of the experience and to allow opportunity for reflection post interview. When exploring interviews in research, Braun and Clarke (2013) offer a typology that includes structured, semi-structured and unstructured, the latter two being typical in qualitative research. They cite Oakley (1981) who credits the qualitative interview within social sciences as emerging from what she describes as a critique of the depersonalising quality of structured quantitative interviews. They emphasise the personal style and responsivity of the interviewer as strengths of the approach, similar to Seidman (2013) affirming the *human instrument* as asset in research, exercising tact and skill. Semi structured interviews best addressed the research aims in acquiring understanding of parents' experiences of the justice system. As a large system with many and complex component parts, a flexible structure allowed for questions to focus on parents' experiences at critical points in the process through that system as outlined in previous chapters. Consistency as a feature of guided interview approaches discussed by Turner (2010) can also accommodate flexibility. This was essential for pure expediency and the reality of managing time and future analysis of the data.

The potential for unstructured interviews was explored, in criminological research which attempts to engage with 'hard to reach groups', narrative and bibliographical approaches can better elicit rich data (Noaks and Wincup, 2004). Referencing social work research specifically, Shaw and Gould (2001) see a strength of the approach in its potential for rescuing the voice of marginalised and excluded service users. The argument is furthered by Flick (2008) who observes that the representation of subjectivities in the narrative of such approaches allows for an exploration, even deconstruction of prevailing discourses about the issue studied. Such an approach is reflective and consistent with a constructivist epistemology, studies using this type of interview tend to engage a small number of participants (Tarr, 2015).

Kitzinger and Barbour (1999) advocate combining both focus groups and interviews, arguing that focus groups alone will not capture nuances of individual experience which is important to qualitative research. In examining findings of studies where both methods are combined,

Lambert and Loiselle (2007) support such rigor. They attest that trustworthiness of findings is increased by the iterative process of data collection and reconceptualisation of phenomena that occurs with such data collection methods and analysis stating that; ‘the analyst must always remain skeptical of the immediately apparent, and must create data collection pathways that challenge, rather than reinforce, the earliest conceptualizations’ (p.1008). I had already made contact with the YJA and presented to their senior management team when the research design was decided upon. A good working relationship with the agency and clarity in terms of what exactly I was requesting from them, was critical as they were essentially gatekeepers for participant parents.

### **Accessing ‘hard to reach’/hidden and vulnerable populations or groups**

I felt a responsibility to avoid further isolating or stigmatising parents and believed a careful balance needed to be achieved in use of the best method to address the research aim and objectives whilst also respecting the position and experience of parents. Flanagan and Hancock (2010) discuss the challenges in introducing the term ‘hard to reach’, pointing to lack of consensus with terminology and divergent discourses reflecting multiple understanding and experience of the term. They offer broad criteria to the overall debate on definition as opposed to referencing particular categories. They suggest that as opposed to traditionally labelled ‘hard to reach’ groups which may include drug using or homeless people as example, use should reflect the barriers to inclusion that people experience, providing examples including previous negative experiences of services, the availability of actual services, location and accessibility of these, and stigma and social isolation (Flanagan and Hancock, 2010). Much of the research in this arena is undertaken within health sciences where from a pragmatic position representing all groups/populations is essential in achieving validity and generalisability of findings, as argued by Neale et al (2005) and Rockliffe et al (2018) both of whom discuss difficulties with recruitment, with the literature focusing on strategies for engagement. In a systematic review of the literature on strategies for improving research engagement with socially disadvantage groups Bonevski et al (2014) identified a number of barriers in recruiting excluded groups and suggested approaches for more meaningful participation. These supported and validated much thinking and

preparation in terms of the research design. Barriers included lack of trust, lack of understanding about the research, fear of exposure, issues with gatekeepers, stigma, language used. Strategies for managing these consistently referenced community groups as essential partners in the recruitment process. Additionally, use of language in materials used, flexibility and choice with data collection methods and simplified correspondence and processes were indicated as necessary (Bonevski et al, 2014). These obstacles to engagement are reinforced by Ellard Gray et al (2015, p.3) who, in offering solutions drawn from research, personal experience and review of available literature, state that:

Hard-to-reach, hidden, and vulnerable populations often face heightened social, psychological, and physical risks when identified as a member of a particular social group, thus making them more hesitant to identify themselves to researchers. Social risks include loss of status, privacy, or reputation if others learn about, for example, one's stigmatized identity or illegal behavior as a result of research participation.

Some of the implications and learning in this respect are discussed through the remaining sections of this chapter. Researching the contested area that is 'hard to reach'/hidden, and vulnerable groups or populations was essential for a number of reasons. Firstly, grappling with the terminology was useful. The term 'hard to reach' can itself imply more agency on the part of the individual in being 'unreachable' as opposed to perhaps a need for the researcher to actively endeavor to include the person. This term could be considered exclusionary and risks further labelling groups as 'can't or won't be got at', or as making themselves 'difficult'. Salganik and Heckathorn (2004) explore the notion of *hidden populations*, which seems to better encompass this little known or understood group. The terminology is usefully explained by Ellard Gray et al (2015) who understand 'hard to reach' (socially isolated or cut off), vulnerable (possibly at risk if they participate or are identified as a result of the experience being researched) and 'hidden' (no record of their experience exists) as by no means discrete categories. This helps in realising how parents may be both hard to reach and possibly vulnerable. They may be isolated yet want to participate, but fearful of being 'found out' or identified and therefore further stigmatised or isolated. The literature review, for example Condry's (2008) research, assists in appreciating why parents might want to 'hide' as a consequence of shame and it was only when problems occurred with recruitment that I properly appreciated this. Whilst parents may have been considered hard

to reach and maybe hidden, they were not necessarily vulnerable, and I was careful to avoid describing them as so in the ethics application (Appendix 10, page 5).

Gaining access to enough parent participants for semi structured interviews proved particularly challenging. Robinson (2014, p.29) cautions that adopting an “a priori sample specification need not imply inflexibility”; flexibility was essential to data collection here. The YJA was the point of contact for parents where their child was involved with the justice system. Chapter Three highlighted that little is known about the needs, supports and experiences of parents in this context and was the most appropriate means of obtaining a sample. Other sampling types, for example, respondent driven sampling (RDS) excludes the potential of interviewer/gatekeeper bias in sampling selection with hard to reach/hidden groups. It requires participants to recruit other potential participants and is premised on their being part of a community or social network. Incentive is controlled to prevent bias but promotes active recruitment by participants of others which Johnston and Sabin (2010) see as allowing penetration into the target group. However, all the literature suggested the experience of parents as an overwhelmingly isolating and lonely one, therefore purposive sampling was decided on as best fit for this study.

Throughout the process, particularly whilst awaiting ethical approval, communication was on-going with YJA staff locally and throughout the region in deciding how best to approach and access parents. Meeting with the chief executive of the agency at the start was instrumental in relating the aims and objectives and harnessing support at this strategic level. Reeves (2011), although referencing ethnographic methods, alludes to a range of characteristics that can positively or otherwise have a bearing on access in fieldwork. Her experience resonated in terms of displaying, representing or presenting oneself to the all-important gatekeeper/s.

Following the meeting with the chief executive, prior to any participant contact, I presented to the YJA senior management team on the proposed research aim and objectives. This presentation set out likely time frames and clearly indicated the anticipated role of ‘on the ground’ workers in providing parents with the written and verbal information on the research, and hopefully agreement to contact them with a view to interview; this occurred prior to the first focus group. Meticulous preparation and detail was needed. Harrison et al (2001) suggest that

such efforts should be reflected upon forensically in qualitative studies as testament to the researcher's efforts to 'reach' individuals and groups, and in highlighting the vital connectedness of reciprocity and access. In this example the Agency, led by the chief executive, was supportive and as discussed later persisted in attempting to facilitate access to parents. This was greatly valued as I was ever mindful that my request was an 'add on' to existing heavy workloads. Staff within the local projects were consistently helpful and patient in working with the challenges of the part time nature of the project, and complexities and delay with ethical approval. An example here may be seen in a project manager transporting parents to the agency for the second focus group. She had commented following the session that she had wanted to support the research, as she fervently believed in the need to ask parents about their experience. Engaging with the literature on 'access' to research populations forced me to reflect how having had previous practice experience and personal relationships/connections with the organisation might have influenced all aspects of the research. It was agreed that in an effort to provide a range of experiences, teams from the Greater Belfast area and the Western region, via their line managers would disseminate information to team members to share with parents. Appendix 8 includes the parents' information sheet provided for distributing and discussing with parents.

### **Ethical approval**

Research ethics can be understood as the set of codes that: inform how research should be conducted in a manner that does not harm any person through the process: is accountable: and where 'informed consent' is held as the underpinning principle (Shaw and Gould, 2001). As Ritchie et al (2013) advise, the governance of the research process concerns itself with the examination of where, who is involved and how research occurs in safeguarding participants and the researcher themselves. Within Ulster University the Code of Practice for Professional Integrity in the Conduct of Research (UU, 2016) outlines the roles and responsibilities involved in upholding practice and standards. According to Salganik and Heckathorn (2004), ethical approval with hard to reach, hidden or vulnerable groups can be especially complex and protracted, dependent upon a number of factors including accessing participants according to their

experiences, needs and circumstances. This section details the reality of 'meaningful engagement' with hard to reach groups and formal institutional ethical processes.

I had naively considered 'ethical approval' as a one off where the researcher ensures their methodological design is 'water-tight' in covering all ethical eventualities. In reality, the process took months and required numerous revisions of the original ethical application. Hardwick and Worsley (2011) advocate that all those invested in ethical review of a project should engage in 'reflexive interrogation' of the study as opposed to any party perhaps being overly attached or dogmatically adhering to policy and guidelines. My understanding of the very purpose of research ethics and good governance changed through this process.

The key message from the LSE methods training was the need for 'fit' in terms of aims and methodology. Tarr (2015) considers this matching as a first quality indicator in qualitative research. This training consistently challenged participants to self-scrutinise and ask if methods and design faithfully and simply addressed the overall research question. Israel and Hay (2006) support Tarr's (2015) assertion and echo the JUCSWEC codes in affirming that research ethics must be an ongoing dialogue for the researcher and that research is in itself a moral activity. Appendix 10 (sections 10 and 11 of the original research ethics application) details risk assessment and precautions considered when engaging in the data collection process. Participant and researcher safety, and addressing any risks to either, according to Shaw and Barrett (2006), is fundamental to research integrity and quality. I had not contemplated interviewing parents in their own homes as I assumed this would not be permitted. The literature provides some support for this, Shaw and Barrett (2006) observe that ethics committees' assessment of potential risks may be overly risk averse, whilst Abrams (2010) discusses the challenges of institutional barriers in researching 'hard to reach' groups. I had absorbed some of the unhelpful narrative of institutional ethics forums as sometimes removed, opaque and drawn out process.

Section 10 details interview planning, to take place in an organisational, or community setting during working hours. I believed I had considered all issues relating to ethics as indicated in Appendix 10 (sections 8-11), including recruitment, care of participants and consent. Appendix 6 (Consent to participation in focus groups) and Appendix 9 (Consent to participation in semi-



structured interview) outline this. With focus groups, I was meticulous in checking all preparatory information sheets were provided, reiterating consent, confidentiality and data storage; detailed planning paid off with these progressing smoothly. However, participants were reluctant to attend for semi structured interviews. Whilst YJA staff reported parents as keen and agreeing to interview, a pattern emerged where a number made contact near the time to inform that they could not attend. Progress was slow with YJA staff articulating my concern that not being able to interview in parents' homes might be a factor inhibiting participation. In support of this, Ellard Gray et al (2015) emphasise the importance of choice of venue and ensuring strict confidentiality when recruiting hard to reach groups in research.

During an audit, research office staff enquired regarding progress with fieldwork and during the ensuing discussion helpfully recommended applying for amendment to the original ethics application, extending the interview venue to include parents' homes. Not providing choice to parents seemed like a disservice when the evidence both of their situation and the realities of engaging them indicated the necessity of this. I was frustrated at not having heeded my own practice wisdom, knowing how parents often wanted to recoil and 'hide' as a consequence of the shame and guilt they associated with their situation. Salganik and Heckathorn's (2004) rationale for the term 'hidden population' acknowledges this feature of experience for potential participants, highlighting the need to pursue methods that allow choice in participation. Research ethics is a debated process, Jump (2013, p.43) argues that institutional ethics processes for social sciences in UK universities are over regulated and excessive. He claims that many current frameworks were adapted from science and biomedicine where the, 'balance of individual risk and social benefit was different in the social sciences because most research posed a minimal risk to individuals and offered significant benefit to the community'. He further cautions that the would-be researcher could be 'turned off' where approval is considered as a tick box exercise or obstacle to overcome.

To an extent I identified with this view, the filter committee process for review of amendments was lengthy with numerous revisions required relating to my safety and the wellbeing of any child/young person who might happen to come upon, or be curious about, why their parent was

being interviewed. Appendix 12 (Notification of Proposed Substantial Amendment) outlines the safety plan detailing provisions including, ascertaining from the key worker any potential risks of a home visit, making contact with the first supervisor before and after the visit, and having GPS switched on my mobile phone for the duration. A final amendment related to a request to provide information on the research to young people whose parents I would interview, in the event of a young person turning up/being at home during interview. Appendix 13 (Young Persons Information Sheet) outlines in 'child friendly' language what the research is about and why their parent might be taking part in it. I queried the potential of such a requirement to further undermine parents, possibly exacerbate already strained relationships, and perhaps dissuade some from telling their story. I thought this overly risk adverse and researched Haggerty's (2004) depiction of 'ethics creep' or the increasing bureaucratisation of once rational processes of the social science researcher. However, ultimately as a new researcher this was important learning regarding the wellbeing of all concerned. It was incumbent on me to engage with and learn from this process in safeguarding all those involved and ensuring the integrity of the research.

The concept of moral integrity is a reoccurring one in the ethics literature. Rubin and Babbie (2016) understand it as essential to research validity and trustworthiness. Methodologists agree that 'transparency' means not only rigour but also integrity in use of method and demonstrating quality criteria. The Joint University Council Social Work Education Committee: Code of Ethics for Social Work and Social Care Research (JUCSWEC, 2008) states that:

Both the process of social work/care research, including choice of methodology, and the use to which any findings might be put, should be congruent with the aims and values of social work practice and, where possible, seek to empower service users, promote their welfare and improve their access to economic and social capital on equal terms with other citizens.

Transparency was critical in being clear about the approach and methods used, and also regarding what Hardwick and Worsley (2011) see as the moral responsibility in decision making that is as much a feature of social work research as it is of practice. I had assumed parents would feel 'safe' in the YJA environment, however realised that whilst trust may have been established with YJA staff in this particular location, this was not the case with me as a researcher. Parents needed to feel secure and control the context in which they would tell their story, empowering

them to do this meant amending ethical approval to allow interviews to occur in parents' own homes. Rubin and Babbie (2016) highlight the tangible human contact essence of qualitative research approaches, providing this choice was the antithesis to the lack of control and participation too often experienced by parents. My role was to work with the ethics process in achieving this.

As suggested by Ortlipp (2008), I maintained a reflective journal throughout the research process, and I questioned at the time how parents might feel if they knew a requirement of my visiting them at home was having GPS switched on. I struggled in reconciling this with the value of establishing 'trust' with hard to reach/hidden groups. Ethically, as a researcher it was essential for me to explore all means in reaching those who can easily be discounted yet who Barbour (2001, p.1116) considers as 'the exception to prove the rule' and whose contribution is particularly vital in research. The literature provided encouragement, for example Tewksbury (2009) urges that perceived dangers can be managed and protective measures need not be overly restrictive. This process proved significant learning in the realities of research ethics, integrity and needing to proactively anticipate ethics governance requirements when planning research with hidden populations.

### **Sampling**

When deciding on a sampling strategy in qualitative research Ritchie and Lewis (2003) argue that being clear and robust is as important in a qualitative approach as in a mixed method or solely quantitative methodology. Onwuegbuzie and Leech (2007) cite Contas (1992) who reflected on what he identified as the paradox of qualitative research which aimed to make available the private and often hidden experience of participants yet, he argues, the means of collection and analysis were often themselves hidden from the public it sought to reveal such to. Pyett (2003) sees this systematic scrutiny as the operation of reflexivity in qualitative research; the sometimes tedious, revising and reassessing of strategy and methods which the author can identify with.

In reviewing decision making when sampling, Robinson's (2014) four-point approach to qualitative sampling provides a useful basic framework identifying four key considerations when sampling in qualitative methodologies. This typology is 'pan-paradigmatic' and applicable in

sampling where a range of data analysis methods may be preferred; Robinson gives the example of interpretative phenomenological analysis, and narrative analysis along with thematic analysis, as favored in this study. Most texts provide 'checklists' of quality criteria which prompt the researcher to consider whether aspects of their study achieve such (Rosen, 2003; Lewis et al cited in Ritchie et al, 2013). Whilst I appeared to 'tick the box' in terms of sampling strategy, I thought my approach perhaps lacking complexity in terms of stratification, for example in considering comparisons between parents depending on offence type or gender of their child. Again, I needed to revert to the aims and explorative nature of the research, focused on the experiences of a population that very little was known or understood about.

Robinson (2014) refers to the sample universe and subsequent decisions on inclusion or exclusion criteria as the practical and theoretical boundary drawing of a study. The research proposal initially indicated that inclusion criteria would extend to 'parents whose children were involved in the justice system', parents' *experiences* being key. This lived experience reflects the 'homogeneity' that Robinson (2014, p.28) refers to. This one feature of the group/sample establishes the context for generalisation and interpretation of findings. Thus, it can be seen as setting the parameters and is vital (Braun and Clarke, 2013) in terms of transparency. Study objectives did not include comparing findings or responses within or across a heterogeneous sample, but rather understanding experience. Reflecting on this now, the homogenous quality of the sample universe was best fit in explicating themes and most consistent with thematic analysis as the preferred method of data analysis.

The sample size was determined by a number of considerations. Onwuegbuzie and Leech (2007) caution that whilst ensuring 'thick description' is essential, too small a sample will challenge the researcher in achieving saturation in their analysis. Whilst acknowledging such guidance, pragmatism was necessary in deciding on a realistic figure of two focus groups. Having the opportunity to discuss and receive reassurance from expert methodologists during the LSE Methods programme provided encouragement (Tarr and Biquelet, 2015). Borrowing heavily from their guidance the figure of 20 was nominally selected on the basis of the research question, overall research design and sampling strategy, method of analysis, time and resources, and the

'hard to reach' nature of the participants. A total of 16 parents were interviewed. With hindsight, achieving the original number was challenging and possibly naïve even with the advantage of good relationships with YJA staff.

This thesis has regularly cited the specificity of experience for these particular parents. How a sample is selected is essential to the overall aims and potential outcomes, Gentle et al (2016, p.1778) cite Patton (2015) who states that:

The logic and power of purposeful sampling lie in selecting information-rich cases for in-depth study. Information-rich cases are those from which one can learn a great deal about issues of central importance to the purpose of the inquiry ... Studying information-rich cases yields insights and in-depth understanding.

In this situation the previously referenced systematic review findings of Bonevski et al (2014) were relevant in reinforcing the usefulness of contact with available community groups/organisations that may have a connection with the identified group or population when attempting to achieve access. In this case the rapport established with YJA staff proved an invaluable link in facilitating both focus groups and semi structured interviews. Discussing sampling, Elliot and Timulak (2005, p.151) suggest that; 'qualitative research typically tries to sample broadly enough, and interview deeply enough that all important aspects and variations of the studied phenomenon are captured in the sample'. The 'sample universe' here is relatively small as the overall number of young people who will be involved with the justice system is small in comparison to the population of that demographic. Having worked with parents in this situation I was clear that alternative means of contacting parents were limited. The YJA as the organisation designated to oversee plans from PPS, court Youth Engagement Clinics, or court orders, provided the best opportunity to make contact with their parents. For the current study, parents represented a 'homogenous' group, as defined by Ethikan et al (2016) sharing a specific characteristic, in this case their child's contact with the justice system. There was no rationale for stratification of the purposive sample. Quality may have been enhanced in seeking to extend recruitment beyond a single source (YJA) and this might have allowed a more representative sample, within the overall purposive approach. Chapters Three to Five have detailed how parents of children engaged with the justice system will typically have involvement with numerous

services who potentially could have been approached to assist with recruitment. Discussed previously, Johnston and Sabin (2010) suggest respondent driven sampling as useful when recruiting hard to reach populations when sampling. However this was a small scale time-limited exploratory study, but future endeavour would attempt to recruit potential participants using a wider sample frame.

### *Participant characteristics*

As stated sixteen parents took part in semi-structured interviews, three were fathers, the remainder mothers. It is important to highlight that only one parent had limited involvement with the Agency as her child had a court ordered youth conference. The remainder had lengthy involvement ranging from months, to years in some cases and all involved a number of offences, of varying risk and seriousness. Two parents had daughters involved with the justice system, the remainder were all boys. The first focus group included seven parents, all mothers. All had lengthy experience with the youth justice system, and all children were male. The second focus group included five participants, all mothers, with one having a single diversionary youth conference, for one offence. Again, the remaining parents had involvement ranging from months to years, and again all their children had a number of offences, varying in level of risk and seriousness. All children were again male.

### *Recruiting fathers*

Numerous studies attest to the need to include fathers in services and decision making about their children, even if they are not involved in day-to-day parenting (Panter-Brick et al, 2014; Ewart-Boyle et al, 2016; Bateson et al, 2017). It could be argued that research, like practice must actively work to engage fathers, and Macfadyen et al (2011) understand this as necessary, achievable, but caution sensitivity of approach where parents live apart. Mitchell et al (2007) contend that sampling and recruitment in research needs to plan specifically for fathers where they are under-represented in service engagement, suggesting snowball sampling as a useful

complement to traditional purposive sampling. Guarding against mistaking service engagement for involvement with their child, Pleck (2012) stresses that research approaches should challenge traditional notions of familial roles and potentially reductive gendered norms, if studies are to engage all parents involved in decisions about their child. From parents' narratives it was clear that some fathers were not, but many fathers were involved in the lives and decision making about their child, and a continued challenge is recruiting them to understand their experience.

### **Data collection using focus groups and semi-structured interviews**

Focus Group 1 was an organised, existing self-help group with the benefit of mutual support and established relationships for some time, contact with them was facilitated by the Juvenile Justice Centre family worker. Conversely Focus Group 2 was constituted as a group of five parents who had never met but who all were involved with the agency as a consequence of their child's offending. This group were purposively selected by YJA staff following the Agency's agreement to facilitate the research (Appendix 1 Correspondence from Chief Executive). The YJA made contact with the parents and facilitated practical arrangements such as providing a meeting room and transport. When preparing all aspects of the groups I relied on Hardwick and Worsley's (2011) comprehensive guide on planning, selection, composition, group schedule and analysis in social work research. As indicated above, the sample was purposive (Michel, 1999), meaning they were purposely selected from a group of parents available from the population sample of parents (parents whose children are involved with the YJA) as opposed to randomly selected. Kitzinger and Barbour (1999) remind that gaining multiple perspectives is the principle aim in this respect as opposed to accessing a heterogeneous, or representative sample. I had some concerns about the potential sameness or 'homogeneity' of the formed support group and if this would provide a breadth of issues to reliably inform interviews. In supervision, I was encouraged to revisit the theme of 'subjectivity' in qualitative research which helped in managing my anxieties about the sample 'being enough', and reflect on the prospect of rich data in the potential divergence and contrasting views between both. Through engaging with the relevant literature I reflected on the knowledge base (Wilkinson, 2004; Stewart and Shamdasani, 2015) which reinforced the necessity

of creating a detailed topic guide (next section) that systematically addresses the research objectives.

According to Puchta and Potter (2004) neutrality can become a quality issue in social science focus groups particularly where the moderator is likely to have been involved in the research design and invested in the outcomes as I was. I reflected on how I might be received given my previous role as a practicing social worker. Understanding the value of transparency to the integrity of qualitative research as highlighted by theorists such as Miles and Huberman (1994) enabled me to appreciate the necessity of stating my relationship to the research including my previous role as a social worker in the information leaflet provided to YJA staff to pass on to potential participants.

Deciding questions for the focus group schedule that were clearly linked to the research objectives was critical as a means of generating discussion. Review of research studies where focus groups were used, along with previous practice experience of the 'story' of parents' involvement with the justice system and the available evidence base in understanding 'how' topic guides linked to overall research aims, assisted with this. For example, practice experience and evidence (Hillian and Reitsma-Street, 2003; Woolard et al, 2008; Broeking and Peterson-Badali, 2010) indicated initial contact with the police as particularly alarming and distressing, therefore this became the starting position for the topic guide. I was keen to 'steer' the discussion but not impose views subconsciously within this process. Ritchie et al (2014) insist that a good topic guide will allow the participant to provide their perspective and interpretations. Added to this they advise consistently revisiting the literature and research aims in ensuring a 'fit' with the key areas for discussion. This was essential, emerging research by Pennington (2015) on the parental experience of procedural justice processes was useful when structuring aspects of the topic guide relevant to parents' experiences of agencies within the system (Appendix 2). The limited availability of research relating to parents' experiences in Northern Ireland encouraged me to consider mostly open questions related to critical points, issues or processes emerging from the literature review. For example, questions exploring how parents felt and what was most concerning for them regarding their children directly link to parents' stories cited in the 'Reaching



Out' publication (a collection of writing and poetry by parents whose children were involved with the justice system) (Parents' Support Group Youth Justice Agency, 2013) and research studies identifying stress and anxiety as impacting majorly on parents (Burney and Gelsthorpe, 2008; Baker et al, 2011). This referencing the parents' story to the wider research literature is cited as essential good practice in evidencing reliability and transparency in qualitative research practice (Mitchel, 1999; Puchta and Potter, 2004).

I was able to transfer practice skills of interviewing in constructing questions, and 'tuning-in' to how I would facilitate the focus group and progress the topic guide. Experience of the micro setting of social work interpersonal skills teaching was useful in structuring questions, for example in being mindful of avoiding closed questions at the early stages of any exploratory process as advised by Egan (2013) and Cree (2013). Matching question type to the nature of the information sought is fundamental learning and I was also cognisant of using open questions and reflected on the use of silence as a non-verbal skill in prompting discussion and engagement.

Constant awareness to language, or what Steier (1991) terms 'reflexive consideration of forms of discourse' (1991, p.79), was required in reducing the potential to further stigmatise and label. Practically this meant respecting the ways people spoke about their experience, their jargon, colloquialisms, and short hand which had such meaning for them. This was a feature in any material written for, or in communication with parents. Appendix 3 (Focus group cover letter and information sheet) and Appendix 4 (Focus group 'Questions and Answers' parents' information sheet) includes the information sheets provided to parents clearly outlining why they are being contacted and what is required of them with their consent. Polkinghorne's (2005, p.137) analysis of the intricate relationship between the spoken word and the verbal representation of this when saying 'production of interview data requires awareness of the complexity of self-reports and the relation between experience and languaged expression' resonated. I was concerned to use language that, as suggested by Crotty (1998) is as neutral as possible to limit the potential for negative connotations yet not so vague to undermine the purpose or 'focus' of the group. The preamble to the focus group (Appendix 5) and consent form (Appendix 6) were both provided verbally and in print at the start of the group. Ultimately, I choose to not overcomplicate matters,

to ask the questions and trust that all preparation would enable me to manage whatever occurred. Experience of often challenging interviews with individuals and managing complex group work dynamics, had confirmed what Rubin (1981, cited in Gould and Shaw, 2001) observed in suggesting that social work training (and practice) is good grounding for carrying out research interviews.

Negotiating access for the project overall is discussed in depth later in the chapter as issues fundamental to the research require in-depth consideration. The process of arranging and experience of each focus group was quite contrasting. Participants in both were all mothers and all children were male. As mentioned previously the first focus group formed from the pre-existing support group as discussed earlier, took place in a community facility that members had secured for their fortnightly meeting. Initial contact with a group member was facilitated by the YJA, allowing me to briefly outline the purpose of the research, happily the group welcomed the opportunity to provide their experiences and contribute. Appendix 3 includes the covering letter and 'Questions and Answers' sheet forwarded to members in advance of the focus group. The aim was to provide clear and concise information on the purpose and process of the focus group and the way in which members views would be recorded.

Researching focus groups in advance enabled detailed consideration of specific issues relating to consent, choice and information sharing which were then critical to the ethics process. For example, Hardwick and Worsley (2011) argue against making assumptions about democracy and shared views within established groups. Ensuring that multiple copies of the covering letter and information sheet including my contact details were forwarded in advance, and again at the time of the focus group occurring, allowed members to choose if they wished to contribute additional information on an individual basis.

Group work theorists caution regarding the potential of the dynamic to subsume content with newly formed groups (Rossman and Marshall, 1995; Puchta and Potter, 2004). A number of members had young people whose involvement spanned years (one woman had a son now in adulthood and still benefited from the support of the group). This group were far down the road of a process, or 'formed' and I recognised something of the dynamic from facilitating previous

support groups for parents where their children had behavioural difficulties. Members' responses were focused on the area/question, were reflective; characterised by a considered response generally, and communication with each other familiar and knowing. Their responses were evaluative which Puchta and Potter (2004) confirm as a typical feature of pre-established groups, their shared experiences and the understanding developed over time allowed them to reflect on the differences and similarities in experience. For example, parents had very different experiences of support from their own immediate and extended families and could reflect these variances. Tewksbury (2009) sees the well-functioning focus group as encouraging each other to greater clarity and thoroughness.

The second focus group occurred three months following the first. Whilst the first group was established and self-supporting, in the case of the second group, a regional manager within youth justice had agreed to help facilitate a number of parents coming together solely to take part in a focus group. The logistics of managing and organising this took some time. Focus group theorists (Morgan, 1997; Stewart and Shamdasani, 2015) confirm the intricacies and curveballs in establishing a focus group in social sciences. I was consistently grateful to the Youth Justice manager who persisted with timing issues, parent illness, staff sickness, venue clashes, parent availability as obstacles, before the group eventually took place. Actually getting five parents in a room took almost four months of planning and was their first formal or organised opportunity to meet with others in a similar position. Whilst the second focus group had fewer participants, this experience was emotive and at times alarming. Stewart and Shamdasani (2015) caution the 'moment in time' feature and questionable reliability of focus groups, yet laude their 'discovery' potential and the 'production' quality of the group dynamic in response to questions proposed.

In response to information shared by participants in the first group, the only variation in questions asked related to the issue of drugs and the role of these in the lives of their children. Such an inductive process that seeks to generate new understandings and further examine these is a critical feature of qualitative methodologies (Scott and Garner, 2013). Here, parents were quite emotional and as the schedule developed and commonality of experience became evident to each other; urgency in relating their story was apparent. This was powerful, yet disconcerting

for the new researcher in wanting to broadly adhere to the schedule for interview. This wanting to 'display opinions', according to Myers (1998), is usual within social science type focus groups. Parents seemed to feed off the 'me too' factor, almost shocked, yet relieved to learn that others were experiencing similar things, or even more difficult circumstances yet somehow surviving. Analysis of data from both focus groups is discussed later in this chapter.

As discussed, semi structured interviews were considered the optimal method of collecting data from a number of parents about their experiences of particular aspects of the justice system. Initially I was uncertain regarding the interview schedule but through researching, questioning researchers, supervision, integrating key issues emerging from the focus groups, seeking youth justice staff review, testing and continuous revisions, a schedule was decided upon (Appendix 7). This aimed to address the research aim in asking a number of questions relevant to stages of the processes parents went through, their experiences of these, and enquiring as to what may have supported/better supported them at various points. This was by no means a linear process, rather the research journal reflects a messy, uncertain, and frustrating endeavor. I had not realised the extent to which I assumed much about the experiences of parents based on my practice experience. I struggled with the researcher role in devising an interview schedule that when 'drilled down' could locate itself in the evidence base (essential in avoiding duplication across studies according to Harvey and Long (2001)) including focus groups findings, available research, and expert review, as opposed to my predetermined template. Seidman's (2006) advice on the fundamental need to adhere to structure resonated in ensuring familiarity, not necessarily duplication in each interview. Each one needed a similarity, connectedness with the rest to allow the opportunity for themes - impossible if this likeness was absent. Focus groups did reinforce this issue.

Braun and Clarke (2013) list a number of considerations when honing the interview schedule, including asking oneself what it might be like to respond to the questions. This was provoking as I realised my experience working in the system for many years and as a social work lecturer may have desensitised me to an extent. Methodologists reinforce to research students the value of being meticulous and patient in preparation of the schedule (Fontana and Frey, 2003; Rabionet,

2011). As example, a tweak in re-wording of a question from, 'Tell me about the first time your child was in contact with the justice system', to 'Can you tell me about the first time your child was in contact with the justice system, or the first time that you can remember?' This revision was simple yet transformed the question by not excluding other occasions, as often there had been so many it was difficult for parents to distinguish, and more importantly avoided creating pressure at the outset by requesting parents to remember an exact occasion or time. Shaw and Gould (2001) and Silverman (2009) acknowledge the demands of interviewing where sensitive issues may be discussed. Establishing a rapport and awareness to potential vulnerabilities are therefore important whilst attending to the schedule.

