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Transforming the Balance of Power? Child First Collaboration: A Conceptual Analysis

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Abstract: Collaboration is one of the major tenets of Child First justice and yet is proving problematic in its application across the sector, especially where children are compelled through court orders to engage with interventions, creating inevitable power imbalances. In order to facilitate children in genuinely influencing decision-making processes which concern them, their voice needs to be given its proper value. In this article we use the youth justice system of England and Wales to explore the meaning, value and presence of collaboration within youth justice whilst examining the power dynamics at play through the analytical lenses of Bronfenbrenner's ecological approach and Bourdieu's analytical tools. This lends itself to a novel conceptualisation of collaboration within the youth justice space, which is applicable to youth justice contexts internationally, distinguishing between different forms of the concept and examining how much opportunity for influence is actually given to children within their own youth justice journeys.

Keywords: Child First; collaboration; youth justice; co-creation; power

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1. Introduction

This paper sets out to uncover the meaning, value and presence of the 'collaboration' principle between justice-involved children and those in positions of power in youth justice, within the context of 'Child First' justice in the legal jurisdiction of England and Wales. Child First has been identified as the current 'strategic approach and central guiding principle' [1] of this jurisdiction and is characterised by the four tenets of seeing children as children, building their pro-social identity, collaborating with children and diverting them from the stigma of criminalization [2]. This development has been driven by criticism of the previous risk-oriented approach to youth justice which tends to see children as 'risky' rather than 'at risk', a policy/strategy that was deficit-based and stymied opportunities for genuine participation by marginalizing the voices of justice-involved children [3]. The youth justice system has found it challenging, however, to operationalise the 'collaboration' tenet [4] of the current Child First 'strategic approach'. The compulsory nature of court-ordered youth justice supervision work causes an imbalance of power due to involuntary participation by children, which hinders the development of genuine collaboration, although the burgeoning level of voluntary engagement (i.e., not through a court order) offers unprecedented opportunity for this to be developed. However, for collaboration to be embedded throughout youth justice practice, the challenges of compulsory engagement need to be addressed.

There is a well-established body of literature critiquing the enablers and barriers to engaging or connecting with children under supervision [5,6] and an emerging evidence-base concerning the characteristics of 'effective' child/practitioner collaborative partnerships [7].

There has even been a focus in recent years on building cultures that value children's experiential knowledge and on nurturing child-centred strategies to empower children to explicate their needs or articulate their interests and priorities [8]. Where 'co-creative' agendas and participatory-based 'Child First' approaches have been operationalised to an extent, such terms should not be taken for granted or considered beyond critique. Attempts to define 'collaboration' can vary greatly, so it is important to acknowledge its contested nature before attempting to conceptualise it as a type of participatory practice. If children are being encouraged to enter collaborative partnerships with youth justice professionals willing to connect authentically with children, positive outcomes are likely to result. However, this paper argues that there must be a focus upon how children can exert genuine influence within decision-making processes, with their knowledge and expertise viewed as legitimate and given equal (even preferential) value to that of professionals. This paper proposes a conceptual framework for Child First collaboration to be more effectively mobilised across the youth justice landscape.

To explore collaboration conceptually and critique its development in youth justice, we adopt and combine two analytical frameworks to explain systems and processes to propose how the collaboration principle in youth justice could be realised. First, a simplified version of Bronfenbrenner's ecological approach [9] (macro-/meso-/microsystems) helps analyse the extent to which current youth justice practice in England and Wales has already embedded the collaboration principle. Second, we employ Bourdieu's analytical tools to explore the role of power dynamics between youth justice stakeholders at the core of collaboration. We then explore the principles of Child First justice, in the nexus of Child First and collaboration, offering a novel conceptualisation which distinguishes co-creation, co-production, participation and engagement as forms of collaboration within youth justice. Then, we explore the experience of Child First 'collaboration' across policy and practice, highlighting a lack of focus on children's involvement in decision-making and creating growing acknowledgement of, and discomfort around, the paucity of opportunities for children to exert influence on matters that concern them [10,11]. This acknowledges that, ultimately, collaboration is characterised as complex, ambiguous and challenging to implement as a guiding principle. Lastly, we examine power dynamics within the microsystem, how these can facilitate or negate collaboration in youth justice spaces and the challenges within a context of involuntary participation and statutory involvement. Overall, this paper builds on existing knowledge and expertise, constructing a novel conceptual framework that affirms types of collaborative work with children, proposing that meaningful co-production should be the goal/focus across the whole youth justice sector and offering a theoretical model of Child First collaboration.

2. Analytical Lenses

We begin by outlining the two analytical lenses employed, demonstrating their combined utility for this conceptual analysis of Child First justice developments in facilitating greater levels of collaboration between children and professionals. The ecological approach provides a framework that can be utilised to drill down into the varying levels of youth justice policy and practice, acknowledging the differences inherent between them in terms of the extent to which they facilitate or obfuscate collaboration. Adopting an ecological approach can assist in identifying barriers to the implementation of Child First as a strategic vision and then as translated to the child through youth justice practice. In conjunction, Bourdieu's analytical tools will be utilised to assess power dynamics within practice; this will enable a comprehensive critique of opportunities for embracing children's voices and adopting the Child First collaboration principle in practice. As France et al. [12] note, Bronfenbrenner's ecological model 'fails to include or explain the role and operation of power'. So, while the ecological approach can be used as a framework to assist in identifying and understanding influences on behaviors or 'rules of the game', Bourdieu's theory of practice is invoked to conceptualise how the rules of the game are played out. Bourdieu's concept of 'habitus' ('feel for the game') will be applied alongside those of 'field' and

'capital' [13,14]. These interrelated concepts explain individual agency in the sense of how dispositions or actions in practice can often be unquestioned or taken for granted, as they are imbued within structural inequalities that play out across the field of youth justice (that is, across the macro-, meso- and microsystems). This combined framework provides a more comprehensive understanding of the dialectic of structure and agency and where power conflicts are most acute across the youth justice system.

