

Stephen Collins & David Behan

**SOCIAL WORK WITH
YOUNG OFFENDERS**

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Stephen Collins

David Behan

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For Alison Attenborough and Alison Connell

‘Turn over the living book of the world instead of dead papers.’ *Comenius*.

‘Many more people fall in love than commit murder.’ *Dickens*.

‘Talk: as if that would mend matters.’ *Joyce*.

Preface

Social work is probably unique in the range of its difficulty. Working with a single client can involve both moral problems of crucial but impenetrable obscurity, and the more tangible but no less awesome problem of dealing with his aggressive dog. In recent years the literature of social work has tended to become divided into two distinct traditions according to whether it is concerned with the moral conundrums or dealing with the dog – although dogs and television and dirty teacups tend to be ignored even in the most practical handbooks. Both traditions are important, because the doorstep activities of social work are undeniably, perhaps impossibly, difficult, and the nature of social work, its purposes and the moral paradoxes it embodies, is an intimate feature of the practical difficulty. However each tradition of social work writing is incomplete on its own, and the practising social worker is left to make his own synthesis – or, to use the word so beloved of social work theorists, ‘integrations’.

This book is an attempt to bring together these two traditions, the practical and the theoretical, and this is its justification for adding another burden to the sagging shelves of books on social work and on young offenders. We have tried to produce a book that is not a manual on how to do a job but which recognises that there is a job to be done, and which also recognises that the technical procedures of social work are fashioned and distorted by issues of justice and personal freedom as well as by the requirements of courts and employers. We do not claim to have cracked the moral conundrums nor to have defined a correct practice, and the book is neither a work of philosophy nor a child’s guide to doing social work. However, we hope that the beginner, and perhaps the older hand, will find some advice on how the job might be done and some identification of both the practical and the more abstract issues.

There are no case-studies, but a few anecdotes and the occasional joke. Social work is a deeply serious business but it is certainly not a solemn one, and in preferring fragments from

our experience to detailed analyses of cases we are intending to acknowledge both the idiosyncratic nature of a job that can have no orthodoxy, and the comedy to be found in many of the direst human problems. We have enjoyed doing social work – rather more than writing about it – and although it is an impossibly difficult task it is certainly not a joyless one.

On usage, we have assumed that both social worker and client are male, and have almost invariably used the masculine pronoun. We defend this in chapter 1, and there is no disparagement of women implied by the practice. We use the term 'client' because we cannot think of a better one; we dislike the connotations of deference to an expert implicit in the word, but the alternatives seem innacurate or even more arch. We use the term 'social workers' loosely, intending it to include probation officers. It will be clear from the first chapter, however, that we have nothing to say about residential work and so residential workers will no doubt object to our use of the term 'social worker' to mean exclusively field workers.

We are very grateful to innumerable people for what they have contributed to this book and for their kindness to us. The first and greatest obligation is the most diffuse: it is to the young offenders with whom we have worked and who have taught us so much and been such a pleasure to have known. Their wisdom and creativity and tolerance are what this book is celebrating – excluding, of course, the ones who stole our spare wheels, clothes and television sets. We have learned nearly as much from colleagues and students, and we ask for their forbearance if they find their ideas unacknowledged in this book; we do not intend to plagiarise but their contribution is indefinable and usually unidentifiable. A more ambiguous gratitude is due to a number of northern breweries, in particular Tetley's of Leeds and Thwaites' of Blackburn, without whose admirable products this book would probably never have been started and undoubtedly finished much sooner.

Veronica McGuiness imposed order on the chaos of first drafts and we are grateful for her courage and skill in finding her way through the mess. Our own typing attempts yielded mostly broken finger-nails, and we therefore greatly appreciate the work of Sue Moody and Lesley Reed who did the final version so quickly and so competently. Finally we are particularly indebted to the friends and colleagues who read all or some of the book in draft and gave us helpful and thoughtful advice: John Gilbert Allott, Don Glen, Stephen Hargraves

and Trevor Lindsey. We have sometimes ignored their opinions, so surviving mistakes and crassness of judgment are not their responsibility.