Prior experience at times was beneficial yet I needed to be wary of familiarity and an over identification on issues I believed relevant. For example, with regards to designing interview questions I understood the process and could structure the question narrative in a way that I imagined might allow parents to talk about key points of this process; the issue of delay from time to arrest to court hearing being a case in point. Again, I was mindful to avoid over identification with my practice experience. Additionally, whilst I had actively kept the proverbial 'finger on the pulse' with regards to practice and policy developments in youth justice regionally, I recognised that over time I was removed from the tangible practice experience. Youth Conferencing was now firmly embedded as central to the practice task, the Review of Youth Justice (2011) had occurred, and in some areas Youth Engagement Clinics were an integral process (CJINI, 2015). Keeping apprised of knowledge developments and maintaining contacts with former colleagues in the YJA was important for all aspects of the research.

### **Data analysis**

The task of conducting focus groups and interviews extended over almost a year. Shaghghi et al (2011) remind that sampling purposively as was the case with data collection in this research, can be especially time consuming. Whilst the focus groups took place in a community and YJA premise, all but one interview happened in participants' own homes. This was parents' preference and ensuring choice hopefully enabled control and ownership in their detailing of processes that their narratives suggest they had little agency in determining. The need to seek

out information on the potential participant population from people or professionals with first-hand experience is emphasised by Sydor (2013); understanding this preference for parents was a 'game changer'. Timescales were mostly determined by parent availability and the range of complexities which featured for them. Existing and developing relationships with staff in the gatekeeping agency were critical to a supply of participants. Logistics and time constraints meant 16 interviews became the cut-off point. Parents were provided with an information sheet by the YJA worker who raised the prospect of interview, a preamble and questions for interview were read out pre-interview and before consent was explained and obtained. Post-interview parents were read out a statement on what to do if they wanted to withdraw, and I checked if they needed me to contact anyone to provide support.

All interviews were digitally recorded with consent and transcribed by the researcher. Whilst a risk assessment and safety plan were in place and adhered to, at no time was safety a concern. Some accounts were upsetting and distressing for parents to recall but none wished to have a key worker contacted post interview. Initial worries about parents perhaps being unresponsive due to anxiety or concern were unwarranted with all wanting to give voice to their experiences; one parent requested a second interview. Israel and Hay (2006) observe the need for flexibility and intuitive decision making in qualitative research. It felt appropriate to follow-up with a second interview when this parent had agreed to take part. In this way choice, as understood by Ellard Gray et al (2015), is enabled and participation not limited to the researcher's needs but meaningfully applied in adapting to the needs of the participant. All interviews lasted a minimum of one hour, with some nearing two hours. Gradually I became more comfortable as interviews progressed, and confident to pursue an issue that a parent may have wanted to discuss. For example, the experience of court was something parents wanted to articulate. Similarly, I also become more at ease with gently probing on some issues which over time I realised were provoking powerful responses, but which parents were initially hesitant to expand upon, for example the impact on them and their wellbeing.

Oliver et al (2005) suggest reflecting on the collection process. Transcription often did not occur for weeks after interviews, however I listened to the audio of the full data set often considering

how content may be reflected as a code or eventually a theme. Initially I imagined transcription as a benign process, Oliver et al (2005, p.13) suggest that it is in actuality 'a powerful act of representation'. Listening to the recordings enabled reflection on intonation and emphasis, familiarity with data is continually emphasised throughout the literature. Braun and Clarke (2006) stress that the new researcher should transcribe all data. As recommended by Oliver et al (2015) I transcribed word only which suffices in most qualitative approaches, except discourse or narrative analysis which require particular detail (Tarr and Biquelet, 2015). All interviews and focus groups were transcribed and imported into Nvivo 11 for coding.

Broad themes were deduced from both focus groups, and along with guiding semi structured interviews, these were coded as part of the data set. Thematic analysis was applied to the data set. Debate exists as to what thematic analysis actually is. Clarke and Braun (2006, p.6) describe it as 'a method for identifying, analysing, and reporting patterns (themes) within data', whereas Biquelet (2015) understands it as a process, not a method in itself yet applicable to almost all qualitative research. Rather than a passive process of letting themes 'emerge', Braun and Clarke (2006) point to the active role of the researcher in selecting themes from the data and rail against notions of latent themes in data, rather they are in us, the researcher. In qualitative research, coding represents the beginning of the process of data interpretation. Codes are essentially names or as Nvivo determines 'nodes' attributed to a portion of data. Liamputtong (2009, p.134) cites Charmaz (2006) in describing a code as a 'summative, salient, essence-capturing, and/or evocative attribute for a portion of language-based data'. Methodologists assure that uncertainty is characteristic of the novice coder (Flick, 2007), however advise keeping close to the data and being patient, especially when ambiguity and disconnect between emerging themes proves undermining. Braun and Clarke (2006, p.81) propose a six-step process when coding to include: data familiarising, generating initial codes, searching for themes, reviewing of these themes, defining and naming, and producing a report. In practice this translated as scribbled ideas and diagrams becoming possible initial codes, then becoming codes, or merging as themes, then possibly becoming sub-themes. As example, grief, sadness, and helplessness seemed to best reflect what was being communicated through much of the parents' dialogue. By visually charting this on flipchart, reflecting with supervisors and revisiting, these data portions came to define

'loss' which developed as an over-arching theme. Likewise, parents' shock, disbelief and distress emerged time and again from the transcriptions at different stages with different language used yet conveying the same reaction and feeling. Disbelief, panic, distress and fear eventually became organised into the over-arching theme of 'trauma', best describing repeated and reoccurring reaction to experiences at particular times. The process was not sequential or linear, but often messy and upending, seemingly conflicting with some emerging codes that appeared contradictory of others, for example, parents' humour in describing traumatic circumstances. Strauss and Corbin (1998) remind that the process is inductive, and therefore staying close to the data and extracting themes from it is essential. According to Braun and Clarke (2006), put simply, it is ultimately about finding repeated patterns of meaning. Nvivo 11 was beneficial as an organising tool, and its functions allowed visual representation and arranging of early themes/codes, however blank flipchart paper and coloured markers were indispensable in plotting themes and making links. Numerous mutations were worked with, yet ultimately the regularity or stand-out quality of some themes through this iterative process was straightforward and obvious. Aspects of thematic network analysis benefited the data analysis process. This approach assisted in creating thematic networks; systemising and presenting textual data. In explaining the process Attride-Sterling (2001, p.387) states that:

Applying thematic networks is simply a way of organising a thematic analysis of qualitative data. Thematic analysis seeks to unearth the themes salient in a text at different levels and thematic networks aim to facilitate the structuring and depiction of these themes.

Themes are systematised into basic, organising and global themes which when diagrammatically represented show the relationship between themes. As a predominantly visual learner the illustrative nature of this was helpful however identifying and refining themes are, as Boyatzis (1998) notes, essential prerequisites or 'spadework' of any qualitative analysis.

Braun and Clarke (2006) strongly advise against using the interview schedule when organising themes and provide a 15-point checklist for a trustworthy thematic analysis where each process has a number of requisite criteria in achieving rigour. Thematic analysis as applied to this study was scrutinised against this checklist and I was satisfied that the process and criteria addressed the requirements in terms of rigour and trustworthiness. Furthermore, a team colleague with



previous experience in coding qualitative data blind coded three interviews to check reliability and rigour, a technique recommended by Tarr and Bicquelet (2015). Themes emerging from this exercise were similar to those I identified; it was useful to reflect on these with someone outside of the research project. A reflective journal was recommended at the very beginning of the process and maintained throughout. Lorelli et al (2017) see this as an essential aspect of the audit trail in evidencing transparency in qualitative research. Themes were decided upon after a near exhaustive iterative process, they were checked and agreed, once the task of naming and organising text was completed.

## **Conclusion**

This chapter detailed the process of selecting the methodological design including approach to data collection, issues with access and ethics, through to coding and lastly identifying themes for analysis. The rationale in adopting a qualitative framework in best addressing the research aims and objectives was detailed throughout, this was enabled by first developing knowledge regarding methods and the research paradigm that would guide this study. This was fundamental in grounding it within a qualitative approach to best address the research aims.

The research aims and initial protocol recognise parents with children in the justice system as a seldom researched group. This chapter details the extent to which the entire research process design and application was determined by this feature of the participants. The rationale and process of selecting the data collection methods and constructing both topic guide and interview schedule in meeting the research aims are discussed in detail. This chapter has documented the researcher's commitment to quality criteria in qualitative research through meticulously reflecting and being transparent regarding the process of sampling, negotiating access, ethical approval and the reality of face-to-face research with the participants in addressing the research aims. Transparency and trustworthiness are cited as a critical quality criterion, and limitations in terms of sampling from one source potentially having implications in restricting experiences to parents with extended involvement, was considered. Similarly issues with recruiting fathers and how this may compromise overall aims I wished to engage parents, were reflected upon.

The research objectives necessitated discussion of some distressing and sensitive issues in both focus groups and interviews; parents preferring to participate in their own homes might be seen as testament to this and their status as a hard to reach/hidden group on this respect. The discussion reflects the complex and protracted ethical processes involved in undertaking research of this nature and hopefully tenacity in working with these in meeting institutional requirements for research governance, and best practice in holding to the aim of telling parents' stories. The research ethics process provided challenging learning in appreciating the need to attend to imagined possibilities and persist in creatively finding solutions. Data analysis including coding and establishing themes although hugely time intensive as detailed in this chapter, was ultimately rewarding in providing essential grounding in qualitative data analysis. This immersive stage enabled development of research skills in synthesising codes then themes into a coherent organised narrative. Reflexivity in terms of using supervision and scrutinising decision making and practice has been foundational to ensuring quality through the entire project in faithfully addressing the research aims. Chapter seven and eight discuss findings that have emerged following the process of data coding and identifying themes. Chapter Seven explores findings relating to parents' experiences with the justice system, whereas Chapter Eight focuses on the impact on parents themselves and their immediate relationships, including that with their children.

## **Chapter Seven: Parents' experiences of coping with the youth justice process**

### **Introduction**

This study examines the experiences and needs of parents when their children encounter the justice system in Northern Ireland, including the impact of contact with agencies in the justice system on them. Additionally, it explores the effect of this contact on the parent-child relationship and ascertains parents' experiences of services involved with them at the time; what helped, what did not, and what would have been useful. Chapters Seven and Eight present the findings from analysis of data collected in focus groups and interviews with parents.

First the chapter considers findings specific to parents' experiences in the lead up to initial contact with the justice system and subsequent processes. The role of substances as a major issue in offending, and parents' accounts of initial contact with the police, including where parents themselves contact the police regarding their child, is explored. Findings are presented relating to parents' views on how they were advised and supported during these stages.

Next parents' experiences of agencies within the criminal justice system are discussed. This includes findings on the experience of ongoing contact with the police and parents' views on the treatment of their children whilst in police care, including concerns relating to actual or alleged physical aggression towards their children. This section then focuses on parents' experiences of support from the police, and their views on what would help, from initial contact and throughout the period of involvement. Parents' experiences of court as a key process including delay, the impact of this, the environment and practices in court, and preparedness and support for court, are reflected on in this section.

Following on, parents' experiences of the Youth Justice Agency (YJA) including support from staff, youth conferencing, and having a child in custody, are recounted. Finally, there is consideration of parents' experience of other agencies with a significant role in their children's lives during this time including social services, education, and Child and Adolescent Mental Health Services (CAMHS).

## **Parenting a child in contact with the justice system**

### *The lead in to 'first contact' with the justice system and the role of substances*

Whilst parents were initially asked in a narrative style about the beginnings of their child's involvement with the justice system, almost all needed to provide the 'back-story' or lead-in which for most was on-going for years.

Experiencing crisis with their child had become a regular occurrence for most parents in this study. Almost all wanted to communicate that their child's behaviour had caused them, and often those close to them, alarm and concern for some time. Many were involved with statutory services to varying degrees, had sought help from different agencies, or were referred to these in trying to manage behaviour. Parents discussed how concerns about use of substances, usually drugs, often pre-existed offending and were a key factor in it. Worry about their child's mental health was of great concern, and in many cases, parents had experience with services over several years in an effort to address these concerns. Prior to initial contact with the police, parents often described many incidences and crises with their children which they experienced as shocking and traumatic. For example, Debbie in Focus Group 2 talked about the way she found out initially her son was abusing drugs, and how she felt about this:

He started taking them legal highs, he was found unconscious a few times in the city centre. That's the first time I was aware there was a problem. I got a phone call to say he was taken to the hospital, he was found in the street, he was 15, and I went up, he said he just took a fit, we thought it was epilepsy, being naïve, but then it happened again and again, and the hospital said you know he's a drug abuser, then that all came out; biggest shock!

Dee, whose son had numerous convictions for car theft and who she described as a 'prolific offender', reflected on finding out about his drug use before he began offending, stating that:

I'd say, about 14 ½. First time I ever caught him doing anything was glue, I caught him and brought him to somewhere and, he done a 6-week course on it and thought that was it. And then, just different wee things you know, do you know, you know your own child like they pick up wee things.

She further discussed him being admitted to hospital on an average weekly basis at one point throughout his mid-teens. Her experience is echoed by Jane in Focus Group 2, who expressed her disbelief in finding out her son was using legal highs:

I was in shock, I really was, still can't believe it to be honest, I know that sounds weird, does that sound mad?

Parents in Focus Group 1 believed most of their children would not be in contact with the justice system if it was not for their use of drugs mainly, along with alcohol. Sandra talked about how the police had come upon her son in a street in town smoking cannabis, and that was his first contact. Similarly, Pete and Tara shared how the police found their 14-year-old son almost unconscious after he had first consumed alcohol (a half bottle of vodka) alone. Often parents were upset and distressed in interview recalling the shock of these early events and conveyed a sense of loss and hurt at how the child they knew had changed so dramatically. This theme of loss is explored further in later sections, but this experience and the reflection on how life and their child changed seems best summed up by Lily from Focus Group 1 when she recalled that:

You do go through like a bereavement because you have like lost your child. Because the wee boy or girl who go out and do this thing, they are not your child. They just seem to lose themselves, it's so hard.

As indicated by the comment above, parents felt required to come to terms with change amid ongoing crisis, often underpinned by overwhelming shame, guilt and self-blame. Many practical changes and disruption came to define this time.

Some parents were anxious to communicate that crises were often becoming commonplace prior to first contact with the police and that when the 'knock on the door' came, in the words of Leah, by that stage they were constantly 'living on edge'. Reflecting on the period prior to police contact, Myra summed up much of what parents related in saying that:

We were forever watching.....this went on for a couple of years, then he was arrested.....I don't know how we coped, I have no idea, lots of tears, I lost it lots of times.

Often parents described feeling alarmed at what they observed as an escalation in concerning and out of control behaviours. Amy detailed her increasing fears for her son Toby's mental health.

At 11 years old he had significant social services involvement. She became upset during the interview when she recalled being perturbed by an incident when Toby graffitied his room in disturbing language. Amy had placed Toby in care as she felt she could not keep him safe because of his out-of-control behaviour and the potential risk to her other children. His first offence was an incident in the care home where social services had placed him and involved a disagreement with another child. Amy's concerns reflected those expressed by most in worrying about mental health, behaviour, and often having sought help over a period to address this. First contact often meant 'last straw' for many parents.

*The experience of first contact with the police: 'The knock came to the door'*

How parents experienced actual first contact with the justice system, and the impact of this on them depended on the circumstances, but all recalled it as traumatic and distressing. Even though they may have been aware their child was involved in anti-social behaviour, and/or substance misuse, first contact with the justice system was traumatic for many reasons. Louise recalled her shock when two police officers came to her home with her son for the first time.

I was just closing the windows to go down the town to meet my mum and I see two police officers coming for the door and I thought 'oh my god!'.

Although Myra's son had extensive involvement in services and she described him as having a 'profile' in the local community, she remembered a similar reaction to the phone call from the police to say they needed to come to the station;

Immediately I broke down, I was in a terrible state, my husband went down to the police station, it was an awful time.

Focus Group members recalled comparable experiences when the police first arrived or contacted them regarding their child and offending. Naomi from Focus Group 1 stated, "I was totally devastated", continuing that:

It was just horrendous because I didn't bring him up to be like this, I brought him up to make the right choices, he was mugging to get money for drugs.

Lara in Focus Group 1 recalled that at the time she felt:

Shocked, you don't think it's going to happen to you or come near your family.

Joan related her genuine surprise at being contacted by the police to inform that her 14-year-old daughter was involved in vandalising a bus shelter, she stated that:

It actually did come as a shock to me.... I felt like killing her there and then!

This experience of being conflicted; feeling anger, shame and concern about their child, was mentioned by a few parents with reference to the duration of contact with agencies in the justice system.

*Parents feeling forced to contact the police: 'What have I done!'*

Whilst most parents discussed significant difficulties and challenges in their relationship with their child, contacting the police themselves emerged as a 'last resort', and occurred when parents had reached a point where they felt they or others were at imminent risk of harm. Often this was accompanied by regret, guilt and fear of repercussion. For example, Tina detailed an incident where she felt she had no other choice following her son coming home in the early hours 'high' as she described. She feared for the rest of the family's well-being, yet immediately worried about the consequences when she contacted the police as his aggression began to frighten her:

... then he just seen red and went mad and went to the drawer and got a knife and went for his stepdaddy, then I had to call the police again and tell them what was happening, and they better get here. They said they were on their way and about Taser guns, then I started freaking out thinking 'dear Jesus what is going to happen here', I had tried to calm the situation down upstairs.

Dina in Focus Group 2 described feeling forced to contact the police regarding her son when:

He beat me up then in the shopping centre, I was buying him something for Easter, I had my wee girl with me, and because I wouldn't buy him a pair of gutties at £200, he laid into me, I had to get him arrested for that there, and that's when social services got involved ... I was in that much shock I didn't even hit him back.

Kerry talked of having to contact the police about her son because:

He put my windows in, completely wrecked my house, never stole anything off me, just completely wrecked the place. But I got him lifted for wrecking the house, that's what he was done with, wrecking my house.

She stated that then she had feared for her life. Dina too recalled fear and despair at the likelihood of her son causing her serious harm at the time. Louise shared how she had contacted the police when her son had physically assaulted her and 'wrecked the house'. She believed it had a lasting impact on their relationship and deeply regretted it, stating that:

I really do regret that, and that's the truth ... course he hated me, and I felt really, really bad for doing it and then [his sister] she started to cry as well cos they took him away and put him in handcuffs and I'm thinking you know? But it didn't teach him a thing.

Louise later expressed disappointment at her son not having written the apology letter to her that was required in the youth conference plan he received for the offence against her.

Parents communicated that contacting the police was something they felt forced into, yet often came to regret. Tina recounted how her son reacted negatively to her when she called the police. She reflected other parents' experience of having the secondary issue of coping with a child who viewed their parent as having betrayed them to the police. As explored further in this chapter, seeking police help often had a negative impact on the relationship between parents and their children and compounded the experience of guilt, shame, self-blame at drawing their child into, or further into, the justice system. In interviews, parents wanted to convey how they felt they had no other choice, that phoning the police was an act of desperation.

#### *What happens now? Feeling overwhelmed and not knowing*

Parents described feeling alarmed and frightened regarding any contact with the police relating to their child. For example, Amy discussed how when her son was in a residential unit, staff were calling on an almost daily basis to advise that they had reported him missing from the unit. However, when the contact is with regards to a criminal matter, as opposed to a welfare issue, aside from feelings of shock and distress; parents often reported feeling overwhelmed and at a loss to know what to do at the beginning stage in the criminal process.



If charges are brought against a young person, this will mean interview with the police and may result in further action, potentially prosecution, depending upon the nature and seriousness of the offence. For example, whilst Tina had had several contacts with the police regarding her son, on the first occasion of him being charged she recollected that:

I wasn't fit to do appropriate adult, the social worker had to do it, I was in too bad a state, I couldn't calm down.... You worry is he been treated alright, when you see him and he's crying, you know he's only 15.

Kitty tried to explain how a combination of exhaustion and disbelief had left her feeling in the police station as her son was being interviewed for the first time, she said:

I was that tired and that worried, I got to the point where I actually felt sick sitting in the interview room, you are that worried, you are that sick, you don't think about asking questions, you don't know what you should be doing and what you shouldn't be doing.

This experience of disbelief coupled with not knowing what to do was borne out by a few of the parents. Kay, in Focus Group 1 stated that she did not know how to proceed:

basically, where do we go from here, what we do, you know? - who do we be in contact with, how long? Stuff like that because I've never really known anything about any of that, so it was a bit surreal like.

Sarah in the same group reiterated this type of experience, when she stated that:

... it was horrible. You felt ashamed and you just basically didn't know what to do or who to turn to, it was just horrendous.

This core experience of shame will be discussed in greater detail in Chapter Eight, however Myra seemed to capture the impact of this on parents' overall feeling of 'not deserving' or being and worthy, when she said:

Also, it's such a shock, you are in shock that you are in that position to begin with, and then you don't think you are worth it, why would people help people like us?

Whilst reaction to traumatic events dissipated, shame persisted permeating everyday interactions, not just those with justice personnel. Kay in Focus Group 1 further talked about how

things had unfolded for her in the police station and concern that she as a parent was not provided with information on her role, she stated:

And whenever a parent goes to the police station I don't know if any of you have had this, but it's all about – you have to sign to make sure that the child has been told their rights, and that you have been told they're here, but there's nobody or nothing there that the parent has been given her right. If they see anything that they are not happy with they have the power to stop that interview. To me there should be someone to tell the parent their right.

Both Kay and Kitty, as evident from their quotes, discussed not knowing the process, or what to expect from it, and being further distressed and worried with limited information available. Often this process will be unfolding late at night or early morning hours in police stations that are dealing with numerous such incidents.

Parents seemed overwhelmed and often unclear as to their role, or what they should do or ask, when they attended with their child. Where information was provided, this again depended on the circumstances but was often afterwards, through a solicitor, social worker or else waiting until the police and Public Prosecution Service (PPS) had decided regarding prosecution, or otherwise. Parents described these as anxious times and recounted varied experiences. Dee commented of her first time in the police station with her child that:

.... they were really, really nice, there was this really, really nice girl and she was talking and telling me what to see when you first go in, and she calmed me down and she said, "just you sit there" and gave a magazine and all to me and was talking me through it. And stuff like that.

Contact with the police, when this involved a criminal matter, seemed to demarcate a different type of experience for some parents. For example, Tina had commented positively on contact with the police when her son was missing from his residential placement. However, whilst she felt she was treated well by the police, she described a process where she was provided with limited information and support:

I would say fair enough yeah [treatment by police], I would have to say I was treated fairly then. I don't think they give you a terrible lot of information I think that you are kept in the dark a lot and I think they should be a wee bit more supportive; I don't know just not

in the police station. Like they could be a wee bit more supportive because that is not an adult, you are there supporting a child, a child you know.

Similarly, Tess in Focus Group 1 recalled the experience of feeling isolated and 'not knowing', what was happening when she stated that:

... you're just left sitting, and it's, 'are they getting bail or not getting bail', and if not it's to Woodlands (regional youth custody facility) and then it's goodbye to the child, you have to make your own way home, you were on your own.

'Not knowing' and limited communication is experienced as stressful by parents; again, the context for this is often lengthy periods in a police station in the middle of the night, or early hours. The child will typically be in police custody, awaiting interview and as indicated earlier, substance misuse is often a factor causing parents further concern regarding their child's wellbeing. This whole process is experienced as distressing, with limited communication adding to this anxiety. This was the experience for most parents, and for some became a regularly occurring one.

### **Parents' experiences of the agencies within the justice system.**

This section will focus on parents' experiences with the raft of agencies in the justice system, detailing their story of involvement with the police, court and the YJA, to include custody. Police represented first point of contact with this system and therefore parents were anxious to offer their experience here first.

#### *The experience of police contact becoming the routine*

For most parents in this study, contact with the police was not a 'one off' event. As discussed above, often parents had escalating contact with police with regards to concerns about behaviour including risky, unsafe and anti-social behaviour. Examples might include nuisance behaviour in the local area, or that described by Tina when her son became aggressive at home. Typically, such incidences will not have involved any formal disposal. At the time of interview Sandra had least contact with the justice system, with only one charge and a diversionary youth conference

for her son. Most other parents spoke of continued involvement, over an extended time. For them, police presence in their lives became the norm, and somehow, they had to cope with the unthinkable in the mundane of the everyday. Parents offered diverse accounts of these experiences of their involvement with the police and how this became a routine occurrence. Joan described how her daughter:

... started getting arrested then every whip about when she had drink in her you know, assaulting police officers and things, disorderly behaviour and things like that.

Joan was disbelieving when remembering just how difficult things had become, saying:

Yeah, I was going to the police station; many times, I was [already] there when she was actually getting arrested because her friends would have phoned me to let me know what was happening, so I would've been there when she was getting arrested!

Leah recounted initially being distraught at her son's contact with the police, but having had to get used to the experience, remarking:

Ach, its grand like, I don't mind it now because I more or less know them all [offices in the police station], its mad, they'd be like 'how are you?', It is grand, they just try and get him seen to as quick as possible because they know I've been down there that many times, it's not, it wasn't like my first couple of times. They can be grand now, but you do get the cheeky ones, without a doubt.

Ben was extremely critical of police involvement with his family He wanted to detail several incidences where he believed he and his son were poorly treated. For example, he recalled a time in the police station where he maintained that:

They (police on duty) didn't even let me see him or nothing, I was sitting there at about half one in the morning then, I thought he was getting out you see I was sitting two hours ... and I see the solicitor coming out, and he says, 'what are you doing there?' I say, 'I'm waiting for him' and he says, 'oh they're keeping him the night'. So, he just let me sit there for two hours!

Tara and Pete talked about how the situation with their son had escalated quickly after the initial contact with the result that they were constantly at the police station. Tina recalled it as the loneliest experience of all, despite the number of times she had had to attend, and Amy relayed her worry at not being able to attend the police station often as her son was the oldest child and

she had toddlers and young children in the house with little childcare support, especially during unsociable hours. Becky described the worry and waiting, and the reality of life at the time:

I was a wreck, just thinking every police car was for us, and it was for us, it was never actually for anyone else. So, I would go to the police station, or a withheld number was always the police. 'Could I go and get her, could I sign bail?' It was constant.

Dina's comments below mirrored the anxiety some parents had about contact with the police where this might still be considered contentious, or potentially treated with suspicion in some sections of the community. In her case she was afraid of potential consequences of being seen leaving the police station on repeated occasions, and stated:

... no harm, but I've no love of them [the police] but I burst out crying to them, that's the way you be. And that's what I said to my wee SON, 'all I ever do is walk out of a peeler [police] station, people's going to start talking about me!' do you know? covering your face coming out. There was one [police officer] I broke down with, it got to the stage it was the same policeman who was arresting him because he knew what he was like. The peelers, sorry, police know him now.

Parents in this study grew up during the conflict and as this society emerged from it. They sometimes reflected on how their attitudes and reactions to the police in the present day, were shaped during those formative times. For example, Kitty talked about being brought up to fear the police and how that fear featured when in contact with them now regarding her son. Becky's comments seemed to further resonate with this post conflict experience, in saying:

I'm scared of the police you know, in our days you wouldn't have wanted the police in, so when they came to the door my legs shook and I was like a wreck whereas she [her daughter] was telling them where to go whereas I was this quivering thing, like I thought I was going to fall down.

Louise lived in a Nationalist area and voiced her worry over police coming into the area and to their home when she stated that:

I was angry with him because we didn't need it, we had enough and the last thing you need in an area like this is the police coming to your door.

Aside from concern regarding police attention, shame having brought 'police to the door' was real. Ben lived in what could be considered a staunchly Nationalist community and believed that his sons were being harassed by the police, and behaviour towards him and his family was sectarian. He described extremely negative experiences with the police, and was critical of their involvement with his family, saying that this treatment was 'just like going back thirty years. His son was on a curfew and he alleged that police would call up to three times a night, in police jeeps. He believed the charges brought against his son (rioting and disorderly behaviour) were provoked by the police and expressed his anger at what he viewed as misuse of power, saying that:

It doesn't matter what you do, I could go out there now and I could be just standing there, and they could do you for obstruction, it's terrible the way they can do that, they have that power.

This fear reflected an additional dimension for some parents, discussed in greater detail in earlier chapters, where the legacy of growing up in the conflict and formative experiences of the security forces, shaped how they as adults engaged with police regarding their own children.

*Parents' concerns regarding police treatment of their children in police care*

During interview parents continuously reflected on contact with the police occurring at a time of tension and stress in the parent-child relationship. At such times concerns regarding their child's wellbeing sat alongside anger at the impact of behaviour on possible victims, family members, and the young person themselves, as behaviour may be high risk, possibly violent, and often in the context of substance misuse. The core business of the police is keeping the community safe; detecting, preventing and managing behaviour deemed to be criminal within the law. In undertaking these duties, they have a range of powers, for example to arrest and, if necessary, to restrain, which must be exercised in accordance with procedural guidelines.

Police use of force against children is a contentious issue and one which was raised by many parents in this study. Fear, frustration and anger were repeatedly expressed in much of parents' recounting of their experiences with the police and the use of force and restraint. The study aimed to understand parents' experience in a narrative style; no parent was directly asked about

use of force against their child; however, many were anxious to voice their experience of and views on the issue. Parents recollected a sizeable number of incidences, describing these as distressing and frustrating, which they often felt exacerbated an already volatile encounter. Detailed below are some occasions related by parents, along with incidences relayed to them by their children alleging use of physical aggression towards them when they were alone in police care or being transported by police.

Whilst Becky was generally very positive about her involvement with the police, she described at times how she believed excessive force was used against her daughter whilst she was being restrained. Like Joan, when asked to talk about the most challenging aspect of her contact with the youth justice system she replied:

Probably seeing her get arrested and being thrown to the ground and she got CS spray, I think sometimes they were too rough. It's like any workplace, you are going to get twats and there was some of them were stopping her, staring, provoking her, trying to provoke her. We did tell the youth justice worker about it and she said she would have words, sometimes they were trying to antagonise her so that annoyed me.

David expressed anger at what he felt was excessive use of force by three police officers 'taking down' his son and advised that he had used the conference to vocalise his frustrations regarding this directly to the police officers. Several parents were angered at what they saw as the inappropriate use of handcuffs, suggesting these were purposely placed incorrectly on their child to cause discomfort. Naomi in Focus Group 1 was upset when relating that:

... they put the handcuffs on back to front so as if they move the handcuffs is rubbing into their wrists, cutting their wrists and bruising their wrists, and things like that.

Tess further stated that in the case of her son:

One night alone there was eight police officers on top of my son in one of the cells. I actually had to say to them if you all step back and one of you stay with me, I will be able to settle him down and we will get the handcuffs off him. Within the space of 10 minutes everything was done and dusted and settled. It took me to say to them ... 'take the handcuffs off because they are on back to front'. You wanted to see his wrists!

Some parents expressed frustration and dismay as they believed they had tried to work with the police, including contacting them and attempting to de-escalate situations, but felt police action exacerbated matters. Helen vented her anger regarding such an incident where she had contacted the police, but then felt forced to intervene on her son's behalf when she felt they were being physically aggressive to him, she recalled:

So, I was standing at the front door with [daughter] and I ran over and said 'get off my f\*&!\*\*g ween's [child's] head. What the f\*\*\* are you doing that for?' And I pushed the policeman in the arm, and I says, 'get off him there's no need for four of you.' And the policeman threw me over to the ground, and I was all 'what the hell? When I got up, he just looked at me, but a neighbour from the very end of the street was having a fag at her window and she came running up the street going 'what the hell's going on? Are you alright? Are you alright?'. She seen the policeman throw me.

Tracey shared what she experienced as a harrowing night with her son whilst he was under the influence of drugs and alcohol aged 15. Having tried to hang himself and then untied, he ran off in a distressed state, and was subsequently apprehended by the police. She felt conflicted; whilst he was a risk to himself, she summed her frustration up at police treatment of him in this situation saying that:

Well, if they weren't so sore on the wee boys, that night they got him [after he ran off when he was cut down], they threw him to the ground and hand cuffed him, after he tried to kill himself. I said to them 'that's my son, just please,' but they told me to go away out of the road. They said, 'you don't have to watch it, go you back home' and I said 'I'm not leaving my son there with you ones the way you are man-handling him. And they said, 'well what is it that you want us to do?'. They didn't really help me at that time.

At the end of interview Tina wanted to relay an experience with the police that her 16-year-old son shared with her which disturbed her and, she believed, had greatly impacted on her relationship with him. Her son was not involved with his birth father, but Tina reluctantly responded to the police request to provide his information for their records. She stressed that her son had no contact with him, and detailed that his birth father had mental health, drugs issues, and as a youth would have had previous involvement with paramilitaries. Tina was clear that her son would not know any of this about him. On one occasion following the arrest of her son then aged 15, she worried when he refused to speak to her for weeks after. Eventually he disclosed how the police had taken him alone to the outskirts of the city in a police jeep and



discussed details about his father's history, questioning him about his father who he had no relationship with. They questioned him on information that she was clear he would not have known about and which was therefore distressing for him to hear from police. She was extremely angry and stated that:

I thought, 'I asked for your help, and you took my son away and you thought you would abuse him about his daddy who you already knew he had no influence or part in his life', do you know what I mean!