2.1. Ecological Approach

Influences on children's experiences of justice are complex and interlinked, incorporating different spheres or 'systems'. Utilising an ecological approach based on a simplified version of Bronfenbrenner's 'nested' systems [9] enables these to be examined in turn, referring to three inter-related macro-, meso- and microsystems. A similar approach has been utilised by Johns et al. [15] in analysing desistance within a cohort of priority and prolific youth offenders in Wales and by Case and Hampson [3] in their analysis of drivers of system change more generally within the jurisdiction of England and Wales. We have applied the macrosystem to include the creation of policy and legislation from those somewhat distanced from children, like the Government, but also other distanced influences such as public opinion (which itself affects Government attitudes and therefore outputs) and societal norms. The mesosystem incorporates agencies more closely linked to justice-involved children, which, in England and Wales, includes the Youth Justice Board (YJB)[1], Youth Offending Team (YOT)[2] management boards and Youth Custody Service (YCS)[3], all having the role of communicating macrosystem policies to the microsystem practitioners. The microsystem, therefore, has been applied to practice at the level of children and their workers—the direct contact point of youth justice work, as generally provided (in England and Wales) through YOTs. These three 'systems' present different challenges when thinking about power that, complemented by Bourdieu's theory of practice, can help explain the challenges of facilitating meaningful collaboration.

2.2. Bourdieu's Theory of Practice

Habitus can be described as a system of dispositions or a person's '*whole manner of being*' [16] (p. 510). Essentially, individuals are the embodiment of habitus, deciding a course of action without rational thought because it is their unconscious practice. Whilst an individual may enact personal choice in a situation, they are moulded by *habitus*, shaped by their past experiences and (at least partially) not in control of their actions [17]. There is an interplay between internal factors (agency) and external forces (structure), a combination that guides the thoughts and actions of people within specific fields. *Field* is the environment within which individuals exercise agency. Social fields can be depicted as spaces of conflict, often over the accumulation of capital [17] (p. 17). *Capital* (social, cultural and economic) interacts with structures and systems which reproduce social inequalities [17]. According to Bourdieu, '*agents wield a power proportionate to their symbolic capital*' [18] (p. 156). When such capital is valued and legitimised, agents can occupy more power and beneficial positions in fields [17]. For example, justice-involved children are likely to be socially and economically marginalised, with limited access to *capital* (power). Field conditions can create a continued struggle for structural transformation, although practitioners and children can both still influence or shape practice when they '*become conscious of their subordination*' [18] (p. 128), occupy a suitable position in the social space and resist pressure to act in ways with which they are uncomfortable whilst simultaneously enhancing their own capital [12] (p. 188). However, the 'feel for the game' analogy is invoked here to illustrate how professionals and children may attempt to decide a course of action without necessarily exercising agency, calculation or rational thought. This can explain why there has been disappointing progress in the implementation of collaboration in practice. This paper will now apply this analytical framework to the Child First collaboration vision and delivery.

3. Unravelling the Conceptual Ambiguity of Collaboration

Child First 'collaboration' could be considered an umbrella term encompassing participation, engagement and social inclusion to encourage meaningful collaboration with children in youth justice. 'Participation' is rooted in the United Nations Convention on the Rights of the Child (UNCRC), Article 12, which states children should not only have their voice heard but that their views should impact subsequent decisions concerning them, making participation central to rights-based practice. Case and Browning [4] highlight inconsistencies in the success of embedding meaningful collaboration. For example, they see participation as part of the processes of youth justice, but this contrasts somewhat with practitioners' views, who seem to ascribe this more to attending appointments and complying with intervention plans [4]. Therefore, obstacles have been identified to embed participation (as part of Child First justice) within youth justice [19,20]. One major issue concerned with conceptual ambiguity is that local youth justice agencies often have a limited understanding of children's rights, leading to uneven application by staff [21]. If Article 12 is dependent not only on acknowledging the importance of children's opinions but also on their ability to influence ensuing decisions [22], this could be where youth justice struggles most. Practitioners are expected to periodically reassure children that they can 'express their views without fear of rebuke or reprisal' [22] (p. 934), however with a lack of satisfactory knowledge of children's participation rights, this could create difficulty for *meaningful* collaboration.

From the foundation of children's rights, the importance of children being actively involved in processes and decision-making affecting them (rather than as passive receivers of adult-orientated interventions) has become more widely accepted. This has led to a range of conceptualisations of child collaboration, ranging from non-participative understandings to more nuanced understandings of co-creation and co-production [23,24]. This underlines a lack of agreement on what collaboration is or what it should look like. However, touring a range of these understandings gives a flavour of the conceptual development thus far. To exemplify with an example from England and Wales, in 2021, the Youth Justice Board, in collaboration with a UK-based youth-led organisation, Peer Power Youth, audited YOTs' use of participatory approaches in an attempt to alleviate some of this conceptual confusion and explain what children's participation rights mean in practice. Crucially, this research demonstrated the importance of children's agency and was co-created with justice-involved children [21]. They discovered how practitioners and managers misunderstood differences between *forms* of participation. Their resource pack included 'Are you really co-creating?', emphasising that participation can be confusing and explaining different types along a continuum, with 'engagement' in the middle [21]. This raises further questioning of various meanings between active participation and engagement in youth justice. Youth justice professionals and children understand participation and engagement differently [4]. Both concepts are often used interchangeably, with other terminology also in common parlance (such as co-creation and co-production). This possibly results in varied practices whilst creating an uncertainty of purpose for those at the forefront of youth justice practice, due to competing perspectives, terminology or definitions.

Similarly, Smithson and Gray [24] present their co-produced 'PYP' framework for participation with children in youth justice from their work around involving children in research practice across Greater Manchester in England. This approach was informed by participatory research methods which challenge views of children's deficits and intended to demonstrate how to further embed participation and meaningful collaboration into practice, *from children's own lived experience and perspectives* [25]. Working with children as co-producers and/or embarking on a co-creative process appears to have been established as vital to addressing power dynamics whilst focusing on professionals and children working together as equal partners. The key findings across both recent studies include the importance of forging positive relationships underpinned by trust and empathy, with a focus on avoiding seeing children as 'problems' that require fixing. The project produced guidance on facilitating children's involvement in the design, delivery and evaluation

of services, utilising creative approaches [24]. Both projects have acknowledged that the contested nature of participation as a non-linear journey with differing degrees of child involvement, as well as the importance of treating children as partners in the process with relative freedom to determine how they should be involved, are key [21]. Most pertinently, their evidence also suggests how youth justice services struggle to gauge consistent participatory practice [24].

These recent studies demonstrate that 'participation', as a concept, should not be blindly valorised; critique is needed, given that a wide spectrum of meanings have developed. Looking broadly at collaboration within youth justice, we offer a complementary (rather than incompatible) model of collaboration based around increasing/deeper levels of child involvement, with an inverted relationship with commonality of use, resulting in our inverted pyramid of collaboration (see Figure 1).

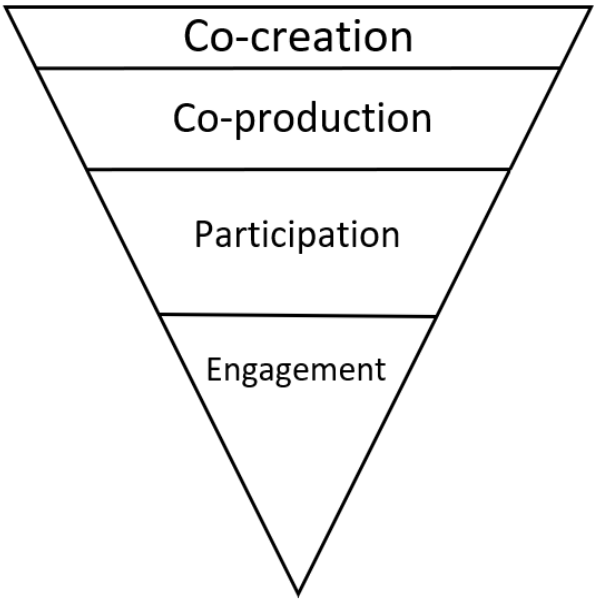


Figure 1. Pyramid of Collaboration.

Our pyramid borrows from the terminology of citizen/focus group involvement in public health/services and product design [26]. The model differentiates levels of *collaboration* with children (using this as an umbrella term), with the lower levels representing less child involvement (but *more* frequently observed) up to higher levels of child involvement (but *less* frequently observed in youth justice for several reasons, not least the perception of 'risk' and 'offence-focused' responses, which can foreclose opportunities for children to meaningfully input or shape practice; these issues will be discussed later). The levels of involvement, as shall be demonstrated, also chime with the ecological systems in operation, with the latter influencing the level of collaboration possible (albeit this should progress towards generally greater levels of collaboration).

To define these terms in a youth justice context, *engagement* is where a child willingly takes part in activities but without contributing to any other aspect of it [11]. *Participation* is where the child might have a more active role in services, perhaps being consulted regarding content and delivery questions, involving some kind of empowerment ('*having a voice, having a choice*' [27] (p. 30). *Co-production* goes a step further by actively involving the child in the *planning and design* of what is delivered with implied equality, with such user-input helping to ensure that what is delivered is relevant and of interest to justice-involved children (a feat surely impossible without *any* user-input, yet this was the status quo for generations) [28]. *Co-creation*, on the other hand, goes right to the strategic heart of youth justice provision, with ideas and proposals originating from justice-involved children themselves (rather than a child-focused outworking of an adult-centric initial

idea), preferring children's voices over those of adults, thus tipping power from equality towards the voice of the child being more authoritative [21].

This inverted pyramid can also be seen within each youth justice ecosystem, from the microsystem of worker and child to the macrosystem of Government policy arising from children's understandings, animating what is meaningful for them. Co-creation could be interpreted as the ultimate aim of all youth justice collaboration, also alluded to elsewhere [21,24]. However, this illustrates a range of collaboration levels spanning across the whole youth justice landscape, with each being a necessity for a fully collaborative system. Some children may not *want* to take a more active role but are happy knowing that they have been consulted on their own plan [29], whereas other children might desire deeper involvement in local service design and even youth justice worker recruitment, and some may see the potential to make a difference nationally (enacting system change), should a seat at the strategic table be offered. By providing a range of opportunities and safe spaces for children to be more involved, it becomes a more socially inclusive youth justice system, on their own terms.