Like the other parents above Tina was angry as she felt her relationship with her child was damaged because of police behaviour, and confidence in the police to protect her child eroded. She stated that she was too afraid to take the incident further.

*Parents' concern regarding actual or alleged physical aggression towards their child*

Joan related how the most difficult aspect of the entire process for her was seeing her daughter being restrained, including leg restraints; many parents shared this view. She rationalised the necessity for this attributing it to her daughter's behaviour, however strongly felt that on one occasion behaviour by the police was unacceptable:

At one stage I feel she was treated unfairly by police officers, they had me in because they couldn't settle her. They had me in, took me to where she was, and I tried to calm her. One of the police officers did tell me that he did slap her across the face, but it only made her worse.

A complaint was made to the police ombudsman, but she stated nothing had come of this and recalled that:

I was really, really angry because if that was me that had of done that, she would've been taken off me right away. He had no right to put his hand on her, if I don't put my hand on my child then no one else is going to do it.

David vented his anger at his son allegedly having his lip injured by a policeman's torch, protesting what he saw as the unfairness of his son being taken to court by the police for lesser behaviour. Overall, he was angered at what he felt was an antagonistic approach to his son that constituted harassment, for example, being regularly stopped and searched, and facing numerous charges he believed were petty and ought not to have progressed to court stage.

Other parents relayed incidences of physical aggression which their children alleged had taken place whilst they were in police custody. Leah stated that her son had received a beating from the police in town whilst attempting to run from them. She maintained he was transported to the Juvenile Justice Centre (JJC) soon after and staff there contacted her to advise that he had talked about what supposedly had happened; showing them marks from the alleged incident and complaining of being in discomfort. Amy stated that her son alleged he was 'bubble-wrapped' on the journey, meaning, allegedly, that his legs were wrapped in bubble wrap and beaten. She stated that she informed the solicitor and was concerned when 'he didn't flinch' at the allegation. She was visibly upset as she recalled this, stating that:

... so, I felt, this is a child, a child you know! and violence breeds violence, and SON, ended up getting it from the police and paramilitaries.

In Focus Group 1 Naomi recalled her shock on first seeing her son on an occasion when she was called to the police station, and her guilt subsequently in not pursuing a complaint regarding this:

I remember going to collect my son from the barracks. He had a pair of tracksuit bottoms on him, and I mean there was footprints on his back, and he was covered in blood. I was going to pursue it with the ombudsman, but then I thought 'well you have done wrong and maybe this will learn you', and god forgive me, but I should have pursued it, but then there was one thing after another and I was thinking – 'he's not learning, he's not learning', but when I think of it now, nobody had the right to hit your child.

Similarly, Tara and Pete relayed their son's account of how police allegedly treated him whilst he was in the police station and during transport to the juvenile justice centre, and how this alarmed them. They were clear in making a distinction between of police treatment of their son whilst they were present and how he alleged he was treated when alone with police.

Parents relayed their anger and disappointment on this matter; they had hoped for a more collaborative engagement, rarely condoned their child's behaviour, but were angered at what they considered aggression, lack of safeguarding, and a lack of regard to or awareness of mental health needs. Of the 16 parents who took part in individual interviews, 11 raised concerns about police treatment of their child whilst in their care, including physical aggression towards them.

*Parents' experiences of support from police*

Parents were keen to highlight times when they felt supported by the police. Often Youth Diversion officers were singled out for praise in their support of parents and their interaction with and support of their children. For example, Helen identified a female police officer who she appreciated taking time and effort in communicating with her son who had ADHD. In Focus Group 2 Tanya, who was from a Nationalist area, recalled how her son was involved in a high-profile incident of assault that initially was labelled as sectarian. In referencing her experience through arrest and at the police station she stated that:

Well I thought it was brilliant, I know some of yous here (in Focus Group 2) have probably had a lot harder time than I have had, but the detective and all was brilliant, they were great, see when I sit and listen to some people, I should be grateful.

Sandra emphasised that:

Yeah, I have to say I think that the police have always been hugely pleasant whenever I've dealt with them and you know they've been pleasant in response to my son as well.

Louise experienced significant child to parent abuse and was supported by Women's Aid through court. She wanted to relate how grateful she felt when a police officer later apologised to her, having initially not believed her account of life at home with her son. Dina in Focus Group 2 felt she was shown empathy by the police when expressing her despair at her son's use of legal highs:

See the policeman at the time, he said to me, 'I feel so sorry for you, I really, really do but our hands are tied, there is nothing we can do', I have never touched a policeman in my life, but I was so desperate. I was going to go down to that shop, the policeman said to me 'love please don't cos I might have to arrest you'.

Tara and Pete appreciated police concern in following up on their son when he was found in an almost unconscious state age 14, Tara remembered that:

The policeman actually did come to my house was it the next day...the next day or the day after I can't remember, and he came up and he said 'look I just wanted to say I didn't want to get him into bother I just wanted to get him home' or whatever, like he came up to make sure if he was alright. He was wild nice, and he did come up, but as I say things just kept spiralling out of control.

Parents valued acknowledgment, Becky discussed how she believed the police and Youth Diversion officer, went over and above for her daughter.

... the police station was very good. They used to get her books and bring them down to her so that she could sit and study in the cell (laughs) they did go out that extra mile for her.

This was important to Becky as she talked about how academically bright her daughter was. Amidst what she described as the chaos; such support enabled her child in some way to continue her education. She cited the Youth Diversion officer as the first person who she felt really tried to help her and referred her to parenting programmes. Where police liaison was available in court parents found this particularly helpful.

#### *Parents' views of what would help from the police*

Parents acknowledged the challenges for the police service as their child's involvement in the justice system became more entrenched. Myra, who had two sons involved with the justice system observed that:

The police in the beginning were ok, but as it got further and further on it got more difficult. As it got on, the police contribute. Many times, the police just walked straight ahead and right up to their bedrooms to see HIM. So, police I think they just got tired. I could understand it to a point, but they are human beings.

She previously discussed her son's significant mental health issues, including self-harming, and how she experienced having no choice but to call the police to help manage his out of control behaviour, yet despaired when, in her view, their handling of it, worsened the situation. Tina made a similar point when she stated that:

I just don't think some of the police understand them, the kids, and where they are coming from as in how to handle them when they are off their head and they don't know what day of the week it is. I think it's only through training and talking with them, trying to be rational with things. Police come in and they are heavy handed and some of them do need to be a wee bit more understanding and less heavy handed with them.

All parents acknowledged the limitations within the police role when managing their children who often had complex needs, including mental health and learning needs. Becky and David both discussed their concern that at times some police officers took their children's behaviours

personally and felt greater professionalism in the approach to managing the challenging behaviour was required. Trish in Focus Group 1 was exasperated at how she believed police handling of young people sometimes provoked them, inevitably resulting in more charges, and ultimately convictions for a child. The circumstances leading to a child accruing additional charges whilst in police custody, or as a consequence of being in contact with the police was a contentious one for parents. Tish further stated:

The police do wind the young ones up, and that then escalates their behaviour, and they end up getting more charges out of it. So for me again it's 'show consideration for the parent at home', because if you have a police officer, everyone in this room has had experiences, if you have a police officer and they push your child- 'oh your ma's only a slut' and things like that, and the young person is under the influence of drugs, and then they'll lash out and then that's more offences, and then charges.

Several parents discussed how they strongly felt that police require specialist skills when working with young people with complex needs. In Focus Group 1 parents identified training for police officers as essential. A society moving forward from a conflict situation emerged throughout the study, and for these parents the availability of drugs, and increase in substance misuse, was a devastating feature of this. Most articulated a strong belief that the police needed to be better attuned to the issues for young people and whilst not condoning unacceptable and harmful behaviour, manage this in a developmentally appropriate manner. Katie reflected the views of many when also stating that:

Post the conflict they must have teams to deal with what's hitting them, so they have to train their officers, the drugs and the mental health, the issues that's coming along with it. They should really be aware of this, I mean it's happening day and daily, they're seeing maybe up to 50 kids a day who are off their face, if they can't see there's something wrong they don't need us to tell them do they?

Naomi felt strongly that there were basic professional requirements of the role of a police officer that ought to preclude a range of behaviours she deemed unacceptable, she maintained:

If you are in the police you should be trained properly in how to deal with children, I mean if you are in that job do it efficiently. You don't have to irritate them, there's no call to hit them, or be derogatory because they're in a bad enough state.

Olive in Focus Group 2 described a mixture of shock and disbelief when having called the police as her son had broken windows in their house, the officer asked her:

Do you not know anybody in any organisation that could give him a scare?

She understood the organisation alluded to, to mean a paramilitary group. Overwhelmingly parents believed that police officers needed specialist training in responding to young people with mental health and communication needs, most parents in this study stated such needs as the case for their children, with the majority also having self-harmed.

Parents in Focus Group 1 received Therapeutic Crisis Intervention training (TCI), through the YJA. This approach aims to provide techniques in intervening and preventing a crisis, including skills in de-escalation and encouraging adaptive ways in coping with crisis behaviour and aggression. Later sections will explore some of the mental health issues that parents were managing, however Tracey recalled the time when her son who was assessed as having ADHD started getting involved with the police, coinciding with coming off his medication. She described it as 'zoning' him, with tiredness as a side effect of the drug leaving him with no quality of life. For example, school contacted her because he had fallen asleep in class and she discussed him going to bed around 7pm because of the drowsiness. Tracey detailed the type of crisis behaviour which resonated with the experience of some other parents:

That night anyway he went berserk, he was climbing out my windows and everything and I just had to get the police, that was about two years ago. He hated me for that, I got the police and the police put him in handcuffs and brought him back to the house and said to him if he didn't stop it they were going to lift him and take him. Well you see then he made a dive out the door. We couldn't get him; the police couldn't get him. I went over the street, he was hanging on bars, with a belt around his neck. My life flashed in front of me that night. 'I don't want to live, I don't want to live, why am I mad' and stuff like this he was shouting. I pulled him down, and he went, and I don't know where he went that night. Then the police contacted me to say he was back.

The incident happened when her son came home under the influence of drugs and alcohol, began behaving erratically, and where she felt she had no alternative but to contact the police. This incident preceded what she believed was the heavy-handed response mentioned in the previous section.

The most fraught times for parents involved the police. Parents felt at their lowest and most vulnerable when their children were offending and causing them to have contact with the police. Taken together, numerous incidences of complex, volatile and sometimes violent behaviours were recounted by parents who reflected on the difficulty in dealing with this, but overall believed police required training in managing their child's behaviours.

### *The experience of court*

Attending court with their children was a frightening and often humiliating experience for parents. Sandra's son was the only child who had not been to court, for the remainder this was a regular event. The PPS refer to the youth court for prosecution when it deems that a non-diversionary disposal is in the public interest, or where a diversionary option was declined by the young person. As explored in Chapter Five, diversion, and avoiding court is preferred. Court might be a likely option where several previous conferences have occurred and a young person refuses another, or where a charge is contested. Some parents will have previously experienced diversionary youth conferences and possibly youth engagement clinics. Going straight to court without such approaches being attempted typically indicates a more serious high-risk offence having taken place and rarely occurs.

Three key issues emerged that contributed to this being a particularly stressful event. Firstly, not knowing what to expect, secondly, delays in the court process, and lastly how the custom and practices within the courtroom exacerbated the parent's sense of deep shame. The period between arrest, charge and court appearance can be lengthy, and once in court many factors can contribute to further delay, for example reports and assessments requested by the magistrate. Parents report this time of waiting as anxiety provoking for them, their child and other family members.

### *Not knowing what to expect in court*

Parents discussed feeling overwhelmed and afraid both in anticipating and attending court. For most parents the court date was usually some weeks following the offence occurring. Where this was the first court appearance for the child, parents' only information on the process may be the

police or the child's solicitor. For a small few, where the offence was serious or deemed high risk, their child might be remanded to Woodlands JJC. Again, parents seemed to need to emphasise how the interim period between police charge and court summons had taken its toll on them, and how they often felt exhausted by the time the court date had arrived. Tracey summed this up saying that:

Just getting prepared for court, you're so far down, and having to go to the barristers and stuff. It felt like I had done something meself, that's the way it felt, like I had done something, that's the way you feel.

Becky reiterated this sense of feeling drained and shamed:

Nobody really spoke you know, everyone kept their heads down, to be honest we were all defeated-looking you know. It wasn't really like that; you didn't want people to know what your child was up to.

Myra talked of how difficult she found court and could not attend herself, to the point where her husband was at risk of losing his job:

It is the most frightening thing. Our social worker would go with us. My husband would go; he would try to go too. It got to the point where he was trying to keep his job. It's unbelievable.

Myra's husband subsequently lost his job because of time required off work directly as a result of their son's offending. Tracey related a level of anxiety shared by many parents, when she stated that:

Well I went up and the judge says what he had to say you know, I just wanted to get in and get out. Times I was up there I was just in bits, I would sit shaking like that, my sister would've had to give me a wee diazepam before I went.

Dee when discussing her first time in court joked that:

I remember the first time I was in court and I was an absolute nervous wreck, but now I'm like a repeat offender!

Whilst Dee made light here of the 'repeat offender' label, often parents felt culpability as inferred through the court process. This experience of feeling blame and shame will be explored



later in this section however it is an important factor in the entire court experience for parents. Court was distressing, and anxieties often heightened by a lack of awareness or information about what to expect, even on physically entered the court room. This 'in the dark' quality was typified by Kitty who said that:

I just assumed that's the way things were, I just assumed that's the way it was, I could have phoned my solicitor, I didn't know what I was supposed to know.

Kim in Focus Group 1 was angered when recalling the experience of court on the first occasion. She stated that:

Nobody told you if you were allowed to ask anything, you're not told any of that, so you're sitting there saying 'right is that it then?', right ok and you're walking back out the door again.

David equally spoke about the experience with anger, he viewed the process as shaming and demeaning, describing:

I felt, stupid. What am I doing like? Sitting here and [my son] was sitting there and we didn't know what was going on the pair of us.

Parents articulated a sense of humiliation that seems to be associated with this common experience of having limited or no knowledge about such power-laden and daunting process, including the rituals and etiquette, for example when to sit and when to stand. Becky summarised her frustration at this not knowing stating that:

I didn't know about the court like you have to sit down and all. I wished someone had kind of guided me about that, and what to do when you came in and all. When you go in you sit, I was standing and this man pulled me down, I didn't know what to do, so I wish someone would guide you. Like 'take a seat', and 'go out now'.

This occasion of court, the waiting outside, 'the different language' as one parent remarked, were all aspects which as Tara explained, left her feeling 'not very included'

Some parents reported feeling disregarded and not acknowledged in court. Louise typified this when saying that:

To be honest you didn't exist, you didn't exist, nobody no, it was just about them [the child]. Well, the judge would say 'oh mum is here to support him' and that was it a few occasions, or 'his mum is here today' and that's it.

It was Louise who in discussing how intimidated, shamed and humiliated she felt through the court appearances said:

I'll tell you one thing there's nothing as hard as going into a courtroom and sitting there and thinking, I'll tell you what, you grow mighty small you know, sitting in there, and he [son] standing there, on one occasion he was standing over here in the box and I couldn't even look at him.

Tracey was upset and frustrated and felt the need to articulate that just because her son was involved with the justice system did not mean she was not doing her best as a parent. She was distressed when she recalled that:

I fell apart in court, I told the judge, 'look I'm trying so hard as a lone parent, I'm trying so hard for him' ... I was just shaking, like ones looking at me [in court] like I had murdered someone, I didn't like. I was just worried for him.

Their statements reflected much of what parents expressed, feeling that there was little recognition of the anguish, trauma and work associated with having a child in the justice system. For many, they experienced the process as an indictment on their parenting. Amy stated:

I found that I felt like I was getting judged also.

Dee described a similar story:

I'm used to it now but at the start you were thinking that people were judging you.

Significant regional variation seemed to occur in experiences with magistrates. Some parents reported that they felt humiliated and shamed as a result of how they were treated. Naomi in Focus Group 1 stated:

I mean you love your children you nurture them, you don't get them into drugs and turn them to crime, and your man is sitting up there [the magistrate] and he's ripping you to shreds, it's the most horrible feeling in the world, it really is.

Again, Katie recalled her experience in front of a magistrate with her child:

I would love the judges to hear the way they speak about the parents, 'it was the way they were reared, one parent families, and their father died through alcoholism' it's horrendous for you to hear never mind a child that's standing there traumatised, you know what I mean. It's awful the way some judges speak to the parents and they really rip you to shreds ...

Both parents above felt labelled and misunderstood. Neither recalled any opportunity to have their views or perspectives included.

*Parents' experiences of delay in the court process, and its impact*

Coping with delay was distressing for parents, placing further strain on them emotionally and practically. Amy whose son received a first conviction at a young age remembers him being the 'tiniest in the court'. She experienced a constant series of delay stating that:

Oh it was always put back and put back and put back aye, there was a lot of that, a lot of that.....It was just like dragging it on. It felt like if it had of been dealt with at the time, because by the time it had come around there was another list do you know what I mean?

Amy was concerned here about the impact of delay on her son and the regularity of his attendance at youth court, at such a young age. Like her, he was becoming almost used to this environment. In describing her first appearances with her son at court Amy described how:

I found that I felt like I was getting judged also. I minded being on stage and nearly sliding down the chair it just felt like heaviness.

She recalled that she soon became to feel like 'part of the furniture'. At one stage her son was subject to family proceedings owing to safeguarding concerns regarding his behaviour, this included time in secure accommodation. She recollected a period of his life where her routine meant constant attendance in court, and the tranche of professional meetings that needed attending, whilst caring for his four siblings. Likewise, David described his frustration with court delay. Speaking about the consequences for him as a single father in trying to hold down his job, and support his other child; he stated that:

I wasn't impressed, it was like, inconvenience having to go to the police station and then having to go court and then the court was adjourned and it was always, every Wednesday or every other Wednesday you were having to drag yourself up and go to court and it was just a real inconvenience and an annoyance ya know?

Amy, Louise, David and Tracey all discussed the added stress in trying to coax their child to attend court on multiple occasions where the case was adjourned, and the challenge of this with a child who has learning and/or mental health needs.

*Experience of support in preparing for, and through, the court process*

Marie in Focus Group 2 told of a different experience. She praised the magistrate who presided on an occasion when she attended court with her son who had serious substance misuse issues, was assessed with autism, and was in the JJC. She articulated how she had felt blamed by a range of professionals and valued the chance to tell the magistrate her story. She recounted that:

Well, that judge asked me what happened to him, well I bet he wished he'd never started, cos I opened my mouth right from the very beginning, right through, I was there about an hour! And I told him what social services told him about 'choosing his own friends'. But the judge did one good thing, he made it a court order 'I'm making it a court order that you do what your mother tells you, so see if she grounds you, you are in. I don't care what the police, teachers, social services tell you, if your mother goes against them you have to listen to her'.

Although the situation with her son remained challenging, being listened to and valued in court meant being included. Many parents in Focus Group 1 remarked that the experience of court depended on the sitting magistrate. This particular magistrate (as described by Marie) was commended by all parents in Focus Group 1 who had experience with him as always seeking out their views and listening to and respecting parents, this mattered enormously.

For most parents their solicitor was a point of contact for information, however this was often limited in terms of their support to them specifically. Parents often talked about feeling able to contact their solicitor by phone on any occasion and described them as helpful. The YJA and parents' experiences with this service is explored in greater detail in the following section but where they were already involved; they typically were mentioned as a source of support. Tina discussed how she had a supportive looked after children's social worker who made enquires to the court or police with regards to her son who was in a residential unit. For parents in Focus

Group 1, the mutual support was a lifeline and members discussed supporting each other in the lead up to, during court, and afterwards. This is detailed in further sections within the findings, however parents talked of many benefits to this group. The group, initially established by YJA was provided with a range of training and support opportunities (for example the TCI training referenced previously), one of which involved the chief executive [at that time] providing information to parents about their rights whilst attending court with their child. Tess in Focus Group 1 lauded her for advising them that they had a right to speak up about their child and provide their views.

*Parents' views on what would support through the court process*

The previous sections detailed the experiences up to and including court. Having the benefit of hindsight, parents were clear on what should be available as support during this time. First, parents felt having information about what court was going to be like, the physical environment and the 'etiquette' when in court would be important. The focus groups articulated strongly that parents should know they can speak and request to be heard. Parents in individual interview reiterated this view, Kitty stated they needed:

Just somebody to say you can sit, like I learned now that you can speak up in the court and ask if you don't understand things, where before I didn't and you were just told to go in and sit down you know. And don't say anything and stuff like that. So, it would've been good to have someone to talk you through what happens and stuff.

This need for knowledge and a level of preparation in knowing what to expect and how the court is conducted, was voiced by Louise when she talked of what might have helped:

Someone trying and explaining better to you what was going to happen in court, not expecting you to know what was going to happen and just giving you snippets. A letter turning up on your doorstep doesn't help anything cos you panic you say oh my god what's happening here.

Lack of knowledge was shaming and humiliating for parents and having as much information as possible prior to the event was their biggest issue. Parents felt that an identified professional should be available as a liaison to meet and support them through the process. Parents'

experiences of solicitors as the legal representative for their child was varied, with most having little expectation that a solicitor would provide them with anything beyond essential legal information and advice.

*Parents' experiences with the Youth Justice Agency: Support from Agency staff*

All but one parents in the study were involved with the YJA over time. Eight of the parents in individual interviews had children in the JJC at one point, requiring high levels of support from the Agency post release. All participants in Focus Group 1 had a child who spent time in the JJC, as had two out of the four parents in Focus Group 2. Parents overwhelmingly experienced the YJA as having a positive impact and being supportive during a challenging time, for parents the issue was for support of this nature to be provided earlier.

Focus Group 1 parents represented those involved longest with the justice system. For them this support was a lifeline, but only became available when they were nearing the point of court or conference or following both. Most parents were adamant that more YJA type support was needed both before and in court. Waiting for the court date and the impact this had on family and relationships was stressful. Tess when reflecting on her support needs was angry and questioned:

... where was all these people when my son was doing what he was doing at the very start, because nobody sits you down to say, here's such and such agency. He was reoffending so much that I got introduced to Youth Justice.

Tess's frustration echoed that of many of the parents in expressing the need for focused services like YJA at an earlier point. As indicated by the comments from Focus Group 1, parents identified support needs in this situation to include support in managing mental health and drug issues and behaviours which they felt at a loss to manage alone, and where they struggled to access local services in doing so. Naomi felt strongly about what would help and at which stage when she said that:

I would say when your child is arrested and it's the first time, and maybe overnight they're going to Woodlands which at the time our children would've been, Youth Justice should have been involved then, from the start at the barracks, when you get your solicitor, then

you should have an information pack telling you A, B, or C. Don't forget we were totally isolated, stigmatised and frightened.

Sandra expressed her relief that the process of prosecution was not a protracted one, but frustration at not being able to influence the PPS decision. Ben described despairing on occasions with the toll he felt police involvement was having on his family and stated that:

I think his key worker and Youth Justice are a great thing, they're the only people I really talked with about it.

Parents valued the support provided by individual staff, and for those who could access it, the support group. Although Becky initially found YJA involvement 'full on', she valued the relationship the key worker had with her daughter. David too was reticent at first, having no prior contact with the agency, and mostly negative experiences of the justice system to that point. Acknowledging his initial suspicions, he stated that:

I was a bit reluctant at the start, a bit suspicious of it cos you know I just thought, I didn't trust anyone at that stage you know? I didn't trust them, I thought they were all the one, the police and they're (YJA) all the one and they're going to be working side by side, hand in hand.

He also highlighted how he felt he would have needed support leading into his son's contact with the justice system but did not know where to get advice or help. Marie in Focus Group 2 went on to say of her involvement with the YJA:

I wouldn't be here without them I have been at their office before they've even opened. The girls at reception knows me, brought me in and had a cup of tea, half eight in the morning - drop the other kids off to school, wait for somebody to come in, because when you go to social services they don't want to know. And YJA, has been a tower of strength.

Tracey echoed this sentiment when she spoke of her admiration for the support, she received from the YJA:

They were there the whole hog for me (YJA), they never let me go to court myself or nothing else, always there for me. I wish people would speak out more for them, they are a great wee team in there and if they ever asked me to do anything, I would do anything for them, because they helped me that much. CHILD, looks up to him, really does.

In interview, two issues stand out in terms of YJA staff support to parents. Firstly, the experience of not being judged, or as Dee explained, they:

... don't make you feel like, you're, you know, different or anything.

This for parents was incalculable, concurrent processes were happening for most involving social services, potentially court and other agencies; all felt treated in ways that were unsupportive and stigmatising. Louise reflected her views of the situation overall and thoughts on how the YJA worker engaged her son, saying that:

Well, I wish I didn't have her at all you know? I wish I didn't have to see anybody at all but she's such a good way with them and you think 'oh God, it's looking more and more like it's going to be alright'.

For most parents in both focus groups, and individually, the overriding issue was a level of frustration that the agency had not been involved earlier with them and their child.



*Parents' experiences and youth conferencing*

Parents were asked an open-ended question relating to the youth conferencing process as this is central to practice and a commonly used disposal involving the YJA. All parents had experience of youth conferencing, some of both diversionary and court ordered processes. In any circumstance consent to a youth conference can only occur if the child admits responsibility for the offence. As discussed previously this can be contentious. Victims are important stakeholders in the process and victim involvement in this decision-making forum either directly or indirectly, is encouraged. Police participation is required at a youth conference and parents are expected to attend. Some parents will not have had actual face to face contact with the YJA staff member facilitating the conference until the event, as was the case with Sandra. Unlike court, this decision-making forum uses restorative practices and requires the young person's involvement through the process.

Parents overall felt they were well treated during the conference and that it was conducted appropriately. Becky is one such example when stated that:

I actually found them good you know. Because even though the Youth Justice are professionals, they aren't intimidating professionals, so it's easier. Conference and meeting the victims is hard, but there is someone there to keep it from going higher [getting heated] and you know you are safe that it is not going to go really badly, it's a positive experience and that is the whole point of it.

Tina recalled all experiences with youth conferencing as positive. She attributed this to what she considered as good preparation for her and her son from the YJA, and the involvement of a PSNI Youth Diversion officer who in her opinion was positive with her son and established a good relationship with him. Ben who had described a fraught relationship with the police stated with some surprise that:

It was very cordial it was more relaxed than I thought.

Parents generally felt prepared for the conference but expressed anxiety and concern regarding how their child might behave, that they may 'kick off', as was the case for David, Joan, Helen, Tracey and a number of parents in Focus Group 1. Others found the experience less positive,

some parents discussed being embarrassed and humiliated in the process, as outlined by Katie in Focus Group 1:

Sometimes when you go to a youth conference, see the embarrassment you feel sitting there facing the victim and you're having to listen to what your child done and I have had experiences where the victim has just sat and literally stared through my son, and then turned and stared at me, and made innuendos and things like that you know, I think that that is a bit horrendous I really do.

Helen whose son received a conference for an offence of assault occasioning actual bodily harm described it as one of the most humiliating days of her life, emphasising that:

I totally disagree with youth conference, I absolutely hated it. ... I'll never get over it. I felt so deflated; I didn't do it [the offence]!

Louise was anxious to emphasise how in her view the process placed enormous stress on the relationship with her son, and how she found it distressing:

Well, I sat in a couple of times [youth conference] and burst out crying because my emotions were all over the place cos we'd just argue before you'd go in. Can you imagine just sitting at home you've just argued, you have to walk down to this place and you still had to and you're sitting there, you're going in and you're thinking, and they could tell straight away there was something wrong, the look on my face and his face and I just I spent a couple of meetings in tears you know and then he'd laugh at you then which makes you feel like shit. That's what it was like then at that time, that was the reality of it.

Tara also found the process difficult:

The conference process for me to be quite honest was very emotional, I was just a bag of nerves and really, really emotional too throughout the whole sense of things and ... sometimes it's just not easy being in another room and listening to everybody else talk about your child you know what I mean.

Sandra came away feeling responsible for any further repercussions in terms of her son reoffending yet felt that the conference had not addressed his misuse of drugs as a coping mechanism. She expressed deep frustration in trying to access support for his drug use and commented that her being 'perceived as middle class' meant much was assumed about her. She reflected that:

... in a sense parents are afraid because there might be repercussions. You know, if I had said, 'I cannot control this boy'. Tick boxes. Chaotic family, behaviour not managed. If I had said, 'you know, he doesn't show any remorse in his behaviour, he's just sorry that it came to this', okay no remorse, another box ticked and so you kind of are in a lose-lose situation. You have to do your best to make sure that something bad doesn't happen to your child, which is going to affect their whole lives, their job applications but at the same time, you need support, you need non-judgmental support that doesn't come with repercussions attached.

Sandra's son had depression and anxiety. His offence was drug possession and had been self-medicating with benzodiazepines. Sandra felt that her son and agencies needed to be held to account, but that if she did not 'perform' and seem to be competent and give assurances regarding his compliance to get through the process, then that could have further implications for him. Her instinct was to do what was necessary to prevent further contact with the justice system, yet paradoxically with no review in terms of attendance at drugs service or CAMHS, neither he nor the agencies had to follow through. Whilst nothing had changed, Sandra felt she would be considered responsible if he encountered the police again. Ben too struggled with the situation where he believed that his son took responsibility for offences which he was adamant he had not committed for 'a quiet life', stating:

I've swept it all behind me now, you're sitting in a meeting, you'd be nervous like. I know that he didn't do things at times but we went through it because it was the easy option because the other one was court and oh Jesus ... it's mad this thing.

*Parents' experiences of their child being in custody*

For parents, their child going to custody represented a particularly low point. The JJC is a 48-bed unit outside Bangor and is the custodial facility for the entire Northern Ireland region for boys and girls aged 10-17 years. There is a presumption of bail for all young people. Most young people in custody are on remand awaiting hearing or sentencing. Parents spoke of feeling overwhelming panic and worry, particularly when their child was sent to the facility on the first occasion. It signified a time of great sadness, loss and their worst fears coming to pass. Tara described it saying that:

To be honest with you we broke our hearts like, I was just devastated, I was just ... I thought this was the worst thing to happen, but I suppose the positive outcome of that

was because we were able to have a proper diagnosis and know what we were dealing with, making things a wee bit easier, you know what I mean?

Tracey recalled how the thought of it terrified her. Situations immediately prior to a young person ending up in the JJC were very fraught for families. Becky detailed a time with her daughter where the list of charges and out of control behaviours was, in her words, 'ridiculous'. Similarly, Joan recalled telling her daughter immediately before her being remanded to the JJC, that she would not provide her with a bail address as she was fed up and exhausted trying to keep her out of trouble. Often parents spoke of a backlash from their child for decisions such as not providing a bail address, resulting in them being remanded. Marie vented her anger describing a difficult decision she felt forced to make:

He's not going to die if he takes a joint of cannabis, but he's going to die on legal highs. I had been screaming to social services, they weren't interested, so I basically had to withdraw my bail address to keep him alive. He got put into Woodlands, I'm a great believer that everything happens for a reason, now he was 15 at the time.

Whilst the sense of loss for parents in this situation was palpable, some also reflected on it as a respite period almost. Tara and Pete saw it as a time where something had to give, or they believed their marriage might breakdown. Dee stated that whilst initially her son was volatile in the centre, he began to thrive without drugs.

Going to visit their child was difficult for all parents, but where distance to the JJC was further could be especially challenging in terms of travel time, cost, childcare arrangements and work commitments. If parents were employed, they mentioned this being under considerable pressure, or threat of being sacked. Parents valued the opportunity to stay in the centre when they could as it provided time with their child and reduced costs. Release was a difficult time; two parents discussed their child self-harming immediately on returning. Lack of communication and issues with local healthcare in following up on treatment plans whilst in the centre was a source of stress for most parents, concerned that a break in medication might lead to a mental health crisis and maybe further re-offending.

Parents valued the level of communication and reassurance provided to them by staff in the JJC. Most discussed constant contact and plenty of information on all aspects of their child's care and

how they were coping. Ironically parents pointed to the absence of drugs in custody being a positive opportunity for treatment, support and a level of communication with their child not experienced in a long time, but bemoaned poor follow up.

*Experiences of support services outside of the justice system*

Parents offered their views on a range of experiences with other services. In Focus Group 1 parents were angry and frustrated by what they experienced as inadequate provision and poor responses from health and social care services in managing out of control behaviour, specifically drug use, as well as support needed to meet their children's complex needs. All had lengthy social services involvement, and most were critical of what they believed was a failure to address mental health and drugs issues, from a very young age. Katie echoed this overall sentiment in stating that:

My son was very high risk, he was in the RCU [specialist mental health in-patient unit], then he was transferred to Lakewood [secure care facility] and then youth justice didn't get involved until very late on, he was self-harming, it was just horrendous. I think if they had have got involved a wee bit earlier, he may not have got done the criminal path as far.

In Focus Group 2, three of the four parents discussed their efforts to access support in managing their child's behaviour. Marie's story is not uncommon, she tried several avenues to access support she believed would help her son:

Well, my wee boy was getting into trouble before this, he was on drugs, I didn't know about it for about two years and when I discovered it I tried to get help from social services, I got him on the Strength-to-Strength programme, after he finished it there was a place called Extern but you needed a social worker to get on it, so I applied to social services but was turned down. He has ADHD, and was at CAMHS, so they wrote out a UNOCINI [Understanding the Needs of Children in Northern Ireland referral] and I was refused, then the school wrote out a UNOCINI and it was refused again.