For collaboration to be incorporated fully across the youth justice system, there are additional factors to consider. Previous participation models such as that of Thomas [30] identified a range of enablers (autonomy, choice, control, information, support, voice) to analyse what is needed to facilitate effective participation. Thomas' [30] range of enablers are needed at all levels for collaboration to be possible. Similarly, Peer Power Youth [21] promotes five foundations for designing youth justice services in a collaborative way, which include relate and connect (with children), visible experiential power and inclusion, strengths and positivity, resources provision and rights and readiness. Smithson and Gray [24] mirror participation ideation with opportunities for choice, relationship building, trust and positive approaches, which all assimilate with the Child First ethos. This identifies the complexity of factors surrounding opportunities for collaboration with children in the youth justice system that need to be considered and addressed to ensure conceptual adherence.

With varying contexts across youth justice systems, collaboration should also be flexible to each individual situation, as there is little value in overarching models trying to encompass everything. Though we have attempted this through our inverted pyramid, collaboration needs to be placed into the systemic youth justice context, hence the usefulness of the ecological model as a lens for exploring how collaboration can be meaningful in different situations with justice-involved children. Another thorny issue running through each level is the balance of power (lying naturally in youth justice contexts with the adult) which Bourdieu's analytical tools reveal through a greater understanding of context. To ensure that participation is not an '*empty and frustrating process for the powerless*' with no corresponding '*redistribution of power*' [31] (p. 216), adults must consider power distribution when planning to interact with children or facilitate their participation. Neglecting this risks children's disengagement during assessment, intervention, planning and supervision due to perceptions of a desultory and non-consultative process weighted against them, and this renders collaboration meaningless. If children's voices are valued by professionals, alongside seeing them as capable co-producers with vital insights [23], children are much more likely to *actively* collaborate in challenging and transforming current youth justice policy and practice. Using our theoretical lenses, the article now proceeds to identify and reflect upon the barriers to operationalising Child First collaboration in youth justice practice.

4. Child First Collaboration

4.1. Macro-System

The youth justice macrosystem encompasses agencies and systems (and concomitant policies/strategy) which are somewhat removed from direct involvement with children— for example, national government—but also the sphere of public opinion, which also can be influential in that space. Across England and Wales, Youth Justice is governed on

several levels, with the YJB having responsibility for most youth justice strategic and policy decisions while also being accountable to the Government through the Ministry of Justice. This devolution of power, while helpful for facilitating better-informed (more localised) communication and the embedding of research evidence into practice, means that Government is somewhat removed from youth justice processes and practice, introducing the potential for incongruence between legislation and policy and potentially causing confusion for agencies and professionals and for the public.

The YJB (discussed as part of the mesosystem) was created through the Crime and Disorder Act 1998, enacting fundamental changes in the way children in trouble with the law were viewed and treated, seeing them as 'risky' rather than 'at risk' [3]. This punitive turn in youth justice caused divergence from other child-focused areas, which were enjoying significant developments in children's participation, to one which did something to children rather than did something with them. Behind this were shifts in public opinion of children as dangerous (following on from the much publicised and oft-cited killing of James Bulger by two 10-year-old boys), fuelled by emotive newspaper headlines creating a fear of children as 'freaks of nature' [32]. Westminster (the seat of legislative power for justice matters in England and Wales) has continued this punitive approach towards children. On the other hand, the Government's own commissioned report into youth justice by Charlie Taylor [33] recommended that justice-involved children should be treated as 'children first and offenders second' (p. 19). However, any consideration of participation (or, indeed, children's rights) was notably absent from this report (as was any consideration of the minimum age of criminal responsibility), perhaps showing that the Government's remit for the review was severely limited in scope, thereby limiting its usefulness as a tool for change, even though developments of seeing and working with children across youth justice have become more progressive (see Child First Justice above).

It is also concerning that the recent Police, Crime, Sentencing and Courts Act 2022 was predicted to significantly increase the number of children in custody, demonstrating increasingly punitive approaches to children compared to the parallel development of Child First justice [34]. Much of the rationale for this would appear to lie within the apparent ascription of blame towards children for increases in knife-crime and related injuries, despite figures showing young adults to be more culpable for knife-related crime [35,36]. The media storm surrounding this created something of a moral panic around the apparent danger posed by children (reverting to seeing them as risky), giving grist to the mill for a hardening of Governmental attitudes towards justice-involved children [37]. Partly, this seems to have been made possible through media reports using non-specific, obfuscating language like 'youth' and 'young people' (incorporating both children and young adults but leaving the reader with an impression of 'dangerousness').

The inspection framework of English and Welsh Youth Justice by HM Inspectorate of Probation (HMIP) has tended to privilege risk-led strategies and approaches [38]. Whilst the Inspectorate does explore how evidence, knowledge and lived experience is used to inform practice, they seem to focus less on co-production/co-creation and more on how risk is managed. To an extent, a mindset persists on which 'effective' offender-focused strategies need to be conceptualised and implemented to reduce the 'threat' children pose to society and, consequently, to prevent various forms of harm being caused. Case and Browning [4] shined a light on how risk-based assessments and interventions are anathema to principled, progressive, Child First practice in the YJS. That said, during fieldwork, the inspectorate does conduct deep dives into governance, leadership and multi-agency partnership arrangements, and following a series of conversations with a range of stakeholders, aims to offer judgements on the quality of relationship-type practices. Moreover, the Inspectorate has released an academic insights series of practice-focused articles and produced resources that distil the evidence base and assist the quest for knowledge mobilisation across the youth justice sector. Peer Power's previously discussed co-produced report and set of resources, which can be used to help professionals navigate dynamics of power within relationships and as guidance towards developing a process

of co-learning between children and case manager/support workers, were included in the latest evidence-based materials by HMIP [39]. This seems to provide mixed messages from Government bodies, although attempts have been made to incorporate collaboration into inspection criteria—it is not yet clear how Child First collaboration can be assessed and measured (by the inspectorate) across youth justice contexts. It would seem, therefore, that although macro-level agencies potentially hold the legislative (through Government) keys and practice-level influence (through the Inspectorate), there appears to be some ambivalence towards Child First justice (including the development of the collaboration tenet), which might be acting as a brake on its full incorporation. Children do not yet appear to be offered a seat of influence at the macro-level.