Contact with social services meant different things to different parents. Kitty's worst, and ever-present, fear was that her other children would be taken from her. Like Marie, Becky contacted social services to ask for help and was highly critical of what she saw as limited support and promises not kept about access to services. Amy requested that social services take her son into care as she could not manage his behaviour, believing he would be safer in residential care; she

became very disillusioned with the system as his behaviour became riskier. In recalling that time she stated that:

SON was on the child protection, I fought to get him on it because I was unable to protect him, the trust was unable to protect him, and he had threats from paramilitaries and a lot of other people as well. So, he needed to be kept safe and that's why I wanted him on the protection register because if he was on that, I felt that would enable social services to step in, for somebody to help him. But it didn't go like that.

Amy was critical about what she saw as the lack of communication between agencies, stating that she struggled to contact the social worker. She provided the example of requesting the YJA key worker to get in touch with her son's looked after child social worker, to ascertain what was happening. Amy blamed herself for her son's offending, recounting how she was ignorant about the system and believed it would keep him safe, yet his behaviour spiralled out of control and he became increasingly vulnerable to groups of older predatory males. She recalled her feelings following formal decision-making meetings with social workers about her son:

It was tough, it was tough because after I would have found, after meetings, the big meetings with Social Services and stuff ok? I would have gotten really emotional; I would have held it together, but you see when I came back from them, I would have just broke down emotionally like.

This experience of child protection decision making forums was shared by Becky who recalled:

Awhh god it was awful, awful. I rang them looking for help (social services), and I know there is a lot of changes I still have to make but the time they finished with me I was ready to jump off a bridge, I was just 'I can't deal with you anymore, you aren't helping me, you are belittling me' [she said]. I had to go to all these meetings with all these professional people and they all talked like I wasn't there. And then I couldn't talk [laughter] because I was so overwhelmed! I think they do that on purpose, so you don't talk ... it was just an awful, awful experience.

Most parents were frustrated with the limited support available. There were exceptions, like Tina and Myra's experiences. Myra talked of having a 'wonderful' social worker when her son was nine or ten, but then having mixed experiences with different workers. Tina's son had a looked after children's social worker whom she had a positive relationship with and who provided her with a lot of support and information. Marie was angry in retelling how she repeatedly asked for help, with social services eventually becoming involved in a crisis after she 'slapped' her son when

he threatened her. Following a safeguarding investigation her family received a level of support. Leah was equally annoyed recalling her treatment by social services. Police referred her son to social services as he was 14 at the time he started offending. She described being judged and treated with suspicion, citing an example of a home visit by social workers leaving her angry and dismayed:

... they came out and I was sitting with my glass of water the last time she came out 'and what's that you're drinking?' I says 'water'. As if to say you're sitting f\*^king drinking!

Feeling further labelled and 'to blame' was an overarching experience for most parents in contact with social services. For all, accessible mental health and drugs and alcohol services, for their child, was a huge issue. All discussed how they found these to be inaccessible, and not available at an earlier younger stage. Overwhelmingly, these issues emerge as underlying factors in their young people's offending and deep frustration was voiced on this issue.

Some parents felt certain schools 'went the extra mile' in the words of Myra. Education was problematic for every single parent; difficulties typically had emerged early in school. Where voluntary agencies were involved with families, this was typically positive. Becky who was scathing regarding her experiences with social services, self-referred to a voluntary organisation which she credited with turning things round for her and her daughter. However, two parents highlighted the 'Strengthening Families' programme, a multiagency parenting support programme which they were referred to by the YJA, as especially beneficial.

In exploring the issue of support for parents it quickly became apparent that all felt necessary supports were limited, if available at all. However, where a coordinated self-support/mutual support structure is available, this seemed to make every difference. From their responses, it appears that parents do not really see services as being there for them, moreover, parents don't perceive themselves as worthy of a service, in their own right. Many talked about being sidelined or excluded from their families and communities. The issue of mutual support is explored in detail later, but for those supported by other parents, the difference in their coping was fundamental to them and their families, as Naomi in Focus Group 1 stated:

It's all about the child who has done the crime, it's not about how the family is coping, how the other kids are. There needs to be more groups where parents can be referred not for the children but for themselves.

## **Conclusion**

This chapter has analysed findings from parents focusing on their experiences of agencies within the youth justice system and the impact for them. It is clear from interviews that their children's contact with the justice system routinely occurs on a downward trajectory of challenging and concerning behaviours, risk-taking, including risk to self, and often conflict and sometimes violence in family relationships. Parents' frustration and dismay regarding the lack of urgency and flexibility on the part of agencies in response to their efforts to access support with their child at critical times prior to police contact, is palpable. Almost all parents wanted to articulate their efforts at help-seeking as things hurtled out of control with their child. Often their first interface with the justice system is in a space where they feel alienated, guilty, shamed and frightened.

The findings show the extent to which parents are shamed and distressed by events they describe prior to, and at the point when their child is first involved with the justice system. Parents' narratives illustrate how stressful, confounding and ultimately excluding the processes they are subsequently required to engage with are, in their experience. Most significantly, accounts demonstrate how practices, processes, the physical environments and organisational culture within the different agencies coalesce in systematising the shaming and stigmatisation of parents. Their narrative of their own and their children's experiences in the physical space of police stations and with some police officers in the community provide example in this respect. Likewise, parents' experiences of court including the physical setting, formalities and rituals, epitomise their shaming and sense of powerlessness. Furthermore, findings reveal that the conferencing process can be experienced as adding to their responsiblising, sense of blame and enduring shaming, as opposed to repairing or reintegrating. For parents, the support from individual workers, and the ethos within the Youth Justice Agency in particular often provided a lifeline. Of concern is how processes that systematically shamed left parents feeling unworthy,



often believing they deserved nothing more, nor had any right to anything different from the range of agencies who they become required to engage with.

These findings raise questions regarding the accountability of this composite system towards the parents of children involved with it. Chapters Four and Five identified this accountability vacuum in strategy and policy, and this appears borne out by parents' own narratives. Ironically, despite their experiences with these systems, parents articulated in a measured and insightful manner how the system could better support them, in the best interests of their child. Chapter Eight focuses on findings relating to the impact on everyday life at home and in the community and the consequences for relationships and family, including what parents identify as helpful and enabling for them through these times.

## **Chapter Eight: The impact of parenting a child in the justice system on parents' everyday lived experiences**

### **Introduction**

Findings presented in this chapter detail key issues emerging for parents themselves and in their relationships with those closest to them and in their families and communities as a result of their child's involvement in the justice system. Parents' experiences of violence, or threat of violence is first explored as these were particularly alarming and distressing yet commonplace to the point of being normalised. Experiences of adolescent to parent abuse as such an example is first discussed. Parents often identified this as a causal factor or trigger in their child entering the justice system, where they made contact with the police in desperation. This was typically experienced in the context of drug and alcohol misuse. Secondly, parents' reflections on the trauma of paramilitary involvement in their lives and the experience of living with their child being under threat, is detailed. Next the chapter documents parents' reflections on their 'normality' in trying to manage everyday family life whilst simultaneously coping with the implications of a child's involvement with the justice system. The chapter then presents findings related to parents recounting of the challenges faced in their communities because of their child's behaviour, including being ostracised, intimidated or forced into homelessness.

Following on findings explore parents' experiences when coping with a child's complex needs and the impact of the overall experience on the relationship with their child. The effect on family life is then considered, specifically the consequences for siblings, time spent with other children, and the effect on their childhoods. Implications on the extended family and coping with a range of reactions is then related. Lastly findings are presented about the impact on parents themselves, on their reality on a personal level, and on their emotional and mental health. Events, experiences and processes that parents found especially shaming, stigmatising and isolating are reflected upon. Shame, stigma and the associated trauma as key emotional features of the entire experience are explored. Finally, parents' views on the impact and benefit of mutual support, where available, on their coping and wellbeing are considered.

### **The experience of violence**

The events of police station, court, and conference mark formal events that parents in this study describe as almost coming to punctuate their daily lives. In the previous section Sandra talked about the 'performance' aspect of such power-laden events for her as a parent. Needing to 'appear' compliant with, and competent in, achieving what such decision-making forums were proposing was a key issue for parents, often driven by fear for their child. Amy described the aftermath of the child protection process which was occurring in parallel to her son's justice system involvement. Amidst these distressing events, parents had to try and achieve some semblance of family life with other children, family members and the young people themselves. The reality for several parents was coping with the threat of violence, and aggression from a range of sources, not least their child.

This issue of adolescent to parent abuse was referenced previously, and the research literature reviewed in Chapter Three. Both Dina's and Louise's sons were charged with offenses of assault against them. However, whilst maybe not reported or progressed officially, a number of other parents communicated their fear of the potential for aggression, including physical aggression from their child. Myra discussed how verbally abusive her children were towards her. Tina recalled contacting the police because her son had brandished a knife at her husband. Dina described the trauma of being beaten up by her son, and Louise shared how her son was both physically and verbally aggressive on many occasions. As referenced previously, Tracey contacted the police to assist in managing violent behaviour in the home. Becky described what it was like for her trying to manage her daughter's behaviour:

She came at me a couple of times at the door when she was going out and I was trying to keep her in and there was just that red mist you know that I just wanted to go you cheeky, cheeky, cheeky, madam and go for her, but I think she would've beat the crap out of me, she's big, no she's not big, she's tall and strong.

Becky became frustrated with police and social services who suggested that she 'ground' her daughter, leaving her feeling not listened and incompetent. She summed this up in saying that:

Nothing worked, nothing was working. Then they said to try and keep her in, I said 'you try and keep her in, she is a bull, she took three policemen down!', and they wanted me to try and keep her in!

Becky further talked about learning over time to try and manage this behaviour; not 'rising' to it and trying to de-escalate. She compared life with her 15-year-old daughter at that time like being in an abusive marriage.

Dina needed to give voice to her shock at the level of violence from her son which came to a head when he physically attacked her outside the home:

I just thought, someone needs to take him off me, because he's going to be dead, or I'm going to be dead, but they wouldn't take him.

Marie shared a time where she reacted when her son challenged her:

My wee fella has never ever once hit us, he's come right into our faces and I put him up against the wall, my heart was going a dinger, it's just he was a wee small thing and then in a year the size he was, and I says to him 'don't you ever dare do that' and I thought, no, I can't have that, if he sees that I'm scared god knows what we can end up with'. So I can come across as dead tough and that, but me heart's going a dinger.

When asked what her greatest fear was at the time when her son came into contact with the justice system, Jane stated:

My life, my son would've went at you with knives and everything. Just he would have been alright one minute and that was like a light switch.

Drugs and alcohol featured in the above examples. Parents were frustrated and angry at such behaviour, yet concerned, fearful and anxious as to the level of such aggression directed towards them. Parents often struggled to identify these behaviours as abusive, for example Leah talked about being surprised when the youth justice worker suggested a referral to Women's Aid, which she declined. Whilst parents graphically recounted traumatic incidents with their child this was often retold in a 'matter of fact' manner almost as if this was to be accepted..

Aside from potential or actual violence in the home, most parents lived with the likelihood or reality of paramilitary threat. Chapter Four detailed the extent to which paramilitarism remains a feature of life in this region, citing statistics of ongoing attacks in communities. Tara and Pete,

whose son was assessed as having ADHD whilst in the JJC, recounted how initially when returning from the JJC he was 'welcomed' back to the community but advised on no uncertain terms that he would have to leave if previous behaviour continued. They reported receiving a letter reminding them that he was being 'watched' and described the untold additional stress this placed on them whilst waiting for a CAMHS consultant psychiatrist appointment. Their son had reacted badly to a medication prescribed in the JJC, yet for them, being off this medication could lead to further anti-social behaviour, and consequently paramilitary action. They spoke of their despair in the delay in access to services, and the disdainful attitude of such groups to his complex psychiatric needs. Tracey recalled finding out that her son was subject of a paramilitary threat:

... and I heard then, I got word that my son is going to be shot. I just thought 'oh Jesus, what am I going to do', I'm going to die. I went down to nothing, I lost so much weight.

Subsequently she managed to have this threat removed but recalled the stress of trying to cope with her son during that time, when he was misusing drugs and self-harming. Dee's son was 17 with a long history in the justice system and custody. His offences were particularly high-risk involving car crime. She did not condone the threats against him but stated that she understood why the community was so fed up with his behaviour. Her description of what it meant to a family to have a child under paramilitary threat brought into sharp focus the lived reality of this, Dee said;

Oh, it was terrible, we couldn't leave my wee boy, my other wee boy he's 16 now, we couldn't leave him in the house on his own in case anybody came. All the doors and windows had to be locked and, he's not really meant to be down here [son who has the threat against him] because of this but he still comes down you know.

Her 17-year-old son was excluded from the area of the family home by paramilitaries which meant rebuilding family relationships was near impossible. Paramilitary threat was a fact of life for a quarter of the parents who took part in individual interviews and alluded to by a number in Focus Group 1 and 2. All children against whom such a threat was made, had either a statement of educational need or were assessed as having ADD/ADHD, and often both.

The 'informal' panel which parents were required to attend to discuss their child's behaviour, typically in a community facility, represented another powerful system requiring compliance if

they were not to lose their child to exile, serious injury, or death. Additional to the experience of violence in the home, potential aggression from law enforcement and paramilitaries, parents discussed the regularity of fights and 'hidings' [beatings] from gangs and drug dealers. Dina was honest and emotional in recounting her despairing and feeling suicidal at that time, when she stated that:

'Honestly, if they had of shot him, I wouldn't have cared if he died, and that's how bad a state I was in'.

This experience of feeling that they simply cannot go on was referenced by several parents, Amy for example was upset in recalling her younger children and her fears for them when she was 'waiting' for the paramilitaries to come for her son. Shortly after his 18<sup>th</sup> birthday Amy's son was subject to a paramilitary attack, like many parents she anticipated this would occur when he was beyond 'childhood'

### **Coping in the everyday with the unimaginable**

Parents described how they somehow needed to make life as normal as possible for siblings and other family members. They were keen to point out the actuality of everyday life which was not reflected in the volumes of assessments and paperwork accumulated on them and their family; the implications for getting by every day. Many remarked that bills needed paying and other children had to get to school. Attending police, youth justice, court, CAMHS, hospitals, social services and possibly education meetings placed huge stress on family life and relationships; and in a very practical sense on their ability to work and earn money to provide for their families. Tara reflected on the logistical impossibility of employment when she stated that:

See juggling appointments and going to meetings and trying to manage them, and making sure they are where they are and making sure they're supposed to be there and there's a lot that just goes on and on, and you're trying to keep your children happy too, there's just no way I could've managed work or whatever at the time. I would definitely say there was just no way like, even Pete at the time, there's that stress too you can't even concentrate or whatever, do you know what I mean? It does, your whole life changes, it takes over your life it really does.

This issue of the emotional toll, and this filtering into every part of life was reinforced by Dina when she discussed the impact on her in her job:

I'm actually a carer. I broke down in someone's house, how unprofessional is that? I thought I might have my caring role taken from me, I had to take out sick for a week. How can I look after people when I can't look after my own bloody family!

Dina felt incredibly guilty, ashamed and embarrassed at the source of her stress. Myra's husband lost his job as a direct result of having too much time off. Becky stated that she lost her job as a direct consequence of having to devote so much time to attending the police station, court and professional meetings in respect of her daughter. Tracey also had to quit her job as too often she needed to leave to attend to a situation with her son, she reflected that:

I was trying to work, I had a wee job in a bar cleaning. Days you would get a call 'oh you better come, you better come!' Dear Jesus, I thought, is this ever going to end!

David talked about the impact on his work. Loss of employment had implications for family finance and wellbeing, contributing to further stress. Kitty was the exception in this respect, for her work provided time-out, a place where she could get away.

Parenting an adolescent can be challenging; when children were involved in the justice system and drugs a daily feature of their life, typical approaches or techniques of parenting were rarely effective. Most had behaviours which did not respond to methods that might have been effective with another child in their family. For example, Dee discussed how with her 15-year-old son she went to extreme lengths of borrowing different cars to hide her efforts in trying to monitor his whereabouts:

Oh yeah I'd be driving round like a nut looking for him and stuff like that. But sure I was borrowing this car and then you'd have to borrow other people's cars to go out looking for him

Reflecting on that time, Joan commented that:

You know I don't even know myself [how she coped], I really don't, I just knew I had to try and get her, to be strong for her, to help her, to get her on a straight path, the straight and narrow again.

Jane recalled just another day when she was: 'making the dinner and drug dealers at the door!', reflecting the incongruity of having to 'get rid' of them and watch the pots. Marie recollected

becoming aware that her son was frequenting a house with reputed links to paramilitaries and drugs. She described how she drove to the address with him in the car, and:

... went to their door banging on it, shouting 'keep my son out of your house!', my wee boy was hiding in my car. I wanted to take him with me to show him I wasn't scared. And then I was getting into the car, I'm sure they thought 'his ma's a header', because it looked like there was nobody in the car because he was on the floor, and I'm shouting, 'you're going to get me shot!' [to her son].

Marie laughed at the frightening horror of the situation or 'madness' as she stated, when retelling the incident. In a way, Myra's comment sums up how having to cope came to feel for a lot of the parents, when she stated that:

I am totally exhausted, we haven't been able to have a holiday in about five years, my husband lost his job over it all, and he had a really good job. He was told to go. It was bad. We had lost face. I would go to the shops and I just wanted to hide.

Chapter Two examined theory on stigma, shame and spoiled identities and how this can be seen to resonate for parents in this position who, apart from coping with the immediate behaviours and all this entails, must endure the response of others in their area. Communities reacted differently to parents, yet all expressed a sense of shame and humiliation at 'having to show your face' in the area. Many parents had grown up in, or certainly had invested in making a home in the particular area. All discussed at some stage having agonised over community reaction to them as a family. Tara for example talked about how people she had known all her life changed their behaviour towards her. She reflected how people in the area whom she previously chatted to and had known for a long time, avoided her. Such was the impact, she stopped accompanying her younger children to school and no longer attending classes she previously enjoyed in the local community centre, because of how she now experienced people in the area. Similarly, Myra who lived in what might be considered a middle-class suburb talked of having no support in the community for the family, and how her neighbour constantly contacted the police. Ben shared his being mortified at the disturbance caused in the area with the police attending the house many times a night.

Whilst all families can experience conflict and stress, for parents in this situation this was often quite public in that police might have been attending their homes on a regular basis. Parents in



Focus Group 1 spoke on this issue at length. Kelly echoed the experience of most in describing how stigmatising this experience, stating that she was:

Ashamed of what people round you and your neighbours are going to think, you don't think these things are going to happen to you, just embarrassment at what other people are going to think.

Katie alluded to shame and humiliation, owing to her son's offending occurring in the neighbourhood she was brought up in, she stated that:

Well because the area I had lived in I'd lived in all my life, so I just was so embarrassed because people who my son was doing the crime against was people I had lived beside and grew up with all my life, so that was pretty horrendous.

Whilst Katie was forthright about her son's actions in the community, others believed that owing to their child being 'labelled' they were blamed for other offending in the area. Ann in Focus Group 1 had an experience like Amy in that both claimed their sons started to get blamed for crime in the area. Amy recalled this happening at a time when her son was in JJC. Dee discussed being embarrassed initially but then becoming immune to the constant police presence at her door. For Becky, her daughter's behaviour in the community resulted in her being threatened with eviction. She recollected being distraught at the extent of the offending, and how agencies did not appreciate the fundamental and devastating impact of potentially losing her and her children's home was having on her. She recalled that:

Well, we were going to lose this house. I love this house, I love this area, I know they are nosey and that, but I love this area. I'm a mile away from the country. We are one mile up the road. You know nobody cared that I was going to lose the house that I was going to homeless.

For Katie in Focus Group 1, her and her family were forced to leave their home and be placed in a homeless shelter as a direct result of their son's behaviour in the community they lived in. Tina epitomised the experience of most in articulating a sense of them as a family being 'spoiled' or, perceived as 'less than' when she stated that:

The people across the street have two boys near the same age as my son, one a year older and one a year younger and they seem like this wee perfect family where yours is always being visited by the police.

Parents were humiliated and ashamed by what was happening with their child. Louise typified this, knowing that people were talking about her was tough; and as others had mentioned, she felt the need to have to 'perform', evidenced when asked about coping:

Am I coping? I don't know if you'd call it coping. I would say acting more like. You go out the door and you try and you hope that people aren't talking about you, but you can tell, you can tell and it's not nice.

For parents, offending in a child was a particular shame or stain which they internalised and most did not feel warranted empathy or understanding, if anything fault on their part was implicit. Loss as a theme emerges in regard to loss of esteem and identity within the community, and the physical loss of resources and facilities that could support.

### **The impact on the relationship with the child involved in offending**

A stated aim of this project was to explore the impact of their child's contact with the justice system on their relationship with them. All parents participating in the research were involved in the everyday lives and decision making about their child, regardless if they were in their primary care or otherwise (in a children's unit or shared care as was the case for four participants). Few parents referenced their child's early years, yet some seemed to need to provide reasons or explanation as to why their child might come to offend. For example, two parents mentioned the death of a beloved grand-mother; one had discussed pre-existing behavioural issues and one was adamant that her child 'went off the rails' following a sudden death in the family. Another parent attributed what she described as persistent and severe behaviours to the experience of adoption and attachment disorder. This research seeks to understand experience and provide the opportunity to parents to articulate this. Explanations or understandings about the 'why' of behaviour were purposely omitted from this study.

Parents wanted to offer their understanding or make a connect, possibly as their participation in interview seemed to provoke reflection on overall experience with the child in question. Parents generally recollected a child whose behaviour was challenging to varying degrees. Of the three fathers who took part in individual interview, two believed that the police had unnecessarily brought formal charges; both adamant that their sons were harassed by police and brought into

the justice system because of their being perceived as belonging to a particular community. They related anger about what this meant for their relationship with their sons, and frustration as they saw it, in having to manage the consequences.

Education was consistently mentioned as the first environment outside of the home where parents were alerted to difficulties with learning and behaviour. For some, concerns about, and problems in managing behaviour had predated school, for example in nursery or pre-school. Every parent discussed problems with their child coping in mainstream education, just one parent reported their child attending education full time; in that case he had moved school owing to problems in the previous one. As discussed in earlier chapters, educational and learning needs, and possibly mental health needs in addition, are a significant factor for many young people coming into contact with the justice system. Parents may have struggled for years managing certain behaviours, often children will have had assessments and input from several services or will have attempted to avail of support from some. Diagnosis of 'oppositional defiant disorder' 'conduct disorder' ADHD/ADD, 'attachment disorder', and ASD will not be uncommon. The likelihood of significant harm, or it having occurred, was the situation for five of the parents whose children were currently in care or were care experienced. Difficulties in getting help were complicated by the availability of flexible and local drugs and alcohol services. Sandra described her frustration at the refusal of CAMHS to afford primacy to addressing drug taking. This was an issue for almost all parents, who voiced their annoyance on this matter.

As referenced, whilst the 'knock on the door' or call to attend the police station might be a shock for parents, the preceding months and years will have been challenging and taken a toll on their relationship with the child. Contact with the justice system often evoked a new range of emotions, not least where offending had caused harm to others.

Emotions ranged from rage, to despair, through to concern and support, when discussing their relationships with their child. Ann encapsulated this when she described her feelings about her son at the time when his offending was at its height.

I suppose you're angry at first, you don't really understand or, why? Do you know what I mean? You're constantly banging your head off a brick wall with them, but on the other

hand they're your child. They're sitting there in front of you and you just want to put your arm around them. I know for a long time I felt like 'I don't even want you near me' at youth justice I was saying to him, 'you need to leave, you need to leave', I think I just wanted rid of the problem if you know what I mean. But then I was scared for him too, so you don't know what way to turn really.

Becky remembered how angry she felt with her daughter when her offending was escalating, she stated that:

I have never hit my child, but I wanted to kill her, not kill her but I wanted to physically hurt her.

Tracey also recalled her anger with her son at the time:

I kind of turned against him like for bringing all this bother to me and we were like falling out all the time. You know I was saying like 'if you could come home and keep your head down and not get into bother and go and play football. Why can you not do that'. It was just constant me and him just at each other.

Parents were asked how offending was impacting their relationship with their child, and how they coped with this, to appreciate the effect on the everyday in the private space of their homes. Louise had experienced child to parent abuse, she also talked of previous support from Women's Aid when her marriage had ended, indicating prior domestic abuse within the home. It was this organisation she turned to again for support in coping with her son's behaviour, she was candid in recounting how little help she felt was available, adding:

No one asked me how I really felt and I would have told the truth because I did hate him. I hated him what he put us through. I really did. I know that and I told him that but then he hated me too, so we were rubbing each other up the wrong way because we didn't know how to deal with it.

Having to take part in court ordered, or legally mandated processes with their child placed strain on already volatile relationships. For example, Helen talked about how the aftermath of the youth conference was particularly difficult. She felt she could have been better supported through the process by way of a facilitated discussion between her and her son, helping him to understand the impact of his offending on her and the family. She articulated her ideal when she stated:

... someone to say 'right how do you think your mammy felt about that?' that would have helped an awful lot because he would have had more understanding, but he'd just come home every time hating me, absolutely despising me. 'why did you tell them this and make me out a bad child. I'm worthless, you never wanted me in the first place' all this stupid stuff.

David too was irritated with the stress placed on the relationship from him feeling he needed to coax his son to comply with agreed requirements, for example attend appointments for reparative activities, stating:

So it was always a fight just to get him to do it you know? It was like, more stress on me. It was stressful cos our relationship then was beginning to breakdown cos we were fighting all the time over it.

Parents of teenagers will attest to the challenges in helping them through that critical developmental time. Several parents in this study had raised older siblings none of whom came to the attention of the justice system and were able to reference the stark contrast in parenting their offending child. Leah reflected the 'walking on eggshells' approach which was such a feature of parenting. She recalled that:

You always have to be nice to him, always, but it's stressful too, being like that all the time. If he was here and he was going out and I says the wrong word to him that would have got him upset for the rest of the day so you have to be nice to him 24/7. That's well stressful too. That's what WORKER in youth justice was saying to me, she was like but you can't live like that either, me because it's not normal and it's just so he doesn't get upset.

The relationship for all parents was strained, often having completely broken down at times. Some who were 'coming out the other side' and where no new charges were brought for some time, reflected that going through the process actually made their relationship with their child stronger. This was the case for Joan who felt it brought her and her daughter together. Tracey who initially discussed feelings of anger, stated that:

We're a lot closer again now, we depend on each other, don't get me wrong he still has a smoke, but nothing like that, not as much, he used to come in out of his face and I used to think dear Jesus where am I going wrong, where am I going wrong.

Tracey mentions her son still using cannabis, this 'tolerance' of behaviours that previously would have been considered unacceptable emerged for some of the parents as a process of bargaining with their children in an attempt to manage harm. A number who talked of having strongly been opposed to drug use reflected on coming to tolerate their child smoking a small amount of cannabis in the home. Myra was an example, she discussed how for her allowing her son to smoke cannabis was previously unimaginable, and against her value system. Marie was shocked to recall how she had moved in this respect, remarking on previously being horrified when a friend discussed allowing her own daughter to smoke cannabis, but later reaching an understanding with regards to a parent making that choice. Dina recalled her desperation in allowing her son to smoke cannabis at home if he agreed to stay away from legal highs which had resulted in him being admitted to hospital on several occasions.

Whilst parents acknowledged no 'normal' example of what being a parent to a teenager is, they described measures taken, and things they felt they needed to demonstrate just how far from normal 'family life' had become. Tara talked of all trust having gone, and anything of value in the house needing to be secured. Marie remarked that the strongest thing she had at home was a paracetamol and Dina talked of how any medicines were locked. Amy remembered her son stealing sizeable amounts of money from her on many occasions.

When asked about the impact on their relationship with their child, parents seemed to contemplate the changes they had to accommodate. Loss emerged as a critical theme and this was especially relevant and intensely experienced by parents when it came to their relationships with their children. Managing risk taking and the development of trust are synonymous with adolescence. For all parents trust had gone, for Tina as with most the issue was the child's behaviour in the context of drug taking. She recounted this loss of trust:

Well, he's not living at home now, he refuses to change, and he refuses to stop the drug taking, now he's not taking as much as he was, at the minute, well he done really well before Christmas, but then he took a complete downward spiral, lost his tech (college) place, lost everything.

Some parents communicated a deep sense of hurt that their child was lost to them or had been. Louise said of her relationship with her son:

I lost my son. I could say I lost him from when he was 14 to when he was 16 and that is not a word of a lie. I lost him completely. I would tell anybody that. He was not my son at all.

Likewise, Dee recalled a time when her son was in a residential unit as a consequence of his unmanageable behaviour, recalled how he blamed her for the placement and refused to have any contact with her:

... there was a point where he was 16 in the children's unit, and he stopped speaking to me for about two or three months, it nearly killed me like. I was ringing about six times a day and he still wouldn't talk and stuff like that.

As a coping mechanism parents appeared to try to develop an ability to distinguish the child who took drugs, from 'their child' when free from this influence. Katie recalled her having to draw this dichotomy for herself when she stated that:

It's not your son, I call it my son and the 'drug abuser', he's a lovely child, he's the best one I have without drugs. See with drugs, especially legal highs, he's like a wild animal.

A theme emerged in the parents' stories in terms of their relationship with their child. As parents they needed to show their care and support. Whilst they felt helpless often to influence their child's behaviour, particularly where substances featured, their efforts to do what they could in seeking help and being there provided opportunity to support their child. Sandra encapsulates this observation when she stated that:

Well, it was difficult and I would say that the whole process of teenagerdom and this has had a really negative impact on our relationship. But I kinda hoped that I was showing him my love in a way through my efforts. I don't know

Parenting a child in contact with the justice system brings a range of formal systems that will often look to the parent to control behaviour and ensure adherence with certain sanctions, for example a curfew. The 'gaze' of authority and pressure felt by parents to influence their child impacts profoundly on what is probably an already fractured relationship. Parents felt ill-

equipped to deal with such extreme behaviour and negotiate the maelstrom of agencies, and expectations. Yet certain features of that very system seemed to garrison and motivate parents in supporting their child, as mentioned by Sandra above and outlined by the multiple testaments of parents in supporting children at each step of the process.

### **The impact on family life**

This research aimed to explore the experiences and needs of parents. The extent to which those taking part discussed the impact on and needs of siblings was unanticipated. This was especially so where contact with the justice system was protracted, and an enduring feature of family life. Firstly, feeling guilty and frustrated at time not spent with their other children was a huge issue for parents. Secondly, parents were concerned about the impact on other children of both witnessing and being aware of traumatic events surrounding their sibling's involvement with the justice system. Lastly parents were frustrated to explain to the 'well-behaved child' why the 'not so well-behaved child' was receiving so much attention and services which other children saw as unfair. Parents' experience of each of these is explored below.

Some focus group members were visibly upset at what they saw as the effect of their child's offending on their other children. When discussing them Tess wept when she said:

I've lost years with them [siblings], literally.

Others echoed this, Ann also discussed her sense of guilt and shame attached to not being emotionally available to other children in the family owing to the time demands of the child in contact with the justice system. She stated:

You're not there [for siblings], you may be physically, but you're not there for their [siblings] other needs

Naomi provided a particular example of her daughter wanting to do the transfer test, but she as a mother did not want to add any pressure as she was so concerned and guilty about the little time she had provided in supporting her with it, she recalled this saying:



Like I remember sitting in the morning with my wee girl when she was doing the transfer test, she was so eager, and I was saying to her 'look love it doesn't matter, it doesn't matter love'. I felt then as if I was holding her back.

Parents in the Focus Group 1 wanted to reinforce the extent to which the childhoods and family life of siblings were deeply impacted. In individual interview Kitty was forthright and angry in detailing how she felt when she stated that:

I had a family of seven and every one of my kids suffered because of what SON was doing and what he was putting me through.

A number of the parents both individually and in focus groups articulated their belief that a structured support was needed for siblings. Kitty reinforced this when she further reflected with some anger on how the chaos symptomatic of that time, came to determine the experience of siblings. She emphasised in strong terms that:

Something for the younger ones to look forward to [was required] instead of 'is my mummy going to be able to take me out this weekend if BROTHER is out on the rampage,' if the kids had of had something else to look forward to they would have been less concerned about him being out on the rampage.

She wanted to include how her younger daughter required counselling which she directly attributed to the trauma of coping with her older brother's contact with the justice system. Parents reported siblings also experiencing exclusion in the community. Some were shocked at their other children being bullied as a result. For example, Katie remembered being hurt at children in the area taunting her daughter about her brother, stating that she was upset with children saying:

'sure your brother is a scumbag'.

Katie discussed how damaging she felt this was for her daughter. Naomi highlighted this concern expressed by all parents of the impact on other children stating that:

It's the family that counts. It's not just the offender, the whole family is affected, big time.

Becky likes some other parents was concerned regarding the impact of her daughter's behaviour on her younger child who was several years junior to her older sister in contact with the justice

system. She recalled this child who was still in primary school being bullied by her older sister, including physically attacked on a number of occasions. In relating her distress at this she stated that:

I had an eight-year-old, and it was awful for her because she was starting to think that this is normal, like 'there's the police again mummy!' and her sister was really, really bad to her, like hitting her too hard. Not like a sibling, hitting her really hard and being awful to her.

She discussed resenting this and being angry with her because of it. She felt strongly that attempts to impress on social services the impact on this child were ignored, and services weren't provided that were much needed.

When children had increased contact with the justice system, this sometimes attracted other agencies in attempting to divert from further offending. Parents discussed how siblings often saw these 'opportunities' for the offending child as rewards for 'bad behaviour' and struggled with the perceived unfairness of this. Amy talked of how she struggled financially when her son came out of residential care. She could not provide him with the same clothing brands he had in care, so he then stole these items. She remembered him having brand names because of 'being in care' was a real source of conflict in the family, recalling:

That was crazy because for the younger children, or the children around the same age, their brother was coming up with his Nike slippers on and the latest hoodie and they were going 'that's not fair, he's doing A, B and C and he's getting all this'. I really wanted to keep him you know? And then when I took him out of care I couldn't keep that up, I couldn't maintain that. So instead he thieved, got himself a pair of Nikes and stuff like that....

Some parents with primary school or even preschool children described the difficulty in protecting them from the reality of what was occurring in their family and the distress this created for these children. Several parents in Focus Group 1 talked about how the child in trouble 'got everything' and how other children in the family could have benefited from a 'timeout' from the stress and anxiety at home. Kitty commented that her other children became angry and upset with her, which she recognised as rational given the level of attention provided to her son who was offending. She acknowledged that:

The relationship with the rest of the people in the family is strained because they think that SON is mummy's blue-eyed boy who gets away with everything. Like I say it's cause it's all taken from them ones and he's got everything.

Parents also again described the sense of loss experienced by siblings for the child no longer at home. Amy talked about how all the children missed their older brother and how much he had missed out on with them. She like others seemed to mourn the family life that they had lost. All parents were adamant that services to keep families together were required.

Parents reflected on mixed reactions from extended family members during this time. Some indicated that whilst family tried to help, for the parent this sometimes was interpreted as judgment or resulted in argument. Others felt judged and unsupported, with few mentioning full support from extended family.

Dina in Focus Group 2 discussed how she reached out to her family members for support with her son when his drug use had escalated to a point where he became involved in a number of thefts to support this. Whilst she found this initially supportive, she became frustrated and felt undermined when family members challenged her approach, providing money to him directly. In explaining her upset she stated:

I phoned my family for help, my mummy, my daddy, the other granny and grandpa, they were all feeling sorry for him and like sending him a couple of pound, I had to say to them 'you aren't helping me!' ... 'He's starving' [her mum], 'I don't care if he's starving he can come into the house'. They weren't living with him, they felt sorry for him. They were giving him money thinking it was going to stop him from stealing in the town.

Tina had a similar experience; her family no longer spoke to her as they disapproved of her son being in a residential unit which she believed and social services assessed as necessary for the safety of the rest of the family. She was angry when she related that this view persisted even after several family members had tried at providing a kinship placement but were unable to manage her son's behaviour. Whilst those above articulated hurt and anger at their family not supporting them in their decision making and management of the situation, the examples below detail similar experiences, only in these cases parents felt judged and ostracised by family members for the decision to keep their child at home.

Joan described how her family no longer spoke to her because of her child's offending, likewise Tess in Focus Group 1 recounted how her family were the 'perfect family' and had distanced themselves from her. Naomi discussed the anxiety and hurt she experienced at her family's reaction when she commented that:

I found I had to isolate myself from my family because I just was afraid of making that slip and saying 'oh my god, he's here or there or wherever'. But eventually the police were coming to the door that much, and they weren't stupid, and people were talking. And I told them and they just did not want to know. They would stick by me but zero tolerance where he was concerned. They would say 'he's a scumbag, but I would say 'aye but he's my scumbag' you know. It caused a rift I would say because that really hurt me, it will always stick with me, I will always remember they said that. If it had of been their children, I wouldn't have passed judgment.

Like this example, when parents had negative family reaction, they wanted to communicate the level of anxiety experienced in anticipation of the potential reaction from some family members and hurt felt at this judgement and rejection. Ann in Focus Group 1 described eventually detaching from her family as she was unable to cope with the disapproval shown by her mother, which she was beginning to experience as abusive:

I felt like I couldn't be angry, do you know what I mean? You just want to blow off steam, but I wasn't allowed to be angry. My mummy would come around with bottles of coke, but I wasn't allowed to be angry. You would be getting abused somewhat, but you couldn't be angry. That's when I kinda decided I'd had enough and walked away from them.

Like Joan, Tess and Naomi, Ann did not find emotional support from her family and like Dina, her comments reflect her frustration at her mother not acknowledging or legitimatising her feelings

Tara and Becky both spoke of the toll the situation had on their own parents. Tara became upset discussing her mother; seeing her devastated at the distress she was experiencing as a daughter, yet heartbroken at what was happening with her grandson who she too had nurtured and was involved in caring for all his life. Tara needed to pause the interview owing to her being too upset when talking about the impact on her mother. Becky was tearful recounting the efforts made by her father to support her practically with her daughter but recalled how shocked he was when she 'squared up' to him resulting in his no longer being able to offer her respite. The impact on

family included the wider family, just two parents described wider family support as unconditional and emotionally supportive. Loss in having to distance from, or feeling rejected in previously close relationships, emerged as particularly painful.

### **The impact on parents' own well-being**

I said to them 'I need help or I am gone'. I was giving them all the hints to say I am going to take tablets, or I am going to jump off something into the river, that's how bad I was feeling. But it was all about the young person and fair enough, and they were good enough with her, but with me? I could have jumped off the bridge or took pills, but I felt I had to do something. I told them in a way that any stupid person would have realised.

With her comment above Becky was at pains to communicate how desperate circumstances had become for her. She was clear in stating that she had no idea how to manage her daughter, and no support from professionals in understanding her own despair. She lost her job, was at risk of losing her home, her daughter at times was in the JJC, and her younger child, was what she described as 'traumatised' by what was happening at home, she had also recently lost a close family member through bereavement. In examining the 'impact on parents', the toll on mental health and well-being was unquestionably the one issue all highlighted. This section presents findings from parents regarding the impact their child's contact with the justice system has had on them personally. Initially the experience of parents in individual interview is examined, followed by parents in the focus groups.

Becky's story was repeated often, when asked early in interview how she coped with her child's offending, Joan said that she did not know she just had to try and be strong for her, to get her through. Later she discussed how she didn't cope and her mental health collapsed when her daughter was sent to the JJC, she stated:

Well I had a break down last year and ended up in [psychiatric] hospital for two and a half weeks, March last year she was sent to juvenile justice centre and she phoned me and I told her I was in hospital but all she wanted to know was why and I just could not have that conversation with her over the phone.

She never had the conversation but said her daughter 'kind of knew' what had happened. Joan felt that with some form of respite or as she described it, if 'I could have slept in me bed' knowing

her daughter was safe; this might have helped. She spoke about being admitted as a psychiatric in-patient when her daughter was sent to the JJC. Helen discussed how she blamed herself for what was happening with her son, how she struggled to come to terms with the impact on him, and since then has suffered with severe depression. David recalled of that time that:

People thought they knew but they didn't really you know? What I was going through. I was lying in bed at night worrying, not sleeping.

He articulated what many parents related in feeling isolated, not listened to or understood. Louise described how, in her words her doctor was 'throwing tablets' at her, to manage the stress of the situation. For her this was not helpful in coping.

Sandra shared her experience of being stressed and how she talked to anyone who would listen in order to cope. Dee recalled a diagnosis of severe depression which she directly attributed to the impact of trying to cope with her son's involvement in the justice system. Tara and Pete reflected honestly on their worries that they might separate because of the pressure on each other individually, and their marriage. Kitty also discussed constant conflict in her relationship with her partner. Myra talked of 'losing it' a lot, and always crying. Ben spoke of the continuing experience with his son that:

It's just a tough old time you know, you get depressed and all.

For parents in Focus Group 2, this was the first occasion of meeting. All were keen to share their experiences and were open in detailing how this impacted them. Jane shared that she had tried to take her life on three separate occasions, she was adamant that being understood by the Youth Justice Agency worker made all the difference to things improving and helping her begin to recover. Dina also talked about having suicidal thoughts when she was at her lowest and at a loss to know what to do, or where to turn. Tanya too discussed the impact on mental health and believed strongly that parents needed counselling themselves. As often indicated in this chapter, whilst Focus Group 2 were brought together for that purpose, Focus Group 1 were a pre-existing forum of mutually supporting parents, established over a period of time, who had engaged in

structured opportunities for group peer support, including training. Although they had been through a process of reflection on experience and how they felt, over time, members still recalled with disbelief the impact on them and their mental health and wellbeing. Kelly stated that:

There's times you've just had enough, you're at breaking point.

Naomi talked about the whole experience 'nearly killing' her, and Katie described the impact on her emotional wellbeing as horrendous. This group were focused more so on what they and their children needed from formal support services. Both Myra and Amy attributed significant physical health problems to the enduring stress of managing over an extended period. Amy developed a cancerous growth which required on-going treatment, and Myra a chronic respiratory condition. Dina spoke of developing high blood pressure and needing to take time off work.

### **The experience of being shamed**

The experience of being, and feeling shamed was consistently alluded to, or explicitly referenced. Feeling mortified, embarrassed, ashamed and guilty were regular emotions described at each stage of the process. 'Not knowing' in terms of lack of knowledge and information with regards to processes emerged as an experience for many. David talked about having 'no idea' what was happening and 'feeling stupid'. Louise felt like:

I felt so small. I just wanted the ground to open up and swallow me.

Amy too shared about the embarrassment of 'not knowing' and feeling herself 'sliding down' in court. This 'not having a clue' at various key stages was described by many, as humiliating.

Going to court as referenced earlier was a particularly shaming event. Descriptions from parents about this time reflect the multiple shames experienced. For example, Becky recalled the 'feeling defeated' nature of this; she recollected how everyone [other parents] was 'keeping their head down' Louise shared feeling like she 'didn't exist' in court in terms of having a worth or role, yet 'everyone' stared at her. For some parents, for example Helen, and David conferencing was shaming. Becky, Amy, Myra and Marie experienced professional meetings as deeply shaming and distressing, for example child protection conferences. Myra recalled with anger the sense of blame she felt stating that whilst her son was 'creating all this trouble', she had to:

... go to all these meetings, I had to go to all this rubbish, like it was me, like I was the one at fault which is a load of rubbish, now I can say that and I know that it is true.

Parents struggled to articulate the cumulative effect of feeling blamed, shamed, mortified and responsible across the entire process and through their lives. These emotions permeated almost all responses to questions about every aspect of parents' lives, not just their contact with the justice system. For example, Dee reflected the reality of trying to keep 'the secret' of what was happening saying she was, 'horrified and disgusted' at the thought of people finding out. Naomi in Focus Group 1 also talked to this sense of shame and needing to hide this trauma occurring in her family, including from her immediate relatives, saying that it was all 'cloak and dagger', and she felt enormous pressure to not 'make a slip' and reveal what was actually happening.

Susan in Focus Group 1 shared how she felt embarrassed and ashamed. She stated that she was afraid to go outside to face people in case they would 'start' on her, meaning confront her about her son. Other parents talked of feeling shame at how their other children were humiliated. Kelly in Focus Group 1 spoke of other children in the area approaching her younger children saying:

'I heard what your brother did last night', you know, or 'the police were at your house'

The accounts from parents suggests that coping included managing others, whether hiding from family members or responding to distressed siblings being goaded by other children. Helen reflected resignation in stating that ultimately, regardless of what she did, or how hard she tried, she felt shamed when she said that:

The humiliation of it. The embarrassment of the feeling that I was a bad mother because they were still doing all this stuff no matter how much we talked and shouted and roared and squealed ... and people looking down on you.

Aside from the guilt and shame because of people, places and processes, parents felt shame at their own thoughts and actions. Louise had pointed out a number of times how bad she had felt contacting the police about her son, when he physically assaulted her. Dina in Focus Group 2 who shared her thoughts on taking her own life at a time, needed to talk about the overwhelming



shame she felt as, when things were at a particular crisis with her son and she felt she could not take any more, she had wished he was dead. She stated that:

I know this sounds terrible; I just didn't care anymore. God forgive me, I used to pray to god to take him.

Self-blame was a feature of every interview, and all reflected an anguish in this regard. Myra summed up the impact of this personal upheaval and distress when she stated that:

I was lost, I blamed myself, I blamed my husband, I blamed the fact we had come here, I blamed everyone you know. It was really a traumatic experience.

From the responses provided, it appears that offending by their children left parents with a profound sense of shame about the child's behaviour, shamed and humiliated as a consequence of formal processes triggered by the offending, embarrassment in their communities and often families, and feeling guilt and self-blaming at the impact on the child themselves and siblings.

Tina's comments below encapsulated this when she stated that:

No matter what way you look at it, you think, 'your child is involved', it's the whole shame and how you could have gone wrong, and what you have done, and how you could've done more.

### **Mutual support and feeling included**

Exploring parents' experiences of services and supports which provide help, if any, was an important aim of this project in understanding what helped them cope. Earlier sections have reported findings of parents' views on agencies within the justice system and other organisations, and the extent to which they found these supportive or otherwise. As evidenced, parents had mixed experiences of support from their immediate relatives, for example mothers and sisters. Findings show that family support cannot be assumed, nor was it necessarily unconditional. Support was located on a complex spectrum vacillating from 'how could you support your child?' or 'how could you not support your child?'. Parents regularly discussed the strain that the child's contact with the justice system, and all that this involved, had on their relationship with their immediate partner.

'Isolation' and the feeling that nobody else understood, or not knowing anyone else going through the process, resonated through the interviews and seemed to amplify feelings of guilt and inadequacy as referenced by Amy below when she stated:

Even if I'd have been able to meet people going through the same thing as me, I don't think I'd have felt as if I was a failure. I don't think I would have put the blame on myself as much and just to hear somebody else's story – I know it mightn't be a good story but I could have related, I could have related to that.

Likewise, Louise identified that other parents were in the same or a similar position as her, and similar to Amy, expressed her regret at what she saw as a lost opportunity to link with each other and share the experience. She commented that:

It would have been nice to know how other parents felt at that time, because there were a lot of parents going through the same thing at that time.

David too tapped into the isolation and feeling of being marginalised when considering the advantage it would have offered to have a non-judgmental support mechanism, stating that:

I feel that maybe someone that some of the parents could go and talk to [ways to support], have a chat. It doesn't have to be formal like, informal. Somebody to encourage them say to them what you're doing is right keep doing what you're doing.

Parents knew what type of service would help them. Tara was clear in articulating her needs which resonated amongst many of the parents. For her and her husband matters escalated quickly meaning high risk behaviour on the part of her son which was potentially harmful to him and others. She became involved in campaigning for a detox facility in her area, and through a local community worker visited the established Belfast group. She was anxious to become involved in something similar in her own area. Observing the model of mutual support in action and speaking with the group members appeared to affirm for her the value of sharing what is typically an isolating and solitary experience.

They were saying like regardless of religious factors, nothing, everything is just forgot about you know, it's nothing, like they were saying if one of their kids had been arrested, they would've been able to phone each other and be all 'you know what? I'll come to you'. You know? Or just be able to have a quick chat, and pop in here, and meet up tomorrow for a cup of tea, just being able to talk you know what I mean?

This group connected fundamentally because of a shared experience and established itself to offer mutual practical help and support, Tara felt that her brief time meeting them allowed her to avoid self-blame. She stated how she felt:

Parents need to come together because I think they have to learn that it's nothing to be ashamed of, but you need the support and the help because see to be able to just sit down and be able to say 'aw I had a wile [wild] night last night' and another person say 'you know what that happened to me before, if you contact this person ...'

Her desire for structured support of this nature was echoed by Leah who had given thought to, and envisaged, a clear 'blue skies' idea of how support would operate:

I would love to think, at the very least there'd be a wee support group, where parents are immediately given a phone number of another parent who's been through the same thing so the police or whoever are obliged to say here's a number for a parent's support network because they have it in Belfast you know.

Parents who had such support provided ample endorsements and anecdotal examples outlining what they perceived as the benefits of a mutual support group. The established Focus Group 1 provided numerous instances of how this support manifested for them and what this meant. This group, at this stage in its development ran independently of the Youth Justice Agency. Two of the parents in individual interview were involved in a separate, recently formed group facilitated by the agency, and a successor to Focus Group 1.

The initial point that parents wished to communicate was the experience of being connected and accepted. Myra captured this feeling which was reflected many times by other parents in the group, when she stated that:

We walked in there [support group] and we sat down and we realised we are not on our own, we found out it wasn't our fault, and that we could do something to help. We were taught TCI.

The experience of being listened to and accepted had a profound impact on Tina, she described continuing to attend weekly and how:

Sometimes you go, and I am sure they are sick of me, I have cried me a river, but they know. And J and A [youth justice workers] will make you feel so at home you know. It may

be your turn this week, but it could be their [other parents] turn next week, it is just a roller coaster, that is just exactly how it is. I got so much; it is amazing support for parents.

Ann also identified this experience of simply being accepted as fundamental when she said:

... you don't know what way to turn really. It's only when I found out about the group, it does, it gives you strength because you can talk, you're going in, you let it all out and it's a relief you know.

Feeling included and beginning to realise 'it's not all my fault', as Katie recalled, was transforming for parents. 'Not knowing' was identified continually in interview as shameful and excluding. From parents' descriptions in interview, being involved in the support groups provided access to knowledge from others who had direct experience, as well as support. For the parents these people were like no others in understanding exactly the types of processes and experiences they had to negotiate. As Kitty described when asked what helped her:

The support of the support group and getting in there and talking to other parents that's going through the same thing, finding out how they deal with it, trying different things, supporting you with the courses that the youth justice put us through.

Courses referred to were listed by Kitty as therapeutic crisis intervention, drugs overdose training and suicide awareness training. Naomi also spoke of the awareness and relief that came with having knowledge and information. For her, this meant having information about the JJC from other group members, and understanding more about the environment and what the experience was like for a parent, she recalled that:

I went to the parents' group and I met all the girls and listened to everybody's story and I knew then – this is what happens when crime comes in, this is what happens. I wasn't so frightened, I knew then he was in Woodlands, he was with someone he knew - it just didn't seem quite as bad.

Similarly, Tina recalled visiting the JJC through the support group and finding this reassuring. Both parents here reflected a pragmatism in recognising that their children's complex needs, and high-risk behaviours would in all likelihood mean they could end up in the JJC, knowledge for them was power and peace of mind. Dee related how she had used the support group to talk about court appearances. Kitty had stated that:

It may not have helped the kids avoid offending but it would've helped how parents deal with it.

The point for these parents was that this group allowed them to accept the actual reality of their child's offending and the consequence of that. Furthermore, it allowed them to come to terms with the limitations or their influence in effecting change at certain times.

Myra's comments below encapsulate the entirety of what parents got from mutual support, understanding, knowing and doing.

You know you need someone who has been through it to be there with you. Not to tell you what to do or anything, just to be there, someone who is not going to judge you, and look at you and say you should've this and that. People with model kids have no idea. So you don't need judgement, you need someone who understands and who can be with you. A group of people who would be willing to support.

Parents in Focus Group 1 had made the progression to 'doing' in giving practical and expert by experience support to each other through the processes previously discussed. For example, court, or being available in police stations. Naomi recalled when Tess, who she had met in the group, accompanied her to court and 'held her hand' at one stage as she was so upset. Myra remembered support group members bringing her food when either of her sons were in court. She recalled dashing from court to formal meetings in an unrelenting battery of meetings and forgetting to eat but reflected on the thought and knowing of group members.

As much as members of support groups reflected the experiences with their child, they also considered the impact on them over time. In making reference to this, Katie stated:

I just think that we [Focus Group 1 members] have all been emotionally damaged, and our children have been emotionally damaged. Thank god we have each other.

No parent negated or minimised the harm caused by their child's offending, yet they all recognised the harm formal practices and procedures caused. These findings have sought to faithfully represent parents' experiences when coping with a child involved in the justice system, and the lived reality of this. Ultimately where the opportunity is available to them, parents extol the value of structured mutual support from those who have 'been there' in appreciating the challenge of this and providing support in coping. Tina reflected this when she said:

And when you walk into that room there is people from all walks of life. Professional people, and people who are unemployed and living on housing estates, you know people from all walks of life. We've all got this in common and it doesn't matter who or what you are if your kid takes a wrong path and goes down that road, we are all in this together.

## **Conclusion**

This chapter has documented findings from parents about the impact for them, their relationship with their child, and implications for their immediate family, including other children. In summarising experiences in this respect, violence, or threat of violence and the trauma associated with this is an irrevocable and unrelenting feature of the everyday lived experience of several parents in this study. As a consequence of being shamed, fear of possible repercussion from their child, or concern about them; often parents do not have a space or feel unworthy of a space to articulate just how affected they are. Parents take the impact of such distressing events and shaming processes into every other interaction of their daily lives; fearing aggression from their child is frightening and humiliating, fearing violence against their child outside the home, is terrifying for them.

This chapter has presented their experiences and story of how parents cope with the reaction from others, including community and extended family. This encapsulated the reality of aggregate losses, hurts, and shame and stigma experienced. From the findings presented in this chapter it appears that loss penetrates every area of life for parents, including loss of their relationships with their partners and other children, the child themselves, and extended family and community. This means untold hurt, guilt, sadness and shame as described with little space for acknowledgement or acceptance of this. Losses include loss of employment and housing which these findings evidence has a devastating cumulative impact on the wellbeing of parents when their ability to meet their family's basic needs are threatened or actually impacted. Parents describe how this enduring stress takes such a toll on their mental health and wellbeing and their physical health, however the reasons for their distress, that is youth offending, does not encourage acceptance or engender empathy and support.

Yet findings identify how enduring such experiences meant parents sought mutual support for survival and this ultimately provided hope, allowing them to believe they were worthy and could maybe cope with their lived reality. The chapter evidences that for parents, knowing they are 'not on their own' and finding hope and strength in the knowledge that others are going through, or have experienced worse and survived, is transformational. Findings in this study show that coming together and sharing about their experiences of systems allow them to almost reframe their own self-blame and shame and reference a more realistic positioning of the complex factors at play, not least policy and service provision for their children who are often most in need, not least in need of protection. Chapter Nine next provides an analysis and discussion on key themes emerging from these findings, identifying new knowledge and understanding evolving from this study when examined against available evidence.

## **Chapter Nine: Discussion and analysis of key themes within the theoretical framework and evidence base relating to parents of children in contact with the justice system**

### **Introduction**

Chapters Seven and Eight presented findings emerging from data collected. These detailed the experience of key processes, events, and interactions for parents whose children are in contact with the justice system. The impact on the parents, their relationships, and needs arising as a consequence, were outlined. In analysing these findings three key over-arching and interconnected themes are identified and discussed in detail.

Shame emerges as a key theme; stigmatisation and labelling can be understood as sub themes. Analysis of these processes facilitates understanding of how shame is produced and maintained. Next loss and trauma manifest as two key interconnected themes, loss is endemic to the experience of trauma (see Chapter Two). Trauma applied to parents of children in the justice system can mean actual harm or violence, or the threat of this as well as events that provoke extreme stress. Whilst parents experienced certain occurrences as traumatic; loss, is identified and analysed as an over-arching theme because of its pervasiveness in the lives and experiences of my participants.

Lastly, hope, mutual support, and parents' experiences of processes and events that empower are considered against key knowledge and practice. The study revealed particularly that parents often situated their experience in relation to support received from immediate family and their treatment within the community.

This discussion chapter critically considers these themes from findings of the parental experiences of the entire youth justice process. Themes are interconnected and recursive. Therefore, whilst this Chapter is thematically organised, experiences, processes and their impact are by no means sequential or linear.



## Shame

Chapter Two explored in detail how shame and stigma, and responsiblisation are essential to cultivating and maintaining individual blame. Stigma is evidenced in parents' experiences of being identified or 'spoiled' (Goffman, 1963) for morally failing as a parent of a child in contact with the justice system. Being labelled (Becker, 1963) as bad, poor, neglectful, or erratic, means parents can be responsiblised and pathologised, further excluding and shaming. Theory on shame and stigma provide a critical conceptual basis, enabling understanding of how shame manifests and persists. Goffman (1963) discussed the idea of 'invisible' shame, meaning those attributes that are not immediately obvious, such as a having a child in contact with the justice system, and how these are perceived as a 'weakness of character'. Falk's (2001) framework which understands shame as something achieved or earned is especially useful in this instance. For participants feeling ashamed, self-blame and guilt were established over years of experiences in coping with their child and the recursive process of systems contact reinforced this. Parents' accounts attest to experiences of implicit moralising and blame from systems and individuals judging them on 'failed parenting'. Failing, or falling below a moral standard and being 'less than', are assumed characteristics of the person being shamed. Shame emerges as a core theme and experience for parents and contact with most organisations within the justice system and other statutory agencies reinforce isolation, exclusion and self-blame associated with this. Chapter Four identified several studies (Hillian and Reitsma-Street, 2003; Condry, 2007; Sturges and Hanrahan, 2011; Jones, 2015) where parents articulated the shaming nature of processes attached to being the parent of a child in the justice system. This study further demonstrates the multiple shames, self-blame, guilt and stigma of being a parent of a 'young offender' as all-embracing and unremitting.

Condry (2007) theorised the 'web of shame' describing how events and processes (labelling, responsiblising) create and reinforce the experience stigmatisation and shame. Whilst Condry's research almost exclusively referenced adults and young adults, findings resonate with the study. For participants in this study this is tangibly represented in official practices and processes. Examples include police stations, with professionals in parents' homes, in social services or

professional meetings, court, and youth conferences; all reinforce shame and stigma for parents. Encounters with police and courts are especially stigmatising, demoralising and shaming. Where parents felt accepted or supported in these circumstances, they often identified this because of an individual professional being practically supportive, non-judgmental and kind. The exception to this were experiences with YJA staff, parents almost without exception found them supportive, describing key workers as lifesaving in some instances. Where a support group was not available, often this was parents' only support. The practice ethos supports findings by Jopp and Schmitt (2010) and Mannarino (2012).

Court emerged as especially shaming, even humiliating, and whilst Condry's research applied to families of serious adult offenders, participants in her study described court as traumatic and often humiliating (2007, p.183). Parents valued individual staff attempts to support them, for example security personnel informing them where to sit, when to leave, along with the approach of certain magistrates. However, the overall experience was shaming and stressful, with parents unaware of the rituals they were to adhere to. Parents were unsure of where and when to sit, or when to speak or leave, with all feeling humiliated by the 'shaming gaze' of those party to the process. Louise's words in stating that, 'you grow mighty small in there' best captured this. This research adds to the limited evidence on the experience of justice processes (Varma, 2007; Pennington, 2015) and supports this in suggesting that lack of meaningful efforts to involve parents, including providing information on the rituals, results in them disengaging and becoming disillusioned. Although the Court Service provides an information booklet, parents attach great symbolism to the physical environment of the court with its traditionally imposing buildings and formalities. Justice For Families (2012) highlighted the shame, anxiety and stress associated with this process for parents. Exclusionary practices in such powerful settings and context identify, responsabilise and stigmatise parents, as indicated by the narrative of parents in this study.

Foucault's (1983) theorising on modes of power has application here. Whilst the values of the youth justice system espouse a restorative approach, rituals pertaining to the sentencing of children (where this is relevant) occur in premises that undertake the business of the justice system on any other day. This study provides parents' accounts of the way the environment and

rituals represent the antithesis of inclusion. Arnstein's (1969) model of citizen participation further supports findings when applied with the theory on responsibilisation. Both highlight the function of such public relations *performance* in reinforcing the power of the decision maker at the top of the ladder (criminal justice establishment) in 'manipulating' (blaming, ignoring, disregarding) the 'participant' on the lowest rung (parents).

Contact with social services at times was shaming for parents who provided numerous examples of where they felt angry at being prejudged, for example Leah and Becky who felt belittled. This taps into a critical feature of parents' experiences which Condry (2007, p.66) defines as 'kin culpability'. Parents because of their proximity and relationship, assumed the mantle of 'key contaminants' and responsibility as culprits, in terms of their actions (commission) or non-action (omission), in causing their child to offend. Parents, as those responsible for the child, must have ultimate culpability. This research highlights the often-impossible bind, blamed for supporting, yet judged as not caring as in the case of Tina when refusing to let her son stay at home to protect younger siblings. The challenge of the parental task in this context has support in Franzblau's (2002) theoretical exploration of mother blaming, and the responsibilising, vilification and gender based reductive pathologising of women in their role as mothers within a male dominated, inherently patriarchal justice system. As evidenced by other studies, and reinforced in this research (Condry, 2007; McCarthy and Adams, 2017) women will overwhelmingly be the parent providing support to, usually, a male child.

### **Shame and initial contact with the justice system**

Parents almost always experienced initial contact with the police as the first agency within the justice system, and the circumstances surrounding their involvement with them, as shaming, alarming and in some cases, traumatic. This was described by one parent as the 'straw that broke the camel's back', and that 'you don't raise your child for this'. Findings suggest a range of unique factors as core to these deeply humiliating and traumatic experiences. Firstly, as findings evidence, the legacy of fear associated with law enforcement remains potent for some in the current post-conflict environment of Northern Ireland. The extent and depth of this as it manifests for parents and the intensity with which they articulated their feelings and views on

this issue was palpable. Findings illustrate that police involvement often evokes physical and psychological representation of a time past. Furthermore, the 'knock on the door' is indicative of the gravity of the situation, the harm that may have been caused, and the potential consequences for their child. Where drugs and/or alcohol and violence were a feature of the arrest or police involvement parents found this particularly alarming, distressing and shaming. Parents often stressed that lack of knowledge and information, especially at initial contact, contributed to anxiety and shame. Research considered in Chapter Three indicated a direct link between parental continued involvement and knowledge regarding processes (Carrington and Schulenberg, 2003). Whilst the PSNI (2018) practice guidance includes an aide memoire advising on the appropriate adult role, findings suggest that parents overwhelmingly felt information provided to them on the process, decision-making, and next steps, was limited. These findings resonate with research by Woolard (2008), Hayley and Warner (2017), Cavanagh (2017), all indicating that having only limited access to essential information at the initial stages of the youth justice process can have far reaching implications for children, for example regarding remand, bail and sentencing. All participants stated how emotional and overwhelming this initial police contact is yet they were expected to undertake the role of the legally required appropriate adult at a time when they were vulnerable, stressed and often upset.

Shame of 'not knowing' and feeling inadequate and ignorant was a constant feature for parents. Parents cite police, as the first agency in the justice system providing limited information, describing this experience as systematically repeated across agencies. Parents were at pains to stress how fundamental they understood the police role in 'setting the tone' with both them and their child at such a stressful and heightened time. Whilst the overall youth justice system purports to embody a restorative ethos and principles, parents accounts suggest the experience is far from this ideal. Parents recognised their children as traumatised, even when harm was caused to themselves. Agreeing a common definition and approach to a trauma informed juvenile justice system is challenging, however the American Substance Abuse and Mental Health Administration (SAMHSA, 2014, p.4) clarify that:

The trauma-informed system responds to the varying impacts of traumatic stress on children, caregivers, and all those who are in contact with the system. Practitioners take this thinking and awareness about trauma and use it in everyday practice

On few occasions parents believed that some police behaviour exacerbated traumatic encounters; this was upsetting, especially where they alleged this as involving what they believed was excessive force. Leah, Helen, Tess, Naomi, Myra, Joan, David, Tracey and Tina all alleged police were unnecessarily heavy-handed and occasionally physically aggressive. This was cited as an issue where children's involvement with the police was more entrenched with numerous contacts, reflecting Independent Police Complaints Commission (IPCC, 2016) findings where in a study involving 27 children, 23 had one single incident of force against them, with seven incidences considered excessive or inappropriate. Recommendations echoed views of parents in this research, and the Youth Justice Review (2011), of the need for training focused on communication and de-escalation when managing vulnerable groups, in this case children with additional needs. In such circumstances, complex mental health, behavioural and learning needs often featured, for example for Tara and Pete, Myra, Joan, Leah and Dina. Two parents made complaints with no resolution to their satisfaction, others for example Pete and Tina felt there was no point. The CJINI review of recommendations from the 2011 Review reported recommendation 4 – 'removing legal obstacles to developing robust and locally-based complaints procedures to help young people raise concerns and using this as a learning tool, while maintaining the right of unimpeded access to the Police Ombudsman' - as not achieved (2015, p.16). Garfinkel (2010) in discussing children experiencing a range of mental health, learning and communication issues makes suggestions about how agencies within the justice system might better attend to the needs of parents and families. These include ascertaining individual children's specific communication and learning needs, especially relevant as most parents in this study detailed complex health and learning needs. Findings here are supported by Royal College of Speech and Language Therapists' (2012) research, and Bryan (2009) evidencing that 65% of young people in contact with the justice system have a communication or language problem. Naomi's son was assessed as having ADHD, she was articulate and informed regarding the approach required with him but instead felt undermined and disregarded when trying to

communicate how to engage with him. Most parents felt responsibilised, blamed and labelled, like they had 'done the crime', and were spoiled or less than (Goffman, 1963; Nausbaum, 2005)

Garfinkel (2010) proposed that families provide information to police regarding any disability or assessed needs as soon as possible, and that parents receive support through advocates when communicating with police to prevent potentially traumatic situations happening. She notes how family relationships with police can quickly become fraught and contentious, as was the case for parents in this study, and may occur in the context of other family involvement with the justice system or prior experience. Findings evidence how these encounters are complex ones, and parents' presentation at such times can belie the impact and gravity they attach to the situation. This is a key understanding to emerge from this research and reinforces the need for police and justice personnel to be equipped in identifying and responding to trauma in parents, not only young people. For parents, in this research, oppressive practices during often volatile events or processes with their child were experienced as deeply shaming, frustrating and frightening, making matters worse.