4.2. Meso-System

The mesosystem looks at agencies and systems (and concomitant policies/strategy) which are closely involved in youth justice practice but still at a distance from the children themselves, so it includes agencies which form policy affecting practice and management structures of those with direct contact with justice-involved children. For instance, in England and Wales, the YJB, responsible for YOT practice and policy, developed and launched the Child First agenda [1], which, as we previously discussed, sees the facilitation of collaborative partnerships with children as core to this rights-based approach to working with justice-involved children. The YJB's Participation Strategy [27] confirmed the importance of children's active and meaningful participation in intervention planning and supervision processes. Whilst there are barriers that could impede this, such as organisational cultures that appear to devalue children's involvement in the process [29], the Strategy at the very least advocates for the development of rights-compliant practices with principles of participatory work. There was also a focus on creating participation champions within youth justice settings to promote opportunities to devolve power to children and embrace their perspectives on the design and delivery of services. This has now been subsequently backed up in new (and developing) Child First-focused case management guidance, which includes specific guidance on gaining children's feedback but also involves children at a deeper level—for example, with staff recruitment [40].

Academia also has a part to play in the meso-system, being somewhat apart from direct practice but looking at theoretical underpinnings and mechanisms of change and, crucially, finding outlets for allowing this knowledge to significantly affect practice on the ground with children (the micro-system, but also pervading all three systems). Understandings of collaboration have come from academia but could flounder on shelves in ivory towers, were academics not given a seat at the policy table. However, the YJB has created Academic Advisory Panels (now all incorporated into the Academic Liaison Network) in seeking to fulfil one of its core aims in 'commissioning research and publishing information in connection with good practice' [41]. Further embedding this into its Business Plan for 'driving system improvement' [42] (pp. 15–17), the YJB claims to be 'regularly engaging with . . . academics and external research organisations, [to] have a good understanding of the evidence base and ongoing research being conducted in the sector' (for an example of the nexus between the YJB's input into Government policy and the academic input, see the YJB's response to a Justice Select Committee [43]).

Whilst contested, there is some consensus that Child First is a rights-based approach underpinned by a desire to promote social justice amongst children in conflict with the law. A core component is children's voices having influence. This aspect of the model can improve children's experiences, but only if there is a strategy in place to advance a participatory culture that helps to instil the view that children's perspectives are of value and have a degree of influence. Since the wholesale adoption of Child First justice, there has been a greater presence of collaboration with children across the mesosystem relative to the macrosystem; however, the ambivalence of the macro (especially the Inspectorate) potentially leaks into the meso, as YOT managers are often more concerned by the effects of poor inspection reports than by calls by the YJB towards collaboration [3]. There is

also confusion over the meaning and value of collaboration, which is contested across the various policy documents, strategies and guidance, potentially limiting impact—this echoes the argument in this article regarding the conceptual incoherence of collaboration that then leaks into the microsystem (direct youth justice work with children), causing multiple issues. It is to this that we now turn.

4.3. Child First Collaboration—Microsystem

The microsystem, in this context, refers to those who have direct contact with justice-involved children. In England and Wales, children mainly encounter police, courts, and YOTs (who deliver face-to-face work with them, either because the child has a court order or because they are working with them on a voluntary basis). To facilitate good working relationships, a flexible, non-hierarchical approach is still required, where children are involved in decision-making, including what is expected of them and how any 'intervention' agreed upon will be devised and executed [8]. This is particularly difficult within a criminal justice context, notably because the police and courts are influential and generally work through enforcement rather than collaboration. A child-centred policing strategy was published in 2015 by the National Police Chiefs Council, which includes an emphasis on the active participation of children [44], but initial evidence suggests there is institutional resistance to change [45]. Similarly, Forde and Kilkelly's [46] study into children's experiences of police questioning in the Irish youth justice context uncovered gaps in the understandings of meaningfully acknowledging the participatory rights of children being questioned by police. At the same time, English and Welsh courts are still responding punitively to children, particularly those involved in criminal exploitation who require a more caring response, with Marshall's [47] study even finding criminalisation used as a way of 'safeguarding'. Whilst a rights-respecting approach is necessary both in terms of a legal context and as an ethical imperative, it is proving difficult to implement within these criminal justice settings. This is concerning given findings from the Rights Respecting Group, which examined processes in the UK, Jersey and Ireland, indicating that this environment is likely to induce trauma [48]. This illustrates the necessity of those in positions of power being cognisant of children's needs by being receptive to their concerns, especially about matters of safety and wellbeing.

Evidence from multiple projects based in Wales seems to suggest that the real advancement of collaboration with children has been through YOTs/youth justice services, who work directly with children [29]. Previously, youth justice service professionals were expected to devise and implement interventions as a type of didactic exercise, focusing on teaching children to think about the consequences of their actions and encouraging children to be 'responsible' and manage their 'problematic' or 'risky' behaviours, with supervision being offence- and offender-focused [3,49]. Risk-led practice can marginalise the voice of the child in policy and practice, potentially impeding desistance and inhibiting the prospects of positive outcomes whilst sustaining offending behaviour [7,50]. As alluded to previously, there must be legitimate opportunities offered for children to participate, and decision-making processes should be inclusive and collaborative to maximise the potential for success [21]. This involves paying close attention to addressing unequal power relations by actively recognising the value of children's expertise and forging opportunities to co-create practice. However, to truly advance participatory cultures within organisations and permeate power-sharing arrangements throughout institutions, practitioners need to be transparent about their role and invite children to lead on agenda-setting, relinquish power and become co-facilitators [14,25]. This has been evident across the Greater Manchester Youth Justice Partnership through their participation framework, co-designed with children and guiding decision-making processes across the region [25]. This guidance on the co-creation of practice has impacted policy development and is a clear illustration of how youth justice services can embrace children's voices to enable them to thrive and excel in an environment conducive to the development of knowledge and skills partnerships [6].

A range of research [29,51,52] and new case management guidance for YOTs [40] demonstrates the importance of constructive relationships between children and professionals in youth justice practice, which involves valuing children's knowledge and expertise to ensure meaningful collaboration. Opportunities need to be created for children to occupy some control over agenda-setting and decision-making. If children are not given the time and space to input into the design and delivery of an intervention, its impact is likely to be diminished. However, building collaborative relationships may be difficult when children do not feel their involvement will 'make a difference'. HMIP's thematic inspection of desistance identified that professional/young person partnerships can help to thwart passive compliance by preventing children from adopting disengaged roles, increasing their willingness to engage in processes [53]. A YJB guidance document was clear that children may feel more comfortable and secure communicating with professionals if their workers project empathy and warmth by committing to forming safe and non-judgemental relationships [54]. Therefore, at the microsystem level, relationship-based practice privileging trust, empathy and mutual respect and a strategic commitment to value equal power-sharing opportunities are vital, with reciprocity at the heart of it all [51]. Furthermore, trusting relationships are more likely to be formed when professionals adopt a non-confrontational position and embrace young people's voices. Interventions are much more likely to have a positive impact if there is a bona fide commitment (on both sides) to develop and sustain meaningful relationships [51]. Additionally, effective child–practitioner relations can be a crucial medium through which children are able to express their perspective, be listened to and influence how they are responded to.

At this point, it is important to note that justice-involved children and young people have often experienced multiple adversities and been exposed to unfair treatment or unjust structures [55], which, as McMahon and Jump [56] found in their English study, can impact levels of involvement and the ability to capitalise on 'hooks for change'. For example, Spacey and colleagues [57] found in their London-based study that a significant number of justice-involved children have experienced abuse prior to becoming involved in the justice system, and Creaney's qualitative study [58] identified that justice-involved children are often socially and economically marginalised, with limited access to capital (power), including a lack of financial resources, constraining access to social and leisure opportunities. These negative experiences, combined with a sense of unfairness regarding the fact that they have been bereft of legitimate opportunities for capital accumulation, can impact how they perceive subsequent efforts by professionals to engage them. Children are a vulnerable group and relatively dependent on adults. Whilst it is critical not to underestimate children's own capacity for making decisions, they have distinct needs and may experience difficulties understanding their own emotions or processing the extent and nature of the adversity to which they have been subjected. Some experiences, particularly abuse or illness, may trigger a sense of anxiety and feelings of powerlessness, resulting in children appearing to be unable to cope with the requirements or certain expectations attached to conditions of legal orders [59].

Whilst decision-making processes should not be the preserve of authority figures (adults) but rather a co-produced endeavour, a 'professional as expert' (justified power-holder) mentality may persist, devaluing children's insights and potentially preventing children from imparting their ideas or perspectives [6,23,59]. Thus, to prevent tokenism or harmful practices, it is crucial that professionals reflect upon whether, how or to what extent they see children's knowledge as credible. This may involve *evidencing* their contribution to processes or service development. Crucially, Cross [60] found in her Welsh study that there must be a proactive commitment to facilitate child-friendly spaces, which can help break down power inequalities. As part of this approach, there must be a clear focus on the importance of *working with*, rather than *doing to*, children and young people, and facilitating child-led practice through the development of effective child–practitioner relationships, which enable change or promote desistance by being strengths-based [10,50]. This makes the microsystem of those working directly with children in the YOT vital in facilitating

children's meaningful collaboration, even within court-mandated orders. However, this could be threatened if individual workers find ceding power to children difficult, as in order to nurture effective or impactful practices, professionals need to be able to do this, which we now explore further in the next section.

4.4. Child First Collaboration—The Struggle to Balance Power?

Within youth justice policy and practice, multifaceted influences have an impact on professional 'ways of being' in the field, including structural constraints, affecting the ability of professionals to utilise judgement, past experiences (not least types of '*genesis amnesia*' [61] (p. 79)) and events beyond the reach of conscious memory [62] (p. 74) that continue to sway responses to present situations and future trajectories, perpetuating or altering the status quo. Furthermore, authority figures act in ways that are convenient and devise responses that 'feel' ethically and morally right to them themselves, which likely inhibit opportunities to develop other ways of working [63] (p. 79). Whilst it is possible to uncover ingrained working cultures and detect routine practices that revolve around children being done *to* not *with*, it can be particularly challenging to alter professional thought processes or mindsets concerning responses to children who offend. Professionals may be resistant to proposed changes in how they operate or largely unaware of their harmful practices. In previous research, it has been consistently shown that despite practitioners' and managers' claims of valuing collaborative work with children, they attribute less meaning to it in practice by acting in ways which diminish it (i.e., risk management and punitive strategies from the past) [64].