Shock, numbness, anger and denial are predictable loss and trauma responses (Bananno, 2004) and parental reactions to distressing information often involve disbelief and shock. Responses to loss and trauma are highly individual and when not acknowledged or understood as a trauma reaction may be misinterpreted as resistance, indifference or possibly aggression (Harvey, 2002; Mannerino, 2012). Trauma involves having to 'assimilate the unimaginable' (McGinnis, 2009); findings include parents' accounts of their child potentially having caused harm, being detained, and the implications for their family including multiple losses, for example, their child, homes, jobs, friends. Whilst Donisch et al (2016) acknowledge the challenge of implementing trauma informed practices in juvenile justice systems that are essentially retributive, they emphasise the often-traumatising experience of entry and re-entry to the justice system as counter-productive and contributing to further problematic behaviour including reoffending. The narrative of parents in this study help in piecing together such features of the journey they go on with their child including their incurring additional charges during arrest, or in police custody. A standout message from this study is parents' ardent requests for police training on issues relating to

mental health, learning and communication needs, and managing their children's trauma and distress, thus avoiding the type of physical aggression which children have a right to be protected from. Parents all appreciated how critical the role of police was, and how powerful in determining outcomes.

SAMSHA (2014) identify four key principles that should extend to children and their caregivers in a trauma informed justice system: realising the impact of trauma, recognising signs and symptoms, responding systemically, and resisting re-traumatisation. Becky, Tara and Pete, Sandra and Dina, all provide example of occasions when police were helpful and supportive, which was immensely important for them. Findings support available literature in highlighting the need for a trauma informed systems ethos instilled in policy and practice across each department and agency interfacing with children.

### **Shame, stigma and the experience of reintegrative shaming processes**

Parents almost without exception were positive regarding their contact with YJA staff, engaging them in planned programmes, individual work, as well as sometimes being the only support parents felt they had. Their experiences of the youth conferencing process were mixed, except for Becky who found it positive. As previously discussed, restorative conferencing is a preferred option of diversionary and youth court decision makers. Chapter Three detailed available evidence regarding parents' experience of this process, and highlighted what research exists in this respect in Northern Ireland.

Parents' experiences are reinforced Prichard (2002) and Karp et al (2004) who concluding that the position of parents required a revision. Both highlight the disconnect between parents as partner in the 'community of concern', yet simultaneously feeling shamed and implicitly blamed by association. Richards (2017) argued that parental responsiblisation remains as an essential prerequisite to restorative conferencing, as opposed to a consequence of it. Most parents discussed deep embarrassment as standard, yet the level of anxiety and vulnerability they talked about in some instances when involved with restorative processes, was unanticipated by parents. This is especially the case where child to parent abuse or the threat of violence or aggression was an issue. Edenborough et al (2008) noted the 'walking on eggshells' experience which best sums

up the anxiety which accompanied this for parents in this study. Some found the conference experience deeply distressing, for example Helen, David, Joan, Tracey, Tara, and Louise, where this had taken place for an offence of assault against her by her own son. This study exemplifies the disconnect and incongruity between the lived experience of parents as anxious, responsibilised and shamed, against the rhetoric of neoliberalism discussed in Chapter Two of parents as stakeholders with parity in this formal decision-making forum. Financial hardship was a key feature of parents' experiences and findings support Gray's (2005) analysis that exclusion and poverty are obscured in contemporary reintegrative shaming processes. Frameworks narrowly focus on the responsabilising and remoralising agenda of neoliberalism.

Hoyle and Noguera (2017) query parental involvement at all, noting the emotionality, range of participants, and parental anxiety as counterproductive. This echoed several parents' experiences of feeling anxious that their child was going to 'kick-off'. The fact that all parents attended conferences evidences that they were clear of the implicit requirement in their being present. Foucault (1983) has application here in realising how parents become co-opted into techniques that reinforce their responsibilisation. Most parents experienced the conference as something to be endured. Parents reflected on this 'performance' theme and the sense of frustration. As opposed to reintegrating, Sandra for example felt the experience was a 'lose-lose' one. Ritzer's (1993) theory on McDonaldization, and specifically the component of *calculability* assists here in appreciating the performing of this transactionary process. Sandra talked of 'weighing up' the consequences of speaking honestly about her son's attitude to the offence and his lack of remorse. She believed she needed to conceal this to limit further involvement with the justice system, yet in doing so risk cutting off support or help. She felt the meeting 'calculated' her support needs on class-based assumptions and that the process did not address her son's mental health or her support needs.

### *Shame and the family*

Findings show the associated effect of loss on all aspects of life, this is fundamentally linked to shame, and exemplified when parents' experiences in the family are explored. Some parents experienced multiple losses as a direct consequence of their child's offending for example,



homes, incomes, relationships and family. Becky described her upset at losing the job she loved, Kitty and her family became homeless, Marie in Focus Group 2 was forced to leave her further education course as school contacted her most days to collect her son early. Katie's family were intimidated out of their home by paramilitaries. Findings illustrate how isolated and excluded parents became, and the hurt felt when extended family did not support them. Many parents described the exhaustion associated with trying to hide what was happening, concurring with Goffman's (1963) notion of 'concealed stigma', and the anxiety attached to waiting to be 'found out' as Ann, Naomi, and Kitty experienced. Naomi's family eventually disowned her, and Ann cut ties with her family as she was not allowed to 'be angry' or articulate her feelings. This uncovering of the extent of 'degrading' and 'dehumanising' is supported by Nussbaum (2005) as the reaction to the indelible stain of the all-embracing shame. Such processes function to exclude and 'other' the individual and can be seen in the exclusion from family or community experienced by many participants. Condry's (2007) analysis and the 'web of shame' resonates also in highlighting how isolated and reduced parents can become by the cumulative impact of crisis, stress, loss and stigmatisation. Findings confirmed this on many levels, for example Tara talked about going to the school gate with her younger children and other parents distancing themselves and ignoring her. Like Tara, Becky related her fear and upset at potentially losing their home owing to her daughter's anti-social behaviour. Widening the lens to explore experiences over time enabled an understanding of the aggregate impact of processes simultaneously happening in parents' families, communities and with statutory systems. Loss was endemic, including bereavement and this underpinning experience is consistently supported elsewhere (Bateman, 2015; Wilson et al, 2016).

Parents' stories expose the way change and upheaval occurs within families and how parents cope with guilt about the effect on their other children. This varies from time spent with them to the impact of the experiences they might be witness to or aware of. Becky summed this up while recounting how when the police came into her street it was always her door they were visiting, and the panic this engendered in her other child. All parents who spoke about siblings recounted guilt, self-blame and concern about time spent away from them and difficulties in planning any activities with them. Parents experienced siblings being labelled and stigmatised

because of the particular child's behaviour, this is borne out in the literature on 'othering' (Collins et al, 2016) and 'kin culpability' (Condry, 2007). Almost all their energies and resources were occupied with the child in question and parents felt unfairness, guilt and loss of family life for other children including a loss of relationship with their parent. Some describe the impact on the emotional wellbeing of siblings. In the case of Tina, this extended to needing to take steps to physically protect younger children.

Parents readily articulated their view that where a child is in contact with the justice system, then this should automatically trigger structured support for siblings. They understand this as essential recognition of the effect on the needs of their other children, including potentially safeguarding needs, as was the case for Becky's younger daughter, and Amy and Tina's younger children. Thorley and Coates (2018) argue that adolescent to parent abuse should be considered an adverse childhood experience for siblings in the family group. The lived experience of parents who felt 'written off' by many agencies and made to feel incompetent and inadequate in their parenting capacity, pre-empted such expert recommendations and may be seen as support for their being co-opted as experts by experience. Interventions have gradually developed towards an understanding of the need for whole family involvement where a child is in contact with the justice system (Rozzell, 2013; Knight, 2014; Knowles, 2016). Osher and Hunt (2002) suggest tailored support for parents, specific to each stage of a child's involvement. For example, they recommend a parent advocate at time of arrest to support parents, and a range of parental supports made available following this. They also suggested on-going therapeutic and group support to siblings in the interim. Parents in this study were clear that siblings needed opportunities for themselves outside the home.

For some families the experience of exclusion and poverty is exacerbated by the challenges of parenting a child in the justice system. Davis et al (2014, p.5) capture the requirement for a flexible, needs based approach when quoting a case worker from a community-based family involvement programme stating that, 'A court order may say that a kid needs counselling, but I have a mother telling me they need food. Families can't focus on counselling when they are hungry'. Where children had prolonged involvement in the justice system then parents indicated

increased associated financial pressures, for example through not being able to work (Becky and Dina), or losing homes or employment as well as transport costs (Amy, Tara), contact with the justice system meant parents were poorer. Falk (2001) and Holt (2010b) also found parental experience of 'multiple stigmatisations', specifically highlighting the demeaning impact of poverty. Findings from this study and international literature illustrate that the whole family system in this context can often have a range of needs and stresses. Parents require support for their families from individuals with an understanding of their circumstances, particularly how loss and shame manifest as a direct consequence of their experiences.

### **Connecting shame, loss and trauma**

Loss, or risk of loss, for example, in the case of paramilitary threat or harm because of risk-taking, was ever-present for parents. Trauma invariably involves loss, occasionally actual physical loss, for example being forced out of an area and losing the family home because of threats against the family. Parents discussed losing employment, health, homes, and relationships with children, partners, friends and family members. This study identifies difficulties in coming to terms with cumulative crisis and multiple losses resulting from traumatic experiences and how exhausting and debilitating this is. Feeling ashamed about losses experienced for their children, about themselves as parents and being viewed as culpable became all consuming.

The priority support needs of parents emerging from this study is supported by the wider literature on what works in intensively supporting family preservation during crisis and traumatic periods including the need for services to be accessible, and focused and timely (Ryan and Schuerman, 2004). Roberts (2005) advocates a proactive, staged approach to intervening at specific junctures including practical support with essential tasks when coping with events that cause major upheaval and upset. Parents' articulated need for support for them, their child and other children at this time. The literature on loss, change and lifespan suggests that having emotional and practical supports available, regardless of whether these are accessed is critical in coping with adversity from trauma and crisis through the lifespan (Jopp and Schmitt, 2010). This supports parents' views of both the formal support group programme and informal support

group. Knowing support was available was immensely important to functioning on a day-to-day basis. This is proven in helping parents; arguably the justice system has a responsibility in proactively promoting participation, including providing and facilitating mechanisms and structures for peer support.

The research design afforded parents the opportunity to talk about circumstances with their child that were often continually chaotic, unpredictable and emotionally exhausting. Relevant research evidences how sharing traumatic experiences and their consequences facilitates better outcomes (meaning coping) in both the short and long term for the individual (Aldwin and Yancura, 2004; Ko and Sprague, 2007). Yet findings also indicate that parents at a core level felt responsible and often not worthy of support and feared further judgment. As was the case for Myra and Ann, many had negative or mixed experiences when they did talk to family or friends. Their recounting connects with Condry's (2013) theory on shame, and 'kin culpability' and 'contamination'. The prevailing literature on trauma and loss in the context of parenting extends almost without exception to child disability and illness, parental divorce and separation, or grief. Guilt, self-blame, fear, anger and depression are acknowledged emotional responses to any loss or traumatic life transition or event, and the distress for the child is without question (Bonanno, 2004). Stigma and isolation can also feature greatly for any parent in such circumstances. Recent literature on 'trauma and attachment' and knowledge on 'trauma focused parenting' recognise the challenges of parenting where child trauma is a feature of the parent-child experience or context (Hughes, 2014).

Trauma informed parenting is mostly, though not exclusively focused on therapeutic support to foster-carers and substitute care givers. Trauma informed parenting promotes awareness of, and specific approaches to managing behaviours which are understood as resulting from traumatic and adverse experiences. The research evidence, usually from clinical perspectives, supports the benefits of facilitating a trauma informed approach with parents, for example where a child's behaviour causes harm and distress to them and others (Kiser et al, 2015; Johnson et al, 2018). The shame and isolation that these findings indicate is encapsulated by Sudela-Junker who notes that that the experience might be compared to:

being in a room full of parents, knowing if you joined the conversation authentically, it would come to a screeching halt, being afraid of your child and knowing you can't say it out loud to a single soul (Sudela-Junker, 2017, p.16).

This echoes Ann's experience, when she described feeling that she had to remain silent, and Tina who was shut out by her family when she felt she needed to prioritise safeguarding of younger children in the house. Mannarino et al (2012) argue that on the micro level of the professional, building an alliance with parents is critical to good outcomes. They strongly advocate a 'no shame- no blame' approach and highlight the need to proactively engage with parents. This is fundamental as parents in this study seldom felt accepted and understood by the range of professionals involved with them, except for YJA staff. The authors understand discussing parents concern regarding stigma and the community as crucial given that this is so impactful in the day to day, advising that parents must be involved from such a position:

Not because parent is part of the problem but because parent can be the child's strongest source of healing (Mannarino, 2012 p.432)

Accounts challenge the orthodoxy in respect of these parents and the rhetoric that castigates them as 'cause'. Through this research the telling of their lived reality forces a revision of the expedient narrative of them as chaotic and uncaring discussed in both Chapters Two and Three. Literature reviewed found little acknowledgment and validation of parental experience in dominant theoretical and knowledge paradigms of youth justice, for example the risk-factor prevention paradigm which is foundational in determining policy and practice in this area (Farrington et al, 2016). Critics (Pitts, 2003; Muncie, 2015) consider such approaches as invested in implicating parents as causal or contributory factors/risks in terms of child trauma and loss, as opposed to being understood from a trauma-informed perspective.

Theory on responsibilisation assists in appreciating the way shame is produced and propagated. Dominant concepts are important in creating an apparatus or means of transmitting powerful ideas. Condry (2007) implicated the 'expert' knowledge of the risk factor prevention paradigm in this respect, and how parents, or attributes of their parenting can become responsibilised as 'factors'. Leah's anger at being questioned about the contents of her drinking glass by a social worker is illustrative of this reducing and dichotomising of parents in the risk/protection binary.

She had requested support and this shaming experience occurred on the social worker's initial visit. Chapter Five reflected on the lack of clarity in policy, planning and provision for parents in a system that purports to embrace restorative principles yet is positioned within a fundamentally retributive justice framework (Stahlkopf, 2009; Barnes, 2015). By charting their story at critical stages this study provides an overall account of the divergent and sometimes conflicting approaches, ethos and practices across the system at different points which findings indicate, initially at least, is confusing and reinforces parental shame, blame and anxiety.

### **Loss as a core experience for parents of children in the justice system**

Chapter Two explored theory on loss and trauma and the interdependent nature of the experience of these. By focusing on the lived experience of parents from first contact with their child, through the range of processes, event and experiences, this study allowed a uniquely emerging understanding of the complex, idiosyncratic and often overwhelming nature of these in parents' everyday lives. Providing parents an opportunity to articulate the cumulative impact of being involved with the youth justice system over time, allowed them to express the intensity and frequency with which traumatic events and crises, and the ensuing losses, were experienced. Chapter Four referenced studies where loss and trauma were key issues for parents. For example, Knowles et al's (2016) research explored parents' understanding of their child's journey leading into offending, as opposed to whilst offending. Prior experiences of loss and stress for the child and usually the whole family, were provided as underlying explanations by parents in accounting for their child's offending. Hillian and Reitsma-Street's (2003) Canadian study was the only similar research that examined parents' experiences whilst actively in contact with the youth justice system. Likewise stress and loss were highlighted as dominant factors for parents. Consistent with findings in this study, multiple losses including health, well-being, safety, material possessions, family relationships and esteem were ubiquitous to the experience of having a child involved with the criminal justice system.

Previous studies have explored the experience of paramilitarism for children and young adults (Ashe, 2012; McAllister et al, 2018). The current study is unique in detailing the losses and trauma experiences for parents with their children, specific to this post conflict context. The literature

on stress, loss and trauma suggests these are complex and inter-related. Weathers and Keane (2007, p.108) remark on the difficulty with a definition of trauma given its often deeply personal impact stating that:

different stressors may seem discrete and qualitatively distinct, but there is a continuum of stressor severity and there are no crisp boundaries demarcating ordinary stressors from traumatic stressors.

By including parents at different stages of the criminal justice process with their child, an understanding of both 'real-time' occurrences, and reflection on prior experiences is gained. Chapter Two explored the theoretical basis of 'trauma', revealing the importance of appreciating the subjectivity of the experience across contexts and cultures. Findings in this research show parents' trauma as complex and rarely isolated occurrences. Bloom's (1999) analysis recognised the relationship between personal and social responses in determining coping after a traumatic event. Rejection, exclusion and the experience of stigmatisation by the community and sometimes immediate family, compound isolation, self-blame and shame subsequent to the traumatic event. Seeking the narrative of the parental experience over time, including the effect on relationships, allowed participants to communicate their personal stories. Parents (for example Joan, Tess, Naomi, Ann and Dina) discussed rejection from extended family and community following awareness of the offending. This is echoed by Silver, Holman and Gil-Rivas (2000) who established that where details of traumatic events were negatively received when shared with an individual's social network, outcomes were worse for them as opposed to not having disclosed their experience at all. This is significant in observing the unique experience of loss for parents in this context, differing from other traumatic experiences or occurrences that might attract empathy as opposed to blame. Similar to Luckenbill and Yeager (2009) findings demonstrate how parents come to almost every agency, event, and formal process generally perceived as 'less than', and often responsibilised proportionate to their child's being problematised.

A significant finding from this thesis is parents' experiences of coping with and assisting their child through violent, harmful and high-risk circumstances. Also, the losses they continue to

experience mean they are often reduced in terms of support and resource. Chapter Seven includes graphic accounts from parents of the traumatic effect and consequences that paramilitaries have. This dimension of parents' experiences is unique to this region. Findings reinforce those of Paik (2017) who identified how self-efficacy at such times in managing these traumas is depleted with little or no affirmation, information or reassurance available through formal agencies. Including a focus on all aspects of the process and administration of justice reveals how certain agency practices and rituals (police contact, court, and in some examples restorative conferencing) apart from shaming and excluding, could be considered iatrogenic in potentially re-traumatising parents who for the most part want to be involved and consulted in all decision-making. Shame and guilt are endemic to the experience of loss, however when their child offends parents become inducted into a system that reinforces their culpability, blame and therefore shame. By capturing the group and individual perspective this study demonstrates that where parents are isolated and excluded without any collective or mutual support or self-help, this experience is only intensified and reinforced.

Parents wanted to discuss circumstances and events leading up to involvement with the justice system and the stress, loss, trauma and alarm associated when first in contact with police. This period was often defined by a series of crisis and traumatic events, which supports Knowles et al (2016) findings about situations prior to police involvement. Parents took this opportunity to articulate their efforts at coping and to have these and the lengths they went to in trying to access support for their child validated, as these are rarely, if ever, acknowledged. This is critical in appreciating that parents need their efforts recognised, regardless of outcomes. This can be seen as similar to the self-efficacy Gabriel et al (2018) identified as essential in facilitating growth and development for parents. Clear from this research is how lack of knowledge, frustration, fear and helplessness coalesced in further compounding traumatic incidents, for example school exclusions, drug misuse, self-harm and violence, prior to any police involvement. Ample evidence is available regarding the needs and circumstances of young people in this context (Stallard et al, 2003; McAra and McVie, 2005; Hughes et al, 2012) in contrast to the paucity of evidence about parents' experiences and needs in general, never mind at different stages in the youth justice process. As stated, parents' own accounts of their efforts when trying to cope with events



spiralling out of control are rarely acknowledged. Every 'new first' was traumatic but often exacerbated for parents by the concern of the likelihood or reality of harm caused to the victim or to their themselves. Knowles et al's (2016) work resonates with these findings in articulating the stress for parents who discussed the police at the door, and the relief on being told that their child was alive. Parents admitting to *wishing their child dead*, was taken figuratively as indicative of the despair felt by one parent. Parents communicated their fear of what might be lost (child, family, home, job, health) and their upset at losses already experienced. These were diverse, loss of their child as they knew them, losses experienced by their other children, loss of relationships with family and community, and loss of their lives as they were, as some examples.

### **Trauma, shame and paramilitaries**

It remains difficult to obtain actual numbers of children in contact with the justice system in Northern Ireland for whom a paramilitary threat or potential of this is in place, and this may be because of fear and shame. However, such is its prevalence that Health and Social Care Trusts were compelled to issue practice guidance for practitioners working with children and families (WHSCCT, 2016). These findings show threat to life from paramilitary groups reported by a quarter of parents and experienced as particularly traumatic. Punishment attacks represent a brutal form of summary 'justice' on both sides of the sectarian divide from groups professing to represent community interests, equivocating on forms of punishment in response to apparent transgressions. Although significantly reduced since the 1994 ceasefires figures relating to actual paramilitary threat are difficult to ascertain (Topping and Byrne, 2012), but the practice persists with full acknowledgement that official reporting seriously underrepresents actual prevalence (McAllister et al, 2018). In discussing the lasting consequences of paramilitarism and its influence, Murphy (2004) notes the continued 'conspiracy of silence', which persists and how responses to paramilitary threat or violence seem culturally fixed and embedded in the community consciousness at a level of practice and language. As example, violent attacks on children become packaged as 'punishment beatings'. Whereas research exists on the perspectives of children and young people on this issue (cited above) this research reveals the unthinkable 'waiting' experience parents endure in anticipating the inevitability of contact from such groups. It sheds

light on another dimension in this 'web of worry' that otherwise may not find a space yet has potentially devastating rippling effects. For Amy the risk of paramilitary threat had safeguarding implications for her younger children and led certain family members to disown her, adding to her distress and loss. McAllister et al (2018) highlight the damage to the mental health of a young person where direct or indirect threat exists; this study is exceptional in providing the only evidence of the intolerable terror for parents in anticipating paramilitary harm, either direct or indirect, targeted at their child, and the cumulative toll on them.

Findings are supported by Schnyder et al's (2016) work on 'culturally sensitive psycho-traumatology' which offers a perspective on how silence functions and a normalcy becomes established around such practices. They observed that along with cultural beliefs affecting the meaning the individual attaches to a trauma, they may influence how significant others including communities or systems react, potentially either helping or hindering the individual. Tara and Pete recalled their distress when amid trying to negotiate essential medical and support services for their son on returning from the JJC, they received a letter from a paramilitary group informing them they were monitoring him. The couple marked this as the point of ostracisation in their community. Whilst such threats become factored into risk assessments, taken with Schnyders et al's (2016) observations, findings in this research suggest a taken-for-grantedness of the reality of the role of paramilitaries with children and families. This is best typified by Marie's account of a police officer querying if someone in the *community* (paramilitary related vigilante groups as she understood) might give her son a 'scare'.

This research highlights how threat amplified distress and exacerbated losses. Parents felt terrified and humiliated by rituals attached to this such as being *invited* to 'meet community representatives' and being ostracised further by people in the community when a threat was in place. As documented in Chapter Four, community support for paramilitary groups continues in many working-class areas, particularly Republican areas (Topping and Byrne, 2012) and parents in this study were acutely aware of this. They further suggest that paramilitary policing for some is seen to offer a swift 'rough justice' approach to community policing and far from their activities being isolated blips, they are the 'go to' staple for resolution. Again, this is consistent with

parents' experiences and the fact of paramilitary involvement, and recent Independent Reporting Commission (2020) update on paramilitarism. This research underlines how ultimately threat of paramilitary attack had a galvanising, protective effect on parents who were appalled when reflecting on trying desperately to access supports, yet simultaneously having to engage in the ritual of the threat. This new knowledge provides insight into another previously unarticulated dimension of parents' realities

### **Loss, trauma, and the impact on parents' wellbeing and relationships**

Loss and trauma examined in Chapter Two indicated that how parents cope with potentially traumatic processes in the present day, may be influenced by prior experiences including perhaps similar childhood experiences (Bunting et al, 2013; Ferry et al, 2017). Where parents had experience of their child spending time in the JJC, either on remand or sentenced, this was typically described as the darkest time, traumatic, but also experienced with a sense of loss, sadness and failure. Such times emerge as emotionally conflicting with parents reticent to discuss how this in some ways provided a breathing space, some reprieve. The research approach allows reflection on the emotional toll of the entire process with their child. Tara described the first time her son went to the JJC as 'totally devastating' yet she and Pete both conceded that their marriage probably would have broken down had this not occurred. There is a sense of reaching a threshold where when reflecting back parents can identify simply not being able to cope any further with the fear and chaos. The notion of 'secondary incarceration' (McCarthy and Adams, 2017) and 'incarceration by association' (Gueta, 2017) emerge within recent literature to encompass the experience for parents when a child goes to custody either for a period of remand or on sentencing. Findings tally with Gueta's (2017) meta-synthesis identifying four defining features of *incarceration by association*. These include the complex challenges of parenting at a distance, burden of care, the contested identity of 'parent' in this situation and societal reactions to the parents including extended family. The last theme further resonates with Doka's (1989, p.4) notion of 'disenfranchised grief', where the reality of and acknowledgment of the loss is denied to the individual and consequently, they are deprived of support. This vindicates parents' descriptions of feeling deeply shamed, and not worthy of recognition or support. Findings have

shown how all parents found it traumatic when their child went to custody, and parenting at a distance was especially dejecting. The shame in relief felt by some is not reflected in available literature specific to this issue. Withdrawing bail addresses was not uncommon and whilst creating enormous guilt and conflict, parents deemed this necessary, even lifesaving for their child. Nonetheless the experience is devastating, parents felt a betrayal of their child. What this study has found is the way parents are disavowed through the multiple losses attached to these experiences.

This discussion has detailed key themes and related events and processes which resonate most for parents. The aggregate impact on their emotional, mental and physical health is unknown. Depression was referenced frequently, with one parent hospitalised in a psychiatric facility immediately after her child was sentenced. The parent in question discussed a traumatic and exhausting time prior to her child being remanded in custody yet relayed her own hospitalisation as a source of guilt and something else she was ashamed of.

Most evident is how the accrued losses, stresses, shame and stigmatisation, and all that this meant practically and emotionally, took their toll along with trying to manage the rest of family life. Parents often referenced their desperation and for some this was giving voice to feelings of not wanting to live any more. Findings are supported in the wider literature (Roberts, 2005; Allen, 2009) and that which is specific to this area (Curtois, 2008; Buffington et al, 2010), both suggesting that where trauma is not acknowledged or addressed and support systems unavailable, there may be serious consequences for physical and mental health. Chapter Three reviewed literature on parents' experiences when engagement with services is enforced, parents in this study reported real pressure and stress in ensuring their child managed the requirements of their disposal. Whilst not legally compelled to do so, the responsibility in ensuring their child's adherence to sentence requirements and the shame and stress experienced concurs with Holt's (2010a) research regarding Parenting Orders.

Loneliness and isolation, with limited formal supports and often patchy and inconsistent informal supports from extended family emerges strongly from parents' narratives. Only two parents had a single youth conference, most were involved over the longer term due to their child's

involvement in several offences. Adolescent to parent abuse was particularly impactful in terms of the hurt, fear and the shame this engendered, findings are borne out in the wider knowledge base with Holt (2015) describing this as a 'double stigma'. Participants' accounts in this thesis of adolescent to parent abuse indicate this as an issue for at least one quarter of all those participating. Condry and Miles' (2013) description of fear, blame and difficulty with accessing support from disparate and detached systems reinforces what parents articulated and add weight to Nowakowski and Rowe's (2015) recommendation that trauma informed interventions should be available in all such circumstances. Findings here reveal this as a deeply conflicting time with parents being afraid for their child, yet also afraid of them and equally reluctant to voice these fears in case matters worsened, for example, Leah who discussed the 'tiptoeing on eggshells' nature of parenting her son. Whilst Chapter Three referenced practice initiatives both in the Republic of Ireland (Coogan, 2018) and in the UK (Respect, 2019), little is available within practice or research in this region. Parents were not asked about experience of aggression in their relationship with their child. Despite the taboo, stigma and shame attached to adolescent to parent abuse, parents volunteered information in the context of describing the impact on their relationship of contact with the justice system.

As findings evidence, shame, blame and fear persist for parents on this and other issues related to their experiences because acknowledgment of, and opportunity for collective sharing of experience and support are so minimal. Participants' experiences concur with Clarke (2016) finding that parents often manage the harm through taking prescribed medication. Hillian and Reitsma-Street's (2003) research identified 'hard work' as a theme in their research of parents' experiences, reinforced in this study. Overall there was a strong sense of the day to day toil practically and emotionally with a child in the justice system that permeated so much of their lives beyond the procedural requirements and tasks. Above all parents had to have some hope in the situation improving. Hope that their child would 'grow out of it' maintained parents, who had to believe something would change.

### **Coping and support**

Understanding what parents felt supported them or met their needs through this process is a key aim in this study. What is evident from findings and where this Chapter began, are their attempts to find support in coping with their children long before involvement with the justice system. Whilst parents were at times frustrated, angry and despairing with their children, they were afraid for them and desperately wanted help with them. Naomi captured this when responding to her family who labelled her son a scumbag and encouraged her to disown him, replying 'aye, but he's *my* scumbag'. Parents were acutely aware of people's reactions and to cope they isolated themselves, their actions directed at surviving and trying to find solutions. The relationship with formal support systems was often conflicted and parents were frequently ambivalent regarding certain agencies and departments, for example police and social services. The process of adapting and solution seeking observed in this study, along with the extent to which this is lonely and further isolating, was also identified by Sturges and Hanrahan (2011). Justice for Families (2012) highlights that distrust, sometimes misconstrued by professionals as indifference or inability, is often a consequence of parents' experiences of histories of systems oppression, discrimination and coercive or inept support.

A surprising feature of this research not identified in the wider literature is parents' use of humour sometimes in retelling of the experiences they had gone through. This seemed almost macabre, yet cathartic. Humour was used to emphasise the incredulity of a traumatising experience and to find a perspective or another means of framing it yet communicating its seriousness and potential but provided a buffer from revisiting or engaging with its impact. Religion and personal faith were identified by some parents as important sources of strength and coping, with some evidence existing in the literature to support this.

Where parents had access to structured mutual support this was found to be extremely beneficial. Being accepted, understood, sharing experiences and gaining knowledge and personal support had an enormous impact on coping and well-being. All parents who availed of this support, without exception, were overwhelmingly positive recalling experiences. Parents who didn't have access to such support regretted not having the opportunity to meet other parents going through the same thing. This thesis has referenced various forms of mutual and peer

support and the benefits of this to participants. Chapter Three highlighted Luckenbill and Yeager's (2009) themes of availability, access to early intervention and prevention, communicating respect, practices both within the juvenile justice system, and state-wide policy as essential to family involved juvenile justice systems. This suggests attention to the needs of parents at every level. Rozzell (2013) citing the trauma needs of parents advocated a trauma informed partnership, where parents are collaborated with at each stage as an antidote to shame and exclusion. This resonates with the experiences and needs of parents who recognise that their children needed early support and that they themselves needed to be consulted, informed and supported at each stage. Parents with no access to mutual support, whilst positive about YJA staff reported feeling shamed, isolated and self-blaming. When asked how they coped they often responded that they had no idea. Some parents including Becky discussed difficult and fractious relationships with professionals in a number of agencies and this supports literature suggesting that the more entrenched, dangerous and difficult involvement is, the more relationships are pressured, and parents objectified and shamed (Hillian and Reitsma Street, 2003; Osher and Shufelt, 2006; Kyle-Cook, 2013).