Even though Child First marks a turning point from the notion of risk, there is evidence of regress in the sense of a 'relapse into the routine' [13] (p. 275). Risk discourses continue to permeate responses to children. More specifically, co-creating with children, or at the very least some form of meaningful engagement within 'high-risk' management processes, seems to be plagued with difficulty, as risk management processes can be difficult to square with a Child First ethos, with its commitment to embracing 'collaboration' as a guiding principle. Viewed critically, the Child First approach may be perceived as a 'branding exercise' [65] (p. 14) as opposed to a strategy for transforming or improving justice for/with children who are labelled 'high risk'. Therefore, with direct youth justice contact work, the label of 'risk' retains prominence and continues to function as an 'instrument of domination' [18] (p. 94), being largely conceptualised by professionals '[often] without argument or scrutiny from the dominated' [61] (p. 170), thus requiring the transformation of vocabulary to allow children to have a more meaningful role in decision-making processes.

Professionals may be unable to appreciate how Child First principles can be implemented within risk management processes due to a public protection agenda, with little input being sought from the child on the effective management of identified 'risks' [66,67]. Public protection-focused priorities tend to diminish the acknowledgement of children as fully fledged members of the public, undermining their human rights and their right to be heard [68] (Article 12). The adult professional is often viewed as the powerholder with responsibility (and authority) for setting the terms of reference for meaningful collaboration. Children adopting a standpoint that conflicts with the status quo can unsettle professionals (and their ability/desire to co-create), with those in positions of power having more of an interest in its continuance, as they tend to benefit from 'business as usual'. Hence, when conceptualising and implementing models of participatory practice with justice-involved children, it is important to be mindful that responses are influenced and governed by adult professionals who come with their embodied knowledge of the youth justice field and social, economic and cultural capital, all of which can impact power dynamics between children and professionals and impede meaningful collaboration across youth justice service design and implementation.

On the other hand, those who have recently entered the field, or those least benefiting from the current arrangements, are most likely to adopt a critical stance or to execute a resistance disposition likened to a heterodox discourse [61]. This can mean that there

are many youth justice professionals who actively resist and/or challenge the status quo, though this comes with its own complexities. Some professionals may feel ambivalent about relinquishing their authoritative status as 'knowers' or 'experts', a challenge difficult to resolve through negotiation or dialogue. Readdressing power imbalances by 'handing over the stick' [69] (p. 2) can be complex, especially when considering that 'those who have power normally want to hang onto it, historically it has had to be wrested by the powerless rather than proffered by the powerful' [31] (p. 222). Therefore, it is incumbent upon *professionals* to advance practice that is compatible with children's priorities and interests. Otherwise, if children feel they will not be listened to, they may adopt a quiet or reserved disposition [29,68], even in situations where they are 'conscious of their subordination' [18] (p. 128). Whilst there can be different motivations and contextual factors for (non-)participation, a compliant or conformist stance may result in children 'observing the formalities of politeness, respect, and expression in general. . . [exercising] a form of censorship' [13] (p. 186), which becomes a barrier to progressive practices, prohibiting a democratic process of co-learning and co-creation. This difficulty can be exacerbated by unequal power dynamics and a lack of opportunity for meaningful conversations with trusted adults, preventing children's knowledge from being utilised.

In a context of adult-centric service delivery, where power imbalances persist, this environment can force children to suppress their feelings or withhold a perspective, making it difficult to progress a co-produced agenda or an approach designed to be relational and collaborative [58]. Therefore, the way in which each child perceives a situation or the options available to them can be influenced by their previous experiences of treatment by professionals and, in a Bourdieusian sense, by processes of socialisation. Furthermore, children may feel unable to express agency or try to transform the balance of power [13] (p. 285) due to being in a mandated structured space wherein professionals wield disproportionate power and influence and are able to accredit or discredit [70,71] due to being '*endowed with symbolic capital*' [20] (p. 93) and also able to devise and execute strategies to '*nullify any resistance*' from below [72] (p. 88). This deprives justice-involved children of capital, resulting in children feeling unable to exercise judgement on the services or interventions they experience. As Bourdieu [13] (p. 337) stated, '*the field will in fact be perceived very differently by different people depending on their habitus*'. Children's dispositions or personality types, including processes of socialisation, will shape their response to professionals in the field. For instance, children may (unconsciously) perceive unequal participation opportunities as legitimate or necessary, possibly due to obedience to the system or being '*inclined to be docile*', being unaware of unfairness and not being able to resist/challenge professional judgments or systems in place. After all, '*invisible actions are the most difficult to fight against*' [13] (pp. 145, 163).

However, it is possible that children notice unfairness and question practice or organisational strategies, perhaps perceiving their voices or perspectives as marginalised in unequal child–adult relations or as a result of real and/or symbolic power battles, especially if responses appear more coercive than supportive [73] (p. 116). Children may then feel unable to share their expertise and become unwilling to challenge the 'authority' of those functioning as 'experts' (who they may perceive as immune to criticism) or query the legitimacy/fairness of professional judgements when decisions are made without (or before) their input. Cultures may appear which discourage children's active participation in certain aspects of agenda-setting, with children often lacking the ability to understand what is required of them, rendering them unable to navigate systems and processes or to take control of their care and supervision, with Fitzsimons and Clark's [74] Scottish study highlighting the particular difficulties of those with communication needs. Children are therefore only likely to express agency, negotiate and/or enter dialogue with 'powerholders' [32] to participate in decisions that concern them and their life when they have positive perceptions of their workers [75] (p. 116); this is why relationship-based practice and an emphasis on an equal partnership have been advocated across participatory approaches,

alongside the Child First ethos of holding adults accountable for how they respond to justice-involved children [10].