Where a forum for mutual support and sharing of experiences was available, this was transformational and can be organised into four key processes, which correspond to Yalom's (1995, cited in Kurtz, 1997, p.19) theoretical synopsis of the function of such a forum to its members. Firstly, the 'instillation of hope' the idea that maybe if others are getting through, then possibly the unimaginable can be endured. This resonated strongly with parents in Focus Group 1 and those in individual interview who had access to a support group. Coogan (2017) understands this idea of 'hope' as essential to parents coping and 'competence' in such circumstances. The second theme is 'universality', parents realised they were not alone, and not to blame. This acceptance is critical, as the support group environment emerged as the one space where these experiences which in most other contexts in their lives are deeply shaming and from which they are often rejected and isolated, including family, can be honestly spoken about. Parents could give voice to the unspeakable, for example at times articulating a desperation that led them to wish their child *dead*. Bloom's (1999) assertion of the need for sanctuary at such times has application as this supported environment becomes a space of physical and emotional

sanctuary, but also a support system available outside of the fortnightly meeting. Third, 'cohesiveness' referring to the level of trust and bond that develops amongst group members. Parents discussed supporting each other practically for example in accompanying each other to court or police station. Lastly, 'information' imparting is often an invaluable function; in this case, the sharing of the collective allowed parents to identify common needs specific to their circumstances. As example parents cited their need for Therapeutic Crisis Intervention training and first aid to allow them practically to help their children if they self-harmed or were under the influence of drugs or alcohol. In another context this might seem macabre, yet as parents stressed this was not about stopping their child offending rather sometimes simply keeping them alive and helping themselves to cope with the on-going consequences. Burney and Gelsthorpe (2008) concur with parents' experiences here, stating that supports required are far beyond routine support and advice. Parents in the parent's support group facilitated by YJA discussed the benefit of having the then Chief Executive provide information on their rights in the police station. Similarly, an information session on drugs and alcohol was considered important for the parents, as well as a visit to the JJC. This may be considered fatalistic, yet for parents who felt this was an inevitability, it provided reassurance in being able to see the conditions their child may experience and speak with staff. Acknowledging their worst fears and responding to these by providing them with knowledge was a powerful experience. Beyond the creativity of approach, or empathy and care of certain workers, overall parents did not identify the justice system as supportive, facilitative or acknowledging of them as a resource.

### **Moving beyond surviving; restoring and being empowered**

Group and peer support cannot be over-estimated for parents who found it cathartic and empowering. Members of the aforementioned support group noted that the shared experience has developed to their becoming a collective motivated to participate and challenge. In this context parents' experiences are, as the literature indicates (Drakeford and Calliva, 2009; SAMSHA, 2014), more likely to identify issues they consider require action at an institutional level and seek support on a range of issues relevant to them in their current position. Their process is



reflected within the self-help-empowerment continuum through becoming organised and wanting to participate (Adams, 2008). This contrasts with parents who had no such access to information or support of this nature and were typically reactive as opposed to proactive. User participation and involvement models (Arnstein, 1969; Trittter, 2006) identify stages that the citizen must accomplish to access citizen control, with power in decision making as the realisation of this. Cusworth-Walker et al's (2015) proposed model for juvenile justice family involvement where parents move from exclusion towards processes, tasks and interactions that are underpinned by information-giving and inclusion, progressing to full participation in decision-making partnerships. This framework turns on its head the 'locking out' exclusion and shame experienced by most parents in this study and challenges existing supports which while helpful, are time-limited, and can be paternalistic and 'expert-informed'. Myra talked of going to the parents' group and her relief when realising that her son's behaviour was not her fault, suggesting that until then systems and agencies had reinforced the sense of shame and blame she had lived with as a parent.

#### *Gender and parenting in the youth justice context*

Most participants were mothers, reflecting the situation regionally and nationally. Gender is significant for several reasons. Adolescent to parent abuse primarily involves boys being aggressive and possibly violent toward mothers (Thorley and Coates, 2018). Mothers overwhelmingly discussed feeling blamed, responsible and ashamed for the behaviours of their sons, often by men. Yet they were at a loss to access support or manage challenging behaviours. Mothers communicated the extent of meeting the needs of their child in contact with the justice system, attending to other family, work, and relationships, whilst 'performing' coping. Dumbrill (2006) highlights the need for professionals to appreciate the intrusive and reductive impact of being required to cooperate with powerful formal systems. Mothers will disproportionately bear the burden of assessment, investigation, scrutiny, and 'cooperation and engagement' required with formal services. Applied to this study this can include police, YJA, child protection, children's mental health as some examples (Featherstone et al, 2014). Strega et al (2008) warn of the potential of the 'father absent-mother blame paradigm', understanding this as unhelpful, and

redundant to all, especially children. Fathers who participated in this study provided invaluable insights and perspectives on their experiences and the system. Clapton (2017) urges a range of tactics that help in 'bringing fathers in' to formal services which may apply to research in the justice system. The first of these is create high expectations, in this case participation and challenging unhelpful and potentially lazy stereotypical views of fathers.

### *Limitations*

Parents participating in this research were mostly mothers of boys, who had lengthy engagement with the youth justice system. It could be argued in agreeing to interview they may have had a preferential bias towards the Youth Justice Agency. Recruiting from a single site may have limited the potential to gain a broader perspective from parents with a range of experience, for example, of early intervention. This would enable understanding of needs at a low risk level. This study aimed at an initial exploration of a little understood but essential issue.

### **Conclusion**

This Chapter analysed the extent to which key themes emerging from findings are supported by theory and to extract new and emerging understandings .

Shame and self-blame permeated every interview, the story of parents is almost one of survival despite persistent rituals and processes which purport to restore, but from parents' accounts, overwhelmingly further exclude. The research explored parents' experience and evidences that the process with the range of agencies often becomes as intractable and exhausting as managing with a child who has complex needs. Ironically, the experience of the *support* can be so damaging that parents realise their children need protection *because* of having to engage with these systems, for example child safeguarding, or when a child becomes 'looked after'. Parents can be forced into further exclusion by informal supports, including family and by the systems themselves should they challenge these. Findings show that ironically the support becomes 'part of the problem' with parents quickly realising this. System involvement shames; engagement with professionals, labels attributed, and processes to be engaged with, all further shame.

Responsibilisation works in reproducing cultural and individually pathologising blame narratives. The 'performance' aspect of parent's role emerging in this study, and how processes (professional decision-making forums) disallow their authentic representing of their views and feelings is not apparent in the wider literature. Nor is the extent to which parenting a child in the justice system results in such levels of ostracisation and shame from extended family. Chapter Four noted the Black Report's (1979) observation of the bulwark Northern Ireland family, backbone of community during the conflict. This was not the experience of most parents in this study. Relationship with families including extended family were often contingent and fractious when their child came in to contact with the justice system.

Loss emerged as a core theme; trauma was considered as experiences that precipitated losses, were often traumatic. Loss and trauma are multifaceted and idiosyncratic, the losses and stress experienced may be best understood within a framework of 'complex trauma', appreciating the impact of multiple traumas and adversities. One quarter of participants' children had a paramilitary threat against them. In fact, it could be argued that understanding the combined impact of coping with both paramilitary threat and with official justice agencies and processes on parental experience and wellbeing in Northern Ireland is at an early stage, and the reality not reflected in literature, much less departmental policy and planning.

Parents' experiences of shame, loss, blaming and stigmatising and the impact of these are reinforced in the wider literature. Whilst the system claims to be a restorative core, this study indicates that most parents experience it as retributive and shaming. Chapter Two established labelling and shame as underpinning the theoretical framework, they emerge as endemic to the parental experience featuring widely in the literature. In this thesis shame helps in facilitating insight into the disavowing of basic human emotional responses to unimaginable experiences and processes, the almost 'dehumanising' of the parent as they struggle to cope. The wider literature is limited in reflecting just how desolate parents in this research were when all traumas, losses and shames had taken their toll, over time. The contested and conflicted experiences for parents in this study however did not emerge as prominently in the wider literature. Their

ambivalence and agonising whether in contacting police, refusing bail or giving up at times was seldom referenced, however all had experienced some aspect of this.

Participants reinforced how shame, loss, blame and stigma are exacerbated and reinforced by involvement with the justice system. A quarter of young people who receive a diversionary disposal reoffend, and one half of those with a court ordered community disposal reoffend (NISRA, 2019). Factors involved in reoffending are complex, but this research shows that the process of contact with the system itself places further untold stress on families. The final Chapter of this thesis provides overarching conclusions including suggestions and recommendations as to measures the system could take at a strategic, institutional, and the day-to-day interpersonal level to achieve best outcomes for parents.

## **Chapter Ten: Conclusion and recommendations**

### **Introduction**

This chapter details the overarching conclusions emerging from the research and offers suggestions based on analysis of key themes emerging from findings. Initial ‘fire in the belly’ or motivation to begin this study was as a consequence of seeing and listening to parents who were distressed, alone, angry and afraid, often not believing their experience mattered or even should matter. As a practitioner, the gulf observed between the reality of the situation for parents who loved their children and wanted to support them, as opposed to how they were mostly represented in media and popular discourses seemed deeply unfair. I questioned how the lived reality and depth and breadth of their experiences might best be captured and faithfully reflected in beginning to change this narrative about them. Furthermore, as opposed to capturing experience alone I wanted to provide parents their opportunity to voice what they needed and might support them as opposed to assuming to know. This was important as the ‘faulty narrative’ allowed their misrepresentation, continued exclusion and shaming, and fed into the view that experts knew better than parents themselves when it came to their own needs.

This chapter initially provides a brief synopsis of how the research project addressed aims and objectives (outlined in chapters One and Four). Key processes in the study, including examining theory, reviewing relevant literature, and analysis of the socioeconomic, and legislative context are summarised. Findings and themes related to critical experiences and processes for parents are highlighted. The extent to which these have met the stated aims and objectives, and if original knowledge and new insights now contribute to the current evidence base, is considered. A concluding analysis of the key issues emerging including shame and stigma, and loss and trauma, highlighting new knowledge and understandings as a consequence are then provided. This analysis clearly identifies the rationale for four key recommendations in responding to the needs and experiences of parents whose children are in contact with the justice system. The first recommendation made includes a series of suggestions in addressing priority needs for parents

regarding their and their children's treatment by personnel in the system. Parents identified these as immediate needs. Next, the raising of the minimum age of criminal responsibility is recommended by the author as a measure that could decriminalise children, removing them and their families from the justice paradigm. Thirdly, an integrated welfare-based family first strategy is recommended as a suggested way forward for justice policy in meaningfully addressing the needs and experiences of parents. Lastly, mechanisms for including parents as central co-producers in all policy concerning them and their children are proposed. This suggests how parents might be meaningfully collaborated with in addressing critical needs identified across systems. The chapter then concludes with recommendations for future research that might further support parents in their role at such challenging times.

### **Overall aim and objectives**

Parents in Northern Ireland whose children are involved in the youth justice system, as with almost any parent, want the best for them. This project has evidenced that their children will have the most complex of needs in relation to mental health, learning, and behaviour. Owing to the unique history and consequent prospect of paramilitary threat, some parents in this region have an added urgency to their desperation in accessing support for their child and themselves. This thesis aimed to understand the experiences and needs of parents in Northern Ireland as a distinct region from first involvement when they have a child who encounters the justice system. This project was conceptualised as an exploratory study with the objectives below identified in achieving the research aim. The rationale referenced the 'faulty parent paradigm' (Hillian and Reitsma-Street, 2003) which pervades much of popular understanding in dominant discourse about such parents. This project sought to know about day-to-day events, processes, and the meaning these have for parents when their child is in contact with the justice system.

This was in response to a gap in understanding what it is actually like for parents when they have to cope with a child in contact with the justice system, as example, the experience for the parents

of the 400 children receiving a court disposal in 2017/18 (NISRA, 2019), as opposed to the persistent narrative about them, referenced in popular discourse, and mentioned through this thesis. Prior to this study, anecdotal reports and piecemeal inclusion in wider surveys or evaluations hinted at aspects of parents' experiences. No research specifically exploring parents' needs or circumstances in their 'walk-through' of the youth justice system in Northern Ireland existed. The aim of understanding parental experiences as opposed to the construction of this, indicated a theoretical perspective informed by theory on neoliberalism, responsibilisation, shame, stigma and labelling, and loss and trauma, in framing the conceptual approach. A thematic review of the available literature in this area, including international literature highlighted the shaming and isolating impact of the experience for parents, often compounded and reinforced by losses and further contact with the justice system which were often traumatic, including lack of information, practical support, and delay in the system. This evidenced the gap between 'construction' of the parent of a child in the justice system and lived reality in the day-to-day milieu of police, statutory agencies, courts and maybe custody. The issue of adolescent to parent abuse was an emerging theme in both the literature and parents' stories. Establishing a theoretical basis and reviewing key literature were essential in determining the methods employed in meeting objectives.

The unique historical socio-economic and political-cultural context within which both justice policy and law and order has developed in Northern Ireland was examined, including a focus on the experience for children and families living through this extraordinary time. This study has highlighted how both the experience and consequences of the conflict and post conflict period, not least poverty and multiple inequalities, have continued impact for parents in accessing vital services for themselves and their children. In examining the development of legislation and policy, it has underlined both the lack of a clear strategy for youth justice, let alone addressing support for parental needs and experiences in this system. Furthermore, it has reinforced how the legislative and policy framework whilst displaying an official rhetoric of inclusion and support belie stories from parents in this research. Their voices indicate that the range of systems which should deliver fall short in realising these values for parents who are desperately trying to support their children. The raft of departmental and strategic documents which widely reference parents'

participation and cooperation, translate in a very limited way for parents 'on the ground' and most in need of support for their children and themselves. The research design facilitated parents in giving their stories about processes over time, capturing their views and feelings on important events and key issues for them. Persisting with the process of ethical approval in accessing this 'hard to reach' group ultimately empowered parents by providing choice and control over the environment in which they voiced their narrative, their truth telling. This was vital as in reality parents have little control over how they are represented, and as this study shows, less opportunity to articulate how they really feel. Findings emerging from this research approach and design detail the shame, losses, distress and stigma experienced by parents. In telling the full story of their experiences and recollecting in this way, parents reflected their despair in realising they came to expect nothing less from the justice system, with few exceptions.

This is a complex subject area, by taking a wide lens to the experience of parents over time, and importantly across systems, including justice, health, education, childcare, community and family, new knowledge emerges about the combined experience of these systems, and the impact for them of the recursive dynamic of trauma, loss, stigma and shame. Furthermore, themes discussed and analysed highlight the unique circumstances of parents in this region given the socio-political context. Unlike other UK regions, the challenges facing parents are amplified, and acquire an urgency when taken in the context of continued paramilitarism, and the legacy of conflict.

The approach promotes new understanding that the experiences of parents are shaped by a set of factors distinct to Northern Ireland, enabling a depth of understanding of the cumulative, iterative impact of processes and critical events specific and additional to the justice system is provided. These typically involve child safeguarding, education and mental health and addiction support providers. The official narrative of community safety includes parents as essential to ensuring children's compliance with justice system sanctions and the outcome of these. It might be assumed that parents should therefore occupy a central position in youth justice policy, not least as citizens and co-producers in services for their children and themselves. However, parents' experiences demonstrate that the embodying ethos that pervades the system, and most of the



agencies within it, is experienced as iatrogenic, creating mistrust, distress and further hurts and losses for all. No youth justice policy exists in Northern Ireland that the range of stakeholders can be held to account to.

This study is exploratory as opposed to claiming generalisability, the unique meaning and richness of the lived experience of each parent was sought. Ideally it is preferable to obtain more of the experience of fathers, those of parents from ethnic and minority groups, and a more representative sample in terms of children and young people's offending, again this was purposive and dependent on participant availability at the time.

### **Shame, stigma and the iatrogenic impact of parental contact with the justice system.**

Capturing the narrative of the day to day lived reality for parents has allowed insight into the iatrogenic effect of multiple system contacts. Statutory meetings, interviews, correspondences, visits, phone calls, events, and various modes of contact and efforts at compliance, all coalesce, and are profoundly stigmatising, causing exclusion and isolation. Public services, including the justice system, promote equality and fairness as important values for meaningful citizen engagement and participation in all processes. Parents often felt their children and they themselves were treated unfairly or inappropriately shamed, and this was deeply stigmatising. The study provides insight into the cumulative impact of multiple routine micro shaming and stigmatising events and how these erode confidence, and perceived legitimacy and trust in procedural justice processes including policing and courts.

This dimension of parents' experience is deeply personal, hurtful and 'othering'. Aside from the YJA staff and a small number of individuals in agencies, the ethos across systems is experienced as largely unsupportive. Worse still, this study evidences that isolation, shame and stigma associated with having a child in contact with the justice system means parents participate in the narrative of their being unworthy, at fault, incompetent, and feel powerless relative to the systems that apportion blame. Furthermore, findings show, it cannot be assumed that family support is available.

The reaction of extended family members in this research reflects Condry's (2013) theorisation of how blame functions in such circumstances. The day to day disparate, complex and conflicted lived experience of parents is reduced to *shame and blame*. This act of attributing culpability is reassuring to the *blamer* in demonstrating what not to do. The current study adds to the knowledge, providing new understanding of just how acute the loss, and hurtful the shaming when blame and shame are meted out by extended family. Loss extends to loss of relationships which could be described as yet another punitive consequence for parents.

Themes are not exclusive, as demonstrated, loss and trauma are relative experiences and parents with limited resources often have other children whose needs must be met and may be impacted by the experiences, as are the whole family. Parents often endure sensitive and deeply personal issues which cause deep shame and guilt, for example, child to parent abuse, which this study indicates is underexplored and reported. The issue remains a taboo and conflicting one that parents struggled to discuss but which this study found is more prevalent and should be considered a potential factor in all assessments and decision making fora involving them with professionals.

Parents want support and are best placed to determine what this should be, and how and when it should be provided; parents should be key participants in this respect. Such an approach challenges the faulty parent paradigm, and requires government to collaborate in a meaningful and authentic way that does not further shame, label, blame or distress. By capturing both group and individual perspectives, this research shows that opportunities for mutual support and shared experiences are critical if parents are to cope with such accrued shames, losses, traumas, blames and stigmas, and find strength and growth in the collective experiences.

### **Loss, trauma and the experience of parents**

Findings show that loss and trauma are complex in terms of the range of cumulative and repeated traumatic experiences, particularly as a child's contact with the justice, and other systems, becomes more frequent. Critically, loss and trauma for parents in this research reflects McKenzie-Mohr et al's (2011) assertion of trauma as political, in that the experience of it and resources in dealing with it, are context dependent. This study provides an overview of the complex, relative and nuanced day-to-day parental experience when coping and supporting a child in contact with the justice system. Whether initial contact concerns a non-offending issue for example anti-social behaviour or where an offence is committed, this research shows how upsetting, distressing and often confusing this can be. All areas from police through to procedural justice processes are often experienced as disjointed and frightening with solicitors typically the only point of information and contact, certainly at the early stages. Although they may offer basic support, their role is not that of a public servant, with no requirement in this regard. Numerous factors can affect outcomes and parents are vulnerable in the maelstrom of initial and continuing police contact which this study found to be deeply distressing for them. They feel isolated and unsure, yet are critical to outcomes in ensuring children's compliance with a range of different and sometimes demanding disposals.

Case and Haines (2020) propose an over-hauling of existing youth justice that sees children as 'children first, offenders nowhere' and responsabilises the adults around them, meaning adults must first be the 'change agents', to enable change in children's behaviour. Yet as this study finds, the prolonged and summative impact of losses, and stress mean parents are often depleted when required to respond and be at their optimum as the change initiator in their parental role.

Parents want to support their child but often have significant needs, legitimate mistrust of the criminal justice system, and struggle coming to terms with events and processes. Findings further demonstrate that the system overall is limited in supporting them to help their child avoid further reoffending. Indeed, where a child has continued involvement parents have significant anxiety and stress regarding the potential move to adult justice services and indicate limited proactive and joined up thinking with the raft of services involved including probation, mental health and

employment/education providers. Parents articulate the need for acknowledgement of this difficult transitional time when offending increases (NISRA, 2018).

Within Northern Ireland the threat of paramilitary attack or being summonsed to a 'meeting', receiving a letter to advise of their child being 'monitored', or threat of harm, adds a distinct layer of distress. The prospect of their child no longer being 'protected' to an extent by virtue of their age post 18 years only intensifies this. This study allows understanding of the lived experience for parents who are responsiblised, and how the host of traumatic events, including the presence of paramilitaries in the life of their child and families is sometimes seen as deserving of shame, to be endured, warranted, and not worthy of support.

### **Responding to the needs and experiences of parents when their children are in contact with the justice system.**

#### *Responding to immediate priority needs and concerns of parents.*

Parents are desperate for a change in how police, as first agency of contact with the youth justice system, interact with them and their children. Addressing this critical factor could represent an important start in restoring and repairing trust with parents and their children.

Mandatory training on the mental health, communication, learning and trauma needs of young people, and parents' experiences in coping with these, for every PSNI employee interacting with children and their parents, could meaningfully begin to address parents' concern and needs. A similar priority recommendation by the Youth Justice Review Team (2011) remains unacted upon. This needs parents and young people with experience of police contact in the system as co-trainers, and central to delivery of such training. This could be impactful and empowering given the manner in which parents articulated their experiences on this issue.

Where a child is stopped and questioned, it is suggested that police notify and inform parents of any outcome. This would better support parents in supporting their child and avoid further contact with the system. Additionally, this could offer an early opportunity for signposting to

agencies and organisations of support, including information on self-help and support for parents.

As shown in parents' stories, justice system agencies can reinforce the distress experienced by parents. It is suggested that training on the mental health, communication, and learning and trauma needs of their children and the emotional and support needs of parents, for all Public Prosecution Service and Northern Ireland Court Service personnel, could develop awareness and improve understanding of, and communication with parents in this respect. Parents referenced solicitors as early information givers, training for legal service professionals engaged in face-to-face contact and decision-making processes with parents of children in the justice system seems essential. Solicitors becoming more aware of the impact of contact with the justice system on parents and their support needs as a consequence, might encourage them to signpost for support.

Financial hardship was highlighted as stigmatising and stressful for parents. It is suggested that having access to ring-fenced financial support for expenses incurred because of their child's contact with the justice system, for example, transport costs associated with attending police station, court, PBNI, YJA, custody or professional meetings, would support them in this respect. As reinforced by parents, with its current organisational ethos and structure, contact with the youth justice system is shaming and distressing.

Where child to parent aggression is established, parents have stressed, that services should be provided as a priority to siblings in the family, with consideration of this being identified as an Adverse Childhood Experience. Challenging and often aggressive relationships were commonplace between parents and their children. Effective support cannot come down to 'the luck of the draw' in being allocated a good keyworker, or youth conference coordinator. In addition to being trauma informed, it is recommended that training should be shame aware in recognising how agencies can further stigmatise parents.

A programme of parenting support, involving expert parents as trainers should be available to all parents from first contact with the justice system. Parents were clear that Therapeutic Crisis Intervention or similar training should be provided to equip parents with some techniques in

managing crisis in the home. Mental health first aid for parents, including managing self-harming behaviours is essential and consideration needs to be given to where such training occurs and how parents might access this. Again, as was the experience with the parents' focus groups, a parents' forum could knowledgeably advise on a framework of support to address the priority needs of parents at such times.

#### *Raising the minimum age of criminal responsibility*

The negative consequences of bringing a child and their family into the criminal justice system is consistently documented throughout this thesis, it is recommended that the MACR is raised to 16 years old. Raising the age of criminal responsibility to 16 years would mean legal recognition of the critical maturational stage that is adolescence, and acknowledge the significant growth which occurs at different rates throughout this demographic of 10 – 17 year olds. Development of thinking, perception and judgement vary widely during adolescence, those with most complex needs are most likely to have early contact with the justice system and therefore greater likelihood of recidivism. A MACR of 16 years would mean legal parity with other responsibilities of young adulthood for example, age of consent, leaving school, and living independently, and would be more consistent with other European countries. Critically, this would avoid parents and children having contact with a youth justice system which Barnes (2015) identified as having 'lost its soul' in the pursuit of restorative justice.

#### *Development of a child and family first intervention strategy*

Development of a family strategy, with 'justice nowhere' is recommended for families of children with complex needs. As opposed to the restorative, reparative and reintegrative, those parents most involved with the youth justice system experience it as shaming, isolating and occasionally further traumatising, with the exception of the experiences of individual staff, notably in the YJA. Repurposing of 'youth justice' and developing a non-criminal justice led child-and-family-first early intervention strategy to work with children excluded and at risk and their parents, could address the best interests of families, and the safety and wellbeing of the wider community. An early intervention approach is a welfare, shame aware and trauma-informed one, and *ought to be* a child and parent led. Parents' experiences evidence their expertise, and they want to and

should be proactively supported as a collective in deciding how the system should treat them and their children. A strategy that intervenes to support children and their parents, that is 'shame - aware' and is empathetic to the summative socioeconomic and personal impacts on them, not disaggregated from the environments and lived reality, is required. It acknowledges the relationship of gender, class and marginalisation and consequent needs of parents. It explicitly recognises that shame is core to the experience and seeks to challenge this impact at all societal levels; starting with the micro level of individual practitioner interaction.

Parents' narratives have confirmed that a child's contact with the justice system is a whole family's issue and other children are deeply impacted by the series of traumatic events and circumstances with their sibling. Collaboration between government departments is necessary to support *children in need* during their family's contact with the system.

*Parents as co-producers in the co-design of a family first strategy*

When organised and supported parents have a collective efficacy, and clarity about what best supports them in helping their children. Their experience lends to their being co-opted not just as 'experts by experience' but facilitated and encouraged as stakeholders in repurposing youth justice and determining departmental strategy and policy. This study recommends legally embedding an accountable empowerment approach that meaningfully engages parents in service design and delivery, at every stage, allowing them to have an active role in safeguarding the rights and wellbeing of their children, and their own and their family's needs, in supporting them. When facilitated as a collective, parents powerfully represent their needs and interests with enthusiasm, experience and hope. Funding and actively supporting a sustainable parents' forum, based on international best practice and expert informed and led systems is fundamental. This includes parents in a stakeholder role, in training and development, advocacy, and self-help for all parents from first contact with the justice, and other systems. Such an approach is critical to the dismantling of shame.

## **Future Research**

This study explored the experiences and needs of parents in all aspects of their interaction with the youth justice system. Knowledge on this issue is limited, and more research is needed to understand parents overall experiences of consultation, meaningful engagement, collaboration and participation when involved with statutory services. So much is at stake for parents at such times, and the literature indicates that little is understood about these experiences, much less their opportunities for coming together.

Further research should focus on ways in which parents are supported in helping their child avoid further offending. Parents' experiences and needs at critical points were a feature in this study, for example, the transition to adult justice services was of real concern for parents. Reoffending statistics support parents' legitimate worries about their child, and their role with them during this time. Understanding how parents could be better included in supporting their child during this life stage is important. This could include the perspective of young people in understanding their views of parental support and what might help them avoid further offending as they manage into young adulthood.

Child to parent aggression and violence was an emerging issue in this research with over a quarter of parents having experienced actual physical aggression. Currently little information exists regarding prevalence, circumstances, how this manifests and factors specific to Northern Ireland. Gaining insight from all involved family members might assist in better understanding what could support relationships in families under stress, and where this traumatising and taboo issue is a fact in the life of their family. Further research in these key areas is essential if the parental narrative of 'why would people help people like us' (Myra) is to change.



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## Appendix 1

Paula Jack  
Chief Executive  
Youth Justice Agency  
41-43 Waring St.  
Belfast  
BT1 2DY

Hello Paula

**RE: Research Exploring the Needs of Parents/Carers when their Young People come into contact with the Justice System in Northern Ireland**

I spoke with you some time ago about my wish to carry out research into the needs of parents and carers when their children or young people come into contact with the justice system. Thankfully, the necessary ethical approval is in place and I am therefore in a position to commence the research. I am contacting you to request an opportunity to provide a small presentation to your senior management team, at a time convenient, regarding:

1. The overall aim, and research objectives
2. The research methods and proposed schedule
3. The anticipated role of the senior management team in disseminating information to area management
4. A protocol for contacting local teams identified, and key personnel.

I understand the senior management team meetings run to a very busy schedule, but I would appreciate the opportunity to communicate with them regarding the research, in order to ensure that they are fully briefed about this. I would be grateful if perhaps I could be avail of time, convenient to the team at an upcoming meeting. This should last no more than half an hour; to include a 10 minute presentation, and time for questions and discussion. I will forward an abbreviated research protocol in advance of this meeting, for information.

Thank you for your continued support and I look forward to hearing from you regarding this matter

EMMA MCGINNIS



### Focus Group Schedule/Topic Guide

#### **1. Introduction to the Project (5-10 mins)**

The research project will explore the experience of parents when their child comes into contact with the criminal justice system. It seeks to understand how this impacts upon parents and their experience of different agencies within the system. To help the focus group run as smoothly as possible for all members, it's important to agree a group contract which basically means some 'ground rules' that all members/participants agree on. Some of the most important follow below.

#### **Group Contract**

- Confidentiality

All participants can be assured that comments made and information shared will be treated as confidential, except in specific circumstances (discussed during the preamble to the group). Comments made should not be reported outside the group by members. With the consent of all participants, the focus group will be recorded and later transcribed. Once this has happened the tapes will be immediately destroyed. The transcribed material will only be used for the sole purpose of this research project.

- Participation

Taking part in this focus group is entirely voluntary; participants are free to leave at any time.

- Process

Each person is given the opportunity/time to speak on each question.

No individual feels forced to participate.

Individual opinions/thoughts are respected.

Each member will be asked to complete a consent form to confirm that they agree to taking part in the focus group.

## **2. Focusing Experience**

Individual members are invited to briefly say how long ago it is since them as parents first had contact with the justice system. This is just a small introductory 'icebreaker' to help focus members on the area to be discussed.

## **3. Main Topic Sequence (45-50 mins approx.)**

- Can you please describe when your child first came into contact with the justice system?
- What was of most concern to you then?
- How did you feel about how you were dealt with at the time?
- How did the agencies within the justice system respond to you?
- How and where did you receive information about what was happening/happening next e.g. decision on prosecution court date?
- What are your thoughts on how the different agencies within the justice system perceive parents whose children, have offended?
- Did this experience have an impact on your relationship with your child?
- What do agencies within the justice system need to do to support parents during these times?

## **4. Conclusion of Session**

- Is there anything that anyone has not had the opportunity to discuss/say?
- A reminder on confidentiality and handling and disposal of data
- Availability for any questions/query from any individual
- Thank you for time and participation
- Information on where findings can be accessed and approximate time scale

### Appendix 3

Emma McGinnis  
Room MF128  
Ulster University  
Magee College  
Derry/Londonderry BT48 7JL

Dear Parent,

My name is Emma McGinnis and I am completing a PhD at the Ulster University. My research is exploring the needs of parents when their child comes into contacts with the justice system.

The aim of the research is to explore how parents experience all parts of the justice system here in Northern Ireland, from the first contact by police, through to sentencing. I hope to make service user led recommendations for best practice by professionals working in the justice system, when I write-up my PhD. To do this I would like to talk to parents who have experience of their child being involved with the criminal justice system. I would like to meet with parents as a group, to talk about this experience. Following this I would like to hold one-to-one interviews with parents. I hope to meet with parents in a group, as a group discussion will help me understand your experiences and prepare questions to ask in a one to one interview with parents.

The Youth Justice Agency has agreed to contact you and other parents on my behalf, because you know what it is like to be involved with agencies in the justice system and can therefore provide insight about how the system treats parents.

I would greatly appreciate if you would agree to meet with me to discuss whether or not you would be willing to take part in the focus group to help me learn about your experience and complete my research.

To protect your privacy, your Youth Justice Agency Worker has not told me who you are, and I and will only know if you agree to meet with me to discuss further. A leaflet providing further information on the focus group is included.

If you decide to take part, the information you disclose in the group will remain anonymous and will be treated with the strictest confidence (except in special circumstances, such as If you tell me something that indicates that you, a child or someone else, are at risk of significant harm, then I will have to pass this information on to your Social Worker or another appropriate person).

I am conducting this research as a Ulster University PhD student, and not for the Youth Justice Agency, however, the recommendations from the completed research will be given to the Agency to inform the provision of services.

If you are willing to meet with me to discuss taking part in the research, or would like to have more information before making a decision, please give your name and address or telephone number to your key worker and they can pass it on to me. Alternatively you can contact me by email at: [e.mcginis@ulster.ac.uk](mailto:e.mcginis@ulster.ac.uk), or the following telephone number: 02871 375761.

Thank you for taking the time to read this request, I hope that you will be willing to meet with me.

Yours Faithfully,  
Emma McGinnis

### **Focus Group Information Sheet**

#### **Q. What is a focus group?**

A. It's a way of getting a range of views about a particular issue or experience from people who have direct experience about it. In this case that means having an organised discussion, based on a number of questions focused on the research aims, with parents whose children have been involved with the justice system. This allows the researcher to gain their perspectives and views of the criminal justice system that might not have emerged when simply asking questions in an individual interview.

#### **Q. Who is involved?**

A. Just the researcher and any parent who wants to be involved; if you are a member of the parents support group organised by the Youth Justice Agency it doesn't mean you must take part, this is entirely optional.

#### **Q. How many people are involved?**

A. Ideally a focus group will have about 8 members; however this could range from 6-10 people possibly.

#### **Q. What happens in a focus group?**

A. The facilitator agrees a contract with the group which covers the areas that any group contract would, e.g. confidentiality, respect, etc... Once this is agreed the researcher goes through a list of questions that are specifically focused on the research aims; inviting all members to give their experience and views. An example is 'how did the situation impact on your relationship with the child?' The focus group is taped; a typist will listen to it and then write what was said. This 'data' is then analysed. All names are taken out

and any information about places, people or events; any detail that could identify a person or area is removed.

**Q. Do I have to give an answer to every question?**

A. No, not at all. No one will be 'singled out' you just contribute if you want to. Everyone will have a different experience; some may just not wish to speak on particular issues.

**Q. Will I have to talk about my child?**

A. No, you only talk about what you feel comfortable discussing. None of the questions are directly about your child; they are focused on finding out about your experience of the justice system as a parent.

**Q. What if I change my mind about taking part?**

A. Any individual may change their mind at any stage, and withdraw from the group.

**Q. How long will it last?**

A. It shouldn't take any longer than an hour and a half

**What happens afterwards?**

The recording will be securely stored, then 'transcribed, i.e. the written account of it made. It will then be destroyed. The information transcribed will be analysed using specialist software.

**Q. If I want to know any more information who do I ask?**

A. Contact me as the researcher with any queries at [e.mcginis@ulster.ac.uk](mailto:e.mcginis@ulster.ac.uk), tel. 02871375761

Appendix 5

**Preamble to Focus Group Schedule**

**(To be provided verbally and in writing to potential focus group participants)**

Hello and thank you for coming along today. I am going to briefly talk to you about how the session is conducted.

Firstly I will go through an introduction to the project and the research aims. Next I will discuss and agree a contract, which is a list of the basic rules for running a group. This ensures your safety in the group. Important to this is confidentiality; this means ensuring that:

- What you say is held in confidence. There are exceptions to this; these include where anything is said that suggests an individual has or may be harmed. Also this includes any information that suggests a crime has been committed or is going to be committed.
- The focus group will be audio recorded; this recording will be stored in a double locked cabinet in the researcher's office in the Ulster University Magee College. The only other individual with access to this will be the person, who transcribes the tape. Names will not be included in the transcription.

Next I will ask you to speak your name and say something general about your involvement with the justice system; this is called a 'focusing exercise', and aims to get participants focused on the task ahead

Then I will go through a number of questions, asking members to contribute their thoughts and reactions to each of these. The questions are focused on your experience through the justice system at different points; and the impact of this on you. They also explore what support you may have received

Lastly I will conclude the session, inviting you to add anything else you feel should be included and maybe wasn't addressed/asked.

Thank you, and we will begin

Appendix 6

**Project Title: An Exploration of the Needs of Parents where their Children are in Contact with the Justice System.**

**Consent form for Parent Participation in Focus Group**

---

I confirm that I have been given and have read and understood the information sheet for the above study and have asked and received answers to any questions raised. [ ]

I understand that my participation is voluntary and that I am free to withdraw at any time without giving a reason and without my rights being affected in any way. [ ]

I understand that the researcher will hold all information and data collected securely and in confidence and that all efforts will be made to ensure that I cannot be identified as a participant in the study, and I give permission for the researchers to hold relevant personal data (for example; gender). [ ]

I understand that the focus group will be recorded and transcribed (if the consent of participants is given) [ ]

I agree to take part in the focus group [ ]

Name of subject \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

Name of person taking consent \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

Name of researcher \_\_\_\_\_ Emma McGinnis



Appendix 7

**Parent questions**

Can you tell me about the first contact from e.g. PSNI Youth Diversion about your child having offended?

What was the offence?

What was your initial thoughts & reaction?

How did you feel?

How did you cope at that time?

How did you manage what was happening with your child?

What information were you given about what would happen next and who would be involved, who provided this?

What was your biggest worry at the time?

Who were you able to talk to about this?

What helped?

Looking back now: - what would've helped?

**The Justice System & its Agencies**

Can you tell me about what happened during your first contact with the PSNI?

What are your thoughts about how you as a parent were dealt with by this Agency at this time?

Were you provided with information on any supports/resources for you as a parent?

If, then in what way were you kept up to date on what was happening between first contact and PPS recommendation/first court date?

Tell me about what support you received in preparing for court?

What did you understand about court and what might happen?

How do you feel you were treated throughout this whole process?

What's it been like for you since the conference plan/court date?

**Impact on relationship with child**

How has the whole experience affected your relationship with your child?

What has been the most difficult aspect of your child's involvement with the justice system for you?

Who or what if anything; supported you in parenting your child at the time?

**What could help in future?**

What would've helped at particular times?

How can the agencies within the justice system better support parents in your position?

## Appendix 8

**The Experience of Parents where their Children are in Contact with the Justice System****Parent Information Sheet (Interviews)**

This information sheet explains through 'question' and 'answer' any queries you might have about taking part in this research project. If you have any questions or would like further information, please feel free to contact me (EMAIL: [e.mcginis@ulster.ac.uk](mailto:e.mcginis@ulster.ac.uk) TEL: 02871675761)

**Q. Why research on the experience of parents?**

**A.** When a child comes into contact with the justice system, in Northern Ireland, little is really known or understood about:

1. How parent actually feel when their child is in contact with the justice system
2. What they think of how the system and people working within it respond to, and asses, and help them
3. Their views on what they need and what they believe helps them in helping their child at such times.

It's really important therefore to talk to a number of the parents to try to begin to understand what it is *actually* like for them. In doing this and also meeting with some of those who work with you, in the justice system; I hope to come to a better, clearer understanding of the needs of parents.

**Q. If parents want to give their views-what will this involve?**

**A.** This will mean parents taking part in an interview with me. I will ask about your feelings, experiences and needs, based on the above 3 points. Interviews will last roughly an hour but you may ask to end the interview at any time.

**Q. Do I have to take part?**

**A.** No. It is up to you to decide. Taking part is totally voluntary, if you decide you don't want to take part, it will have no effect on any services you receive. If you agree to take part in an interview I will ask you to sign a consent form to show you have agreed to take part. You can withdraw before, during or after the interview; or anytime up until 2016 when I will complete the write up for the research.

**Q. Where will this happen and how is the interview recorded?**

**A.** It is important that you as a parent feel comfortable free to talk were ever the venue. For this reason it will be important to discuss with parents where they would prefer this to happen. This may be a Youth Justice Agency premises, a local community centre, or in the parents own home. The parent and the researcher can discuss what is best for them during the phone call to arrange the interview

The interview may be recorded if consent to recording is given and you sign a consent form to clearly state you agree to this recording. This is to make sure that all the views and information shared is included.

**Q. How many Service Users are taking part?**

A. Twenty parents from different parts of Northern Ireland is the ideal number to take part in this research.

**Q. Who will know I'm taking part?**

A. Your Youth Justice Agency key worker will know you are taking part. No other parent would know who else was taking part. If you decide that you would prefer to be interviewed in your own home, or in a community facility, then the researcher must provide their supervisor with the parents name and address of the location being visited. This is required under the University's Health & Safety 'Lone Worker' policy and is for this purpose only.

**Q. Who will know what I say in my interview?**

A. Any information you disclose will remain confidential. The interviews are part of a research project being undertaken by a staff member of the Ulster University, not the Youth Justice Agency. I will not be sharing anything you tell me with them, except in special circumstances.

**Q. What do you mean by 'special circumstances'?**

A. If you tell me something that indicates that you, a child or someone else, are at risk of significant harm, or harm has occurred, and then I will have to pass this information on to your key worker within the Youth Justice Agency or another appropriate person. If an offence is disclosed this will also need to be passed on.

**Q. What if you ask about something I don't want to talk about?**

A. If I ask about anything you don't want to talk about, you can tell me it's something you'd prefer not to discuss. You can also tell me if you want to stop the interview at any stage. It is perfectly fine to do this.

**If you withdraw during the interview, it is entirely your decision if you wish to allow data provided to that point to be used in the project; this can be decided by you after the interview.**

**Q. What if I don't know the answer to your questions?**

**A.** I want to find out about your personal experience of being a parent of a child who is in contact with the justice system. There is no right or wrong answers to any of the questions.

**Q. What if I change my mind at any stage?**

**A.** That's ok. You are under no obligation-even if you have agreed to interview-you can change your mind. If after your interview you decide you don't want your information used, you can contact me to inform of this up until the point where the write up is complete, and the recording would be destroyed at your request. No explanation whatsoever is required.

**Q. Will my name be used, or that of anyone else mentioned in my interview?**

**A.** No, your name, or any name mentioned will not be used in the final write up of the research, nor will there be any mention whatsoever of any feature, area, individual or detail that might identify any person in the research. I only need a first name, not your family name. All names will initially be transcribed, and then anonymised using a pseudonym; places/areas will be replaced with a meaningful descriptive term that typifies the location. Under the University's 'Code of Practice for Professional Integrity in the Conduct of Research', all data must be retained for six years, and then destroyed. 'Search and Replace' techniques will be used when anonymising within the transcribed document and an anonymisation log created to safeguard anonymity.

**Q. What will happen to the recorded interview data?**

**A.** This will be stored in a locked office, in a double locked cabinet in the University. Where recording has been used, this will be destroyed as soon as the required 6 years has lapsed. No other person will listen to the recording apart from the researcher and a typist. This typist will be required to sign a confidentiality agreement to observe confidentiality and protect anonymity.

**Q. Will I be able to find out what eventually happens with the information I share?**

**A.** Yes, the findings will be published and provided to the Youth Justice Agency.

**Q. I have questions about the research, who should I contact?**

**A.** Please contact me, Emma McGinnis on 02871675761 email: [e.mcginis@ulster.ac.uk](mailto:e.mcginis@ulster.ac.uk)

## Appendix 9

**Project Title: An Exploration of the Needs of Parents where their Children are in Contact with the Justice System.****Consent form for Parent Participation in Interviews**


---

I confirm that I have been given and have read and understood the information sheet for the above study and have asked and received answers to any questions raised. [ ]

I understand that my participation is voluntary and that I am free to withdraw at any time without giving a reason and without my rights being affected in any way. [ ]

I understand that Emma the researcher, will hold all information and data collected securely and in confidence and that all efforts will be made to ensure that I cannot be identified as a participant in the study and I give permission for Emma to hold relevant personal data. [ ]

I understand that the interview/s will be recorded, the process of recording, storing and transcribing data has been explained to me. [ ]

I agree to take part in the interview/s [ ]

Name of subject \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

Name of person taking consent \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_

Name of researcher \_\_\_\_\_

## Appendix 10

UNIVERSITY OF ULSTER

RESEARCH GOVERNANCE

## RG1a APPLICATION TO UNDERTAKE RESEARCH ON HUMAN SUBJECTS

**PLEASE REFER TO THE NOTES OF GUIDANCE BEFORE COMPLETING THIS FORM. (Available from the Research Governance website at <http://www.ulster.ac.uk/research/rg/>)**

**All sections of this form must be completed (use minimum font size 11). If the form is altered in any way it will be returned unconsidered by the Committee.**

**This form should be used for research in categories A, B and D**

**Do not use this form for research being conducted in collaboration with the NHS/HPSS (category C).**

## SECTION A

**Chief**

**Investigator**

**Title of Project**   
**Student and**

**course (if applicable)**

**Additional Investigator**

Dr Una Convery	
----------------	--

Declaration - Chief Investigator:



I confirm that

- this project meets the definition for research in category\* (***please insert***)
- this project is viable and is of research or educational merit;
- all risks and ethical and procedural implications have been considered;
- the project will be conducted at all times in compliance with the research description/protocol and in accordance with the University's requirements on recording and reporting;
- this application has not been submitted to and rejected by another committee; and
- Permission has been granted to use all copyright materials including questionnaires and similar instruments

Signed:

Date:

***Once complete, this application and all associated materials must be submitted for peer review***

**\*In addition, you should complete form RG1d for all category D research and form RG1e for both category B and D research**

### **Peer Review**

- *Those conducting peer review should complete form RG2 and attach it to this form (RG1). RG1, RG2 and all associated materials should then be returned to the Chief Investigator.*
- *Depending upon the outcome of peer review, the Chief Investigator should arrange to submit to the Filter Committee, resubmit the application for further review or consider a new or substantially changed project. The application must not be submitted to the Filter Committee until the peer review process has been completed (except as permitted below)*
- ***Please note that peer review can be conducted by the Filter Committee if time and capacity allow. This is at the discretion of the Chairperson of each Filter Committee and is subject to change.***



**Filter Committee**

- *The application must be considered by the Filter Committee in accordance with the requirements of the University*
- *The Filter Committee should complete form RG3 and write to the Chief Investigator indicating the outcome of its review*
- *Depending upon the outcome of the Filter Committee review, the Chief Investigator should arrange to proceed with the research OR submit to the University's Research Ethics Committee OR resubmit the application for further review OR consider a new or substantially changed project*
- *The Filter Committee should retain a complete set of original forms.*

**SECTION B**

**1. Where will the research be undertaken?**

**2. a. What prior approval/funding has been sought or obtained to conduct this. research? Please also provide the UU cost centre number if known**

Non required: Part time PHD study

**b. Please indicate any commercial interest in/sponsorship of the study**

None

**3. Duration of the Project**

Start: June 2014

End: June 2017

Duration: 3 years

#### 4. Background to and reason(s) for the Project

**Please provide a brief summary in language comprehensible to a lay person or non-expert. Full details must be provided in the description/protocol submitted with this application (see Notes of Guidance)**

Interest in this research area developed during my practice as a social worker with children involved in offending, and their parents. The narrative of their experience as parents was often characterised by adversity, with adolescence representing a particular challenge. Yet practice experience with these parents; belied stereotypical representations of them in their role, as 'detached' or 'disinterested'. Almost always, these parents craved support as opposed to judgement often experienced, in their efforts to help their children avoid further offending. However, rarely in Northern Ireland, have they been asked in any systematic way about their experience of the youth justice system, or how they might be better supported in their role in helping their child desist from offending behaviours that initially brought them into contact with the criminal justice system. Given that the youth justice system is now based of restorative practices; essentially a 'family based' model of justice; embedded in policy and practice here, ascertaining parents' views of this very system is essential. This is especially relevant in Northern Ireland as it remains the only region within the United Kingdom where as yet no legal power exists to compel parents to engage in programmes aimed at preventing their children from offending.

## 5. Aims of the Project

**Please provide a brief summary in language comprehensible to a lay person or non-expert. Full details must be provided in the description/protocol submitted with this application (see Notes of Guidance**

The research aims to explore how parents experience the justice system when their child comes into contact with this, as a consequence of offending behaviour. In doing so it seeks to understand the impact upon them as individuals; and furthermore their experience of the agencies within the justice system as they parent through this process. The research also aims to ascertain how parents perceive the impact of their child's offending behaviour, and subsequent contact with the justice system, on their relationship with them. Lastly the research aims to determine from parents what types of support, and at what stages might best help in their role as parents when their child comes into contact with the justice system.

## 6. Procedures to be used

**a. Methods Please provide a brief summary in language comprehensible to a lay person or non-expert. Full details must be provided in the description/protocol submitted with this application (see Notes of Guidance)**

A qualitative research methodology will explore the lived experience of, parents where their children have offended here. A 'purposive sample'; that is one purposefully drawn as representative of the broader group being researched, in this case parents of children in contact with the justice system will be selected for both individual and focus group participation. The research strategy for this methodological approach involves an initial focus group in establishing good engagement and as an aide memoire in identifying themes and refining questions for the semi structured interviews. Using the CAQDAS NVivo 9, a process of data reduction will be applied to semi structured interviews with parents. Twenty interviews will be undertaken which should achieve saturation (no new substantive themes emerging from data analysis)

**b. Statistical techniques**

Please provide details of the statistical techniques to be used within the project description/protocol (see Notes of Guidance)

CAQDAS will be utilised for data analysis

**7. Subjects:**

**7. a. How many subjects will be recruited to the study (by group if appropriate)?**

Focus Group	8
Individual Semi-structured interviews	20

**b. Will any of the subjects be from the following vulnerable groups?**

**YES NO**

- Children under 18
- Adults with learning or other disabilities
- Very elderly people
- Healthy volunteers who have a dependent or subordinate relationship to investigators
- Other vulnerable groups

	X
	X
	X
	X
	X

**If YES to any of the above, please specify and justify their inclusion**

**c. Inclusion and exclusion criteria**

Please indicate, with reasons, the inclusion criteria for the project

Parents of children involved with the Youth Justice Agency, as a result of a court ordered, or approved diversionary disposal

Please indicate, with reasons, any exclusion criteria for the project

Parents whose children currently, are not directly involved with the Youth Justice Agency, as a result of a court ordered, or approved diversionary disposal

**d. Will any inducements be offered? If 'Yes', please describe. Please describe how and where recruitment will take place**

No

It is anticipated that the purposive sample will be drawn from across Northern Ireland to include a regional experience. Locations will be discussed with the Youth Justice Agency senior management team. The focus group sample is available through an existing family support group in the Agency

**8. Ethical implications of the research** Please provide an assessment of the ethical implications of the project

Participants will be fully informed of the research process; any concerns they may have will be addressed (written and verbal information and clarification pre and post focus group/interview). Advice will be sought from relevant professionals prior to contact to ensure appropriateness of inclusion, and to explicitly enquire as to any known reason why the participant should not be involved (e.g. severe mental ill-health). Given the sensitive nature of the subject area, it will be important to ascertain post interview/focus group if any individual requires support as a consequence of issues raised and to make contact with their key worker or identified support.

Consent will be explained, verbally along with written information provided. Participant's rights in withdrawal from the project at any stage, before during or after interview/focus group, will be fully outlined.

**9. Could the research identify or indicate the existence of any undetected healthcare concern?**

If **Yes**, please indicate what might be detected and explain what action will be taken (e.g. inform subject's GP) No

**10. Risk Assessment \*\***

Please indicate any risks to subjects or investigators associated with the project

The most likely anticipated risk for service user participants is emotional upset given the potentially sensitive and provoking subject being discussed. This should be addressed through careful preparation, open communication regarding content and interview/focus group questions, and identified support post interview/focus group.

The investigator will be mindful of the agency lone worker policy. Consideration will also be given to the sensitive and potentially distressing details being shared

**11. Precautions**

Please describe precautions to be taken to address the above

Separate information sheets will initially be forwarded to prospective participants via their Youth Justice Agency key workers clearly outlining the purpose, areas for discussion, process and likely duration of both focus group and individual semi-structured interview.

Sample questions will be provided prior to both focus group and semi structured interview participants, the right to withdraw will be explicitly stated at each stage. Participants will be made aware of sources of support available should distress/upset

**12. Consent form**

**It is assumed that as this study is being conducted on human subjects, an information sheet and associated consent form will be provided. A copy of the information sheet and form must be attached to this application. See Notes of Guidance.**

**If a consent form is not to be used, please provide a justification:**



**13. Care of personal information**

Please describe the measures that will be taken to ensure that subjects' personal data/information will be stored appropriately and made available only to those named as investigators associated with the project.

All data will be anonymised, and a coding system utilised with regards to location/region and nature of participation. Copies of recording or interview notes will only be available to the researcher, or person contracted to transcribe the digital audio recordings. All data will be stored in a secure filing cabinet, password protected and destroyed on conclusion of the research as per UU requirements

**14. Copyright**

Has permission been granted to use all copyright materials including questionnaires and similar instruments? NA

Yes  No

If **No**, please provide the reason

Once you have completed this form you should also complete form RG1d for all category D research and form RG1e for both category B and D research

## Appendix 11

## UNIVERSITY OF ULSTER RESEARCH GOVERNANCE

## RG1a APPLICATION TO UNDERTAKE RESEARCH ON HUMAN SUBJECTS

***PLEASE REFER TO THE NOTES OF GUIDANCE BEFORE COMPLETING THIS FORM. (Available from the Research Governance website at <http://www.ulster.ac.uk/research/rg/>)***

**All sections of this form must be completed (use minimum font size 11). If the form is altered in any way it will be returned unconsidered by the Committee.**

**This form should be used for research in categories A, B and D**

**Do not use this form for research being conducted in collaboration with the NHS/HPSS (category C).**

## SECTION A

Chief

Professor Mary McColgan

Investigator

Title of

Project

What is the experience of the parents in Northern Ireland, where their children have offended and therefore come into contact with the justice?

Student and

course (if

applicable)

Emma McGinnis

Additional Investigators

Dr Una Convery

Declaration - Chief Investigator:

I confirm that



- this project meets the definition for research in category\* (***please insert***)
- this project is viable and is of research or educational merit;
- all risks and ethical and procedural implications have been considered;
- the project will be conducted at all times in compliance with the research description/protocol and in accordance with the University's requirements on recording and reporting;
- this application has not been submitted to and rejected by another committee; and
- Permission has been granted to use all copyright materials including questionnaires and similar instruments

*Maay de Colgan.*

**Signed:**

**Date: 11/09/15**

**Once complete, this application and all associated materials must be submitted for peer review**

**\*In addition, you should complete form RG1d for all category D research and form RG1e for both category B and D research**

#### **Peer Review**

- *Those conducting peer review should complete form RG2 and attach it to this form (RG1). RG1, RG2 and all associated materials should then be returned to the Chief Investigator.*
- *Depending upon the outcome of peer review, the Chief Investigator should arrange to submit to the Filter Committee, resubmit the application for further review or consider a new or substantially changed project. The application must not be submitted to the Filter Committee until the peer review process has been completed (except as permitted below)*
- ***Please note that peer review can be conducted by the Filter Committee if time and capacity allow. This is at the discretion of the Chairperson of each Filter Committee and is subject to change.***

#### **Filter Committee**

- *The application must be considered by the Filter Committee in accordance with the requirements of the University*
- *The Filter Committee should complete form RG3 and write to the Chief Investigator indicating the outcome of its review*
- *Depending upon the outcome of the Filter Committee review, the Chief Investigator should arrange to proceed with the research OR submit to the University's Research Ethics Committee OR resubmit the application for further review OR consider a new or substantially changed project*
- *The Filter Committee should retain a complete set of original forms.*

**1. Where will the research be undertaken?**

Youth Justice Agency premises, community facility, parents own home

**2. a. What prior approval/funding has been sought or obtained to conduct this. research? Please also provide the UU cost centre number if known**

Non required: Part time PHD study

**b. Please indicate any commercial interest in/sponsorship of the study**

None

**3. Duration of the Project**

Start: June 2014

End: June 2017

Duration: 3 years

**4. Background to and reason(s) for the Project****5. Please provide a brief summary in language comprehensible to a lay person or non-expert. Full details must be provided in the description/protocol submitted with this application (see Notes of Guidance)**

Interest in this research area developed during my practice as a social worker with children involved in offending, and their parents. The narrative of their experience as parents was often characterised by adversity, with adolescence representing a particular challenge. Yet practice with these parents; belied stereotypical representations of them in their role, as 'detached' or 'disinterested'. Almost always, these parents craved support as opposed to judgement often experienced, in their efforts to help their children avoid further offending. However, rarely in Northern Ireland, have they been asked in any systematic way about their experience of the youth justice system, or how they might be better supported in their role in helping their child desist from offending behaviours that initially brought them into contact with the criminal justice system. Given that the youth justice system is now based of restorative practices; essentially a 'family based' model of justice; embedded in policy and practice here, ascertaining parents' views of this very system is essential. This is especially relevant in Northern Ireland as it remains the only region within the United Kingdom where as yet no legal power exists to compel parents to engage in programmes aimed at preventing their children from offending

## 5. Aims of the Project

**5. Please provide a brief summary in language comprehensible to a lay person or non-expert. Full details must be provided in the description/protocol submitted with this application (see Notes of Guidance)**

The research aims to explore how parents experience the justice system when their child comes into contact with this, as a consequence of offending behaviour. In doing so it seeks to understand the impact upon them as individuals; and furthermore their experience of the agencies within the justice system as they parent through this process. The research also aims to ascertain how parents perceive the impact of their child's offending behaviour, and subsequent contact with the justice system, on their relationship with them. Lastly the research aims to determine from parents what types of support, and at what stages might best help in their role as parents when their child comes into contact with the justice system.

## 6. Procedures to be used

### a. Methods

**Please provide a brief summary in language comprehensible to a lay person or non-expert. Full details must be provided in the description/protocol submitted with this application (see Notes of Guidance)**

A qualitative research methodology will explore the lived experience of, parents where their children have offended here. A 'purposive sample'; that is one purposefully drawn as representative of the broader group being researched, in this case parents of children in contact with the justice system will be selected for both individual and focus group participation. The research strategy for this methodological approach involves an initial focus group in establishing good engagement and as an aide memoire in identifying themes and refining questions for the semi structured interviews. Using the CAQDAS NVivo 9, a process of data reduction will be applied to semi structured interviews with parents. Twenty interviews will be undertaken which should achieve saturation (no new substantive themes emerging from data analysis)

**b. Statistical techniques** Please provide details of the statistical techniques to be used within the project description/protocol (see Notes of Guidance) CAQDAS will be utilised for data analysis

## 7. Subjects:

**a. How many subjects will be recruited to the study (by group if appropriate)?**

Focus Group	8
Individual Semi-structured interviews	20

**b. Will any of the subjects be from the following vulnerable groups - YES NO**

Children under 18		X
Adults with learning or other disabilities		X
Very elderly people		X
Healthy volunteers who have a dependent or subordinate relationship to investigators		X
Other vulnerable groups		X

**If YES to any of the above, please specify and justify their inclusion**

**c. Inclusion and exclusion criteria**

Please indicate, with reasons, the inclusion criteria for the project

Parents of children involved with the Youth Justice Agency, as a result of a court ordered, or approved diversionary disposal

Please indicate, with reasons, any exclusion criteria for the project

Parents whose children currently, are not directly involved with the Youth Justice Agency, as a result of a court ordered, or approved diversionary disposal

**d. Will any inducements be offered? If 'Yes', please describe. No**

**e. Please describe how and where recruitment will take place**

It is anticipated that the purposive sample will be drawn from across Northern Ireland to include a regional experience. Locations will be discussed with the Youth Justice Agency senior management team. The focus group sample is available through an existing family support group in the Agency. Semi-structured interviews will take place in Youth Justice Premises, or if preferred by the parent a community facility or their own home.

### 8. Ethical implications of the research

Participants will be fully informed of the research process; any concerns they may have will be addressed (written and verbal information and clarification pre and post focus group/interview). Advice will be sought from relevant professionals prior to contact to ensure appropriateness of inclusion, and to explicitly enquire as to any known reason why the participant should not be involved (e.g. severe mental ill-health). Given the sensitive nature of the subject area, it will be important to ascertain post interview/focus group if any individual requires support as a consequence of issues raised and to make contact with their key worker or identified support.

Consent will be explained, verbally along with written information provided. Participant's rights in withdrawal from the project at any stage, before during or after interview/focus group, will be fully outlined.

Parents will be provided with a choice for venue.

Parents will be provided with an information sheet to give to their child to address any queries/concerns they might have about their privacy in the process. Measures will be taken to avoid any direct contact with the children.

### 9. Could the research identify or indicate the existence of any undetected healthcare concern?



Yes

No

If **Yes**, please indicate what might be detected and explain what action will be taken (e.g. inform subject's

### 10. Risk Assessment \*\*

Please indicate any risks to subjects or investigators associated with the project

The most likely anticipated risk for service user participants is emotional upset given the potentially sensitive and provoking subject being discussed. This should be addressed through careful preparation, open communication regarding content and interview/focus group questions, and identified support post interview/focus group.

The investigator will be mindful of the agency lone worker policy. Consideration will also be given to the sensitive and potentially distressing details being shared and the possible impact of this. Regular scheduled supervision during the fieldwork process should allow opportunities to discuss and reflect the interview processes.



## 11. Precautions

Please describe precautions to be taken to address the above

Separate information sheets will initially be forwarded to prospective participants via their Youth Justice Agency key workers clearly outlining the purpose, areas for discussion, process and likely duration of both focus group and individual semi-structured interview.

Sample questions will be provided prior to both focus group and semi structured interview participants, the right to withdraw will be explicitly stated at each stage. Participants will be made aware of sources of support available should distress/upset occur as a result of any discussion. The researcher will conduct the interviews during working/office hours. A strategy will be discussed with parents in the unlikely event of interruption. An information leaflet will be prepared for children (see attached '**Children's Information Sheet**')

## 12. Consent form

**It is assumed that as this study is being conducted on human subjects, an information sheet and associated consent form will be provided. A copy of the information sheet and form must be attached to this application. See Notes of Guidance.**

**If a consent form is not to be used, please provide a justification: NA**

**13. Care of personal information**

Please describe the measures that will be taken to ensure that subjects' personal data/information will be stored appropriately and made available only to those named as investigators associated with the project.

All data will be anonymised, and a coding system utilised with regards to location/region and nature of participation. Copies of recording or interview notes will only be available to the researcher, or person contracted to transcribe the digital audio recordings. Staff in any community facility used will not be provided with any information on the purpose of the interview, rather 'need to know' information only. All data will be stored in a secure filing cabinet, password protected and destroyed on conclusion of the research as per UU requirements

**14. Copyright**

Has permission been granted to use all copyright materials including questionnaires and similar instruments? NA

**UNIVERSITY OF ULSTER**  
**RESEARCH GOVERNANCE**

UU Ref No:
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**Form RG6                      Notification of a proposed substantial amendment**

Chief Investigator: Professor Mary McColgan
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Approved Study Title: An Exploration of the Needs of Parents when their Children come into contact with the Criminal Justice System
---

New/Amended Title (if appropriate): NA
--

Type of Amendment (please indicate any that apply):	
• Amendment to application form	[   ]
• Amendment to description/protocol	[ x ]
• Amendment to the information sheet/consent or other supporting information	[ x ]
Please submit the appropriate amended documentation in each case, ensuring that new text is highlighted to enable	

Summary of Changes:

The original protocol submitted indicates that semi-structured interviews will take place in Youth Justice Agency Premises only. It is intended to amend this to include either, a local community facility, or parents own home also (*see p.15 of protocol attached for proposed amendment, highlighted*). The rationale for this and ethical considerations are detailed below, and in the protocol p. 16, **'Ethical Considerations' highlighted**

The Parents Information Sheet would also require amending to reflect the range of locations parents may consider for interview, and also to clearly state that if parents decide on a community venue or own home as a location, then the researcher's supervisor will need to know person's name, and address for visit (**P.35 of Protocol-Parents Information Sheet; highlighted**)

Additional ethical considerations:

**Rationale for extending interview venue to include choice of community venue and parents own home. (including the potential for 'researcher bias' in the field)**

The participants are a particularly hard to reach and excluded group, as evidenced in the limited research available in the area (see protocol). Initial data findings from focus groups would appear to support this; for example, parents have disclosed significant mental health issues which they state affect their integrating in everyday activities. Parents report experiencing anxiety and distress as a result both of their child's involvement with the justice system, and others reaction to them as a consequence. Anecdotally, discussions with Youth Justice Agency staff that have a critical role with parents appear to confirm this. Staff suggest that providing choice of venue to parents to include potentially a local community premises they may walk to, Youth Justice Agency premises, or their own home; allows choice and may facilitate participation as parents in suburban areas could decide on a local venue, or their own home. This may feel more convenient and less intimidating. Parents rarely attend the actual Youth Justice Agency premises; except for formal conference, planning or review meetings. Typically work with them will happen in their own homes. The researcher has firsthand experience of this having worked as a social worker with parents in this situation for 3 years. Providing parents with a choice of either home, or community facility for interview location additional to Youth Justice Agency premises may increase their likelihood of participation in the research, and reduce potential exclusion, allowing some control where typically they are 'required' to attend venues (for example court, police station, social services) by statutory bodies. The onus is on the researcher to find all possible means to facilitate, promote and enable participation in research that purports to seek views of an excluded group.

The purpose of the RG6 is to provide every opportunity for parents to be involved in the research, protect their anonymity; and ensure the safety and wellbeing of both parent and researcher in so doing. The attached RG1c document outlines measures in addressing potential researcher bias that may be specifically associated with research in the field.

The Ulster University policy on health and safety indicates measures to proceed by when working alone in the field. The risk assessment will include YJA staff, and parents themselves in inquiring of them if there is any circumstance when they believe an interview should be terminated and in asking them to assess this.

**Providing Information about the study to the child**

Young people may naturally be curious or potentially concerned to learn that their parent might be discussing their involvement with the justice system with a stranger. It is essential therefore to provide them with basic

List of enclosed documents:

Revised Protocol (page numbers included above)

Information sheet for Young People

Declaration:

I confirm that the information in this form is accurate and that implementation of the proposed amendment will benefit

the study appropriately.

*Mary De Colgan.*

## Appendix 13

### Parents Experience of the Youth Justice System.

#### Child's Information Sheet on Parent Participation in Interviews

##### **Where are you from**

My name is Emma McGinnis and I am a researcher from Ulster University. If you are reading this, your parent will have given it to you to let you know why I am meeting them. This sheet is about questions you might have about me meeting your parents. Hopefully all your queries will be answered below.

##### **Why are you talking with my parent?**

I am trying to find out what it's like for parents when they are trying to help their child who is in contact with the justice system.

##### **Why do you want to do that?**

I want to understand how parents feel about the criminal justice system. I need to ask them some questions to do that, this will help me write a report called a PhD. I hope my PhD will help change things.

##### **Are you talking about me?**

No, I really do not want to know your name even, I will ask your parent not to use it when talking about their experiences, to give you another name; no offence! I just simply want to know what it is like for them and how they are treated when for example they have had to go with you to the police station, or court, or the Youth Justice Agency. Talking to them is the best way to do this.

**What are you talking about then?**

I want to know how your parent was treated by all the different agencies in the youth justice system and how they felt.

**How many people are you talking to?**

I am talking to 20 parents hopefully. I will spend nearly an hour with each. All information is confidential. No names are included; tapes are 'wrote out' and destroyed. Only I will have access to any recordings but quotes may be used in my report. No parent has to talk to me if they don't want to- it is totally voluntary and I really appreciate any parent taking the time to do so.

**What happens then?**

I will write a report from the interview findings and share it with agencies in the justice system to let them know what it's like for mums and dads.