Whilst it can be difficult to address the power imbalance given the compulsory nature of justice-based 'support', Child First [1] provides an opportunity to break down these power inequalities through the collaboration principle. An important aspect is viewing children as equal partners in processes which may facilitate them in expressing agency and exerting significant influence over their care and supervision needs and/or contribute to service design and delivery in a co-creative manner. Youth justice practitioners adopt varied roles, including promoting children's welfare needs and rights, but as officers of the court, they could be viewed simultaneously as 'enforcers' (as an agent of the court) and 'enablers' (seeking out and embracing children's views) [76]. Children may perceive the professional as an authority figure who instructs and dictates as opposed to a co-learner or facilitator. Young people may be reluctant to '*speak truth to power*' due to fear of the potential consequences (e.g., returned to court for non-compliance) [49]. Whilst it is critically important to advocate equal relationships, this type of relationship-based practice can be challenging due to the non-voluntary nature of much of the supervision process for children entering the youth justice system. This questions whether there can ever be truly meaningful collaboration in a field with an enduring power struggle between children and adult professionals. If there is, it is often with children who have already served their 'justice'; essentially, participation is therefore reserved for children who behave in a manner congruent with the status quo, therefore necessarily omitting children assessed as 'high-risk' and negating their voice. These difficulties mean that embedding the 'social inclusion' aspect of collaboration in Child First remains one of the biggest challenges.

5. Conclusions: Collaboration Complexities and Challenges

In England and Wales, developing children's collaboration in youth justice processes by embracing and valuing their voices and embedding participatory principles into practice remains a central pillar of the YJB's Child First approach [1]. However, there has been little theoretical analysis or attempts to systematically reflect upon how the 'collaboration' principle is being conceptualised and then embedded into practice. As our analysis has illustrated, children have different, and unequal, opportunities to participate in a criminal justice context which is still somewhat dominated by enforcement and risk management thinking. Although there are many forms of collaboration, from multi-sensory techniques to tokenistic practices where children are denied opportunities to input or asked to endorse a pre-made decision, it can be argued that even with conceptual ambiguity across policy, a defining feature of meaningful collaboration must include the genuine redistribution of power. The model we propose in this paper identifies the various modes of collaboration that could be possible in many youth justice contexts internationally while also theorising the challenges of power through various systemic levels interrelated with the power struggles through interactions between adult professionals and children.

In a Bourdieusian sense, field conditions can create a continued struggle for structural transformation; therefore, it remains necessary and important to share power by working towards developing non-hierarchical spaces, embracing inclusive cultures and giving primacy to the lived experiences of children when making decisions. Whilst there may be many ways to elicit from children their views about their experiences/perspectives, ensuring that they occupy a position whereby they are 'ready to participate' should be a key priority, as indicated in the 'rights and readiness' foundation of participation and co-creation [21]. Children are more likely to take advantage of opportunities to share experiences if mechanisms are in place to ensure access to bespoke support to address their personal needs. There have been many calls for organisations to adopt a rights-respecting approach to how they work with children [46,48], which requires an awareness of the United Nations Convention on the Rights of the Child [68], setting the legal benchmark for children's participation in decision making [77].

Key features of a participatory philosophy include developing effective and reciprocal relationships, negotiating equalised power relations, shared decision making, and securing informed consent, all underpinned by mutual trust. To maximise positive outcomes, bespoke approaches that confront power imbalances by promoting children's rights and facilitating relational responses are fundamental. If children feel powerless to exert agency or choice, without the opportunity to be an equal partner in discussions of their care needs with authority figures, this will hinder their effective engagement. If organisations are too risk-averse and deficit-based, children may disengage in processes or activities entirely due to frustrations about how they are perceived and authority figures loathe to promote participation, showing disinterest in their perspectives. Crucially, children need to 'feel' they have played a part in aspects of the decision-making process, including what is expected of them and how the intervention agreed upon will be devised and executed. One way to nurture practices of this type is to inform children that their perspectives are of value. This includes necessary steps to ensure the voice of the child is front and centre throughout supervision, which the Child First movement in youth justice advocates.

Child First is a principled social justice movement, developed in England and Wales but applicable internationally, which is vociferously opposed to any system that harms or alienates children and at the very least reflects a theoretical commitment to collaboration and the power redistribution necessary to realise it ([31], [78] (p. 223), [79]). When working with justice-involved children, it is vitally important to facilitate opportunities for them to discuss their needs or concerns in a safe and empathetic environment. To realise this, there *has* been an increased focus on collaborative practices, with expectations that justice-involved children are consulted on the nature and content of the interventions and support offered, but in the experience of England and Wales, the uneven application of Child First across the sector has so far watered down the potential for this to be truly transformatory [20]. Looking ahead, Child First-focused youth justice systems must seriously address the uncomfortable issue of power imbalance at all levels (macro-, meso-, micro-), which remains at the heart of the system, despite increasing vogue for participatory and co-creative practices [80].

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Notes

1 The YJB (created through the Crime and Disorder Act 1998) is an executive non-departmental public body responsible for overseeing youth justice, sponsored by the Ministry of Justice.

2 YOTs are multiagency teams (including education, probation, police, social services and health) to deliver youth justice interventions to justice-involved children, established through the Crime and Disorder Act 1998.

3 The YCS is a distinct part of HM Prison and Probation Service responsible for the operational running of public sector custodial institutions for children; it was established in 2017.

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