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Contents

Preface vii

1	Introductory	1
	What this book is about	1
	General assumptions	3
	Definition and limitations	9
	The purposes of social work with young offenders	11
2	Assessment	18
	The nature of assessment	18
	The legal and judicial contexts of assessment	22
	Methods of assessment	28
	The criteria of assessment	37
	Conclusion	47
3	Working through individual relationships	49
	Establishing the relationship	49
	The components of a productive relationship	53
	Style and nature of social work relationships	71
4	Working through groups	76
	Lures and pitfalls	76
	Definition and classification	79
	The purposes of groupwork	81
	Setting up a group	95
	The group at work	99
	A chart matching purpose with method	104
	Closing the group	104
5	The family	107
	The family and delinquency	107
	Strategies: assessing the contribution	113

Strategies: the client away from home	116
Strategies: the client at home	122
The practicalities of working with families	128
Contact with other agencies	131
<i>Suggestions for further reading</i>	135
<i>List of bibliographical references</i>	140
<i>Index</i>	145

I **Introductory**

What this book is about

Social work is above all something that people do, but it is not mere unreflective action more affected by the weather than by ideas. There is certainly a widespread suspicion of theory among social workers and an impatience with the kind of writing that appears to them to have no connection with the real world, but despite their sometimes justified distaste for a lot of what is written about social work, most social workers are thoughtful people whose job is done in the light of careful consideration and a constant preoccupation with ideas and issues. This book is an attempt to offer people in this serious and thoughtful tradition some food for thought as they go about their business on foggy winter evenings, in cheerless housing-estates, in courts, among the typewriters and telephones of their offices, in church halls, on mountain sides and in all the numberless places and circumstances in which people do social work. We make no pretence to judicious objectivity, not because we do not think that objectivity is an important quality but because social work is a unique blend of thought and feeling that every individual must evolve for himself, so it is accordingly misleading to give the impression that there is a correct way of doing things based on scientific considerations. What we have to say is partly the fruit of our own experience and thought, but more importantly of the accumulated wisdom and expertise of innumerable social workers over many generations; their wisdom is primarily verbal, in the sense that they are usually more ready to talk about it than to write it down, and our use of it undoubtedly impairs its richness, but when we say something sensible it will probably be a whisper from this aggregation of experience. This respect for the traditions of social work can be overdone and the traditions themselves sometimes need challenging, and this we attempt to do, perhaps with more respect than our tone might seem to imply. Moreover, the wisdom of social work is not a static or finished thing: elusive qualities like flair and intuition are what distinguishes a good social worker and such qualities are more likely to be developed by an honest acknowledgment of the idiosyncratic nature of the job than by believing that

there is any orthodox correctness to be effortlessly learned or that the profession's ideas and habits may not be questioned.

We concentrate on face to face dealings with young offenders and not on issues of policy and management, but it goes without saying that these are a crucial context to the direct dealings with clients, and it would be pointless to talk as if there existed some pure form of practice uncontaminated by the need to recognise pressures from professional superiors and the wishes of employers, and, especially in dealing with young offenders, the status of one's work as part of the penal system. Being part of the penal system imposes serious constraints on what can be attempted, and it is easy enough to imagine schemes for working with young offenders that would lead the local magistrates to conclude that you had taken leave of your senses. Magistrates often have direct powers of supervision over social work with young offenders, particularly when the clients are those of the probation service, and they are rightly conscious of their status as embodiments of public opinion, and among the general public juvenile delinquents are not popular favourites. Most tangibly these constraints will be experienced in the operation of a tariff system in sentencing which will have the effect of distorting many professional judgments, and we shall return to this point in the next chapter, but there are other restrictions imposed by a client's relationship with the court. It is, for example, common for social workers in other contexts to turn a blind eye to some aspects of a client's behaviour provided they are not obviously criminal, because what they are trying to do with a client is not concerned with, say, a certain dilatoriness in sending children to school or a close friendship between recipients of supplementary benefit which would be seen as cohabitation by DHSS officials if they got to hear of it. With offenders the focus of work has always to be decided with an eye to the fact that an offence has been committed, so such behaviour at the legal margin cannot simply be ignored – though as we shall have cause to comment at several points throughout this book, it is very much easier to identify such principles than to know what to do about them in practice.

Because this book is about doing social work we neglect many theoretical issues, notably criminology. Why people take to crime is obviously of central interest to anyone who works with offenders, but social work is not just applied criminology – or applied anything else – but something with its own traditions and knowledge, its own characteristic ways of thought and its own experience. Concentrating on these, rather than on the theoretical yields from other disciplines, makes sense at a time when the conclusions of these disciplines remain tentative but when the necessity of doing something creative with young offenders is increasingly peremptory. Social work is an instrument of social policy in that it is something

that legislators use when they are making legal and penal provisions, and this means that social workers have perforce to act before a full understanding of the problems that they are set on to solve is available, and in the process they inevitably acquire insights and experience which are uniquely immediate and certainly as relevant as purely academic information. Our aim in this book is to try to identify some of this firsthand knowledge, patchy and distorted as it inevitably often is, rather than to borrow from other disciplines.

General assumptions

Although we hope that this book will provide a focus of thought for experienced social workers, perhaps a series of seminars for people who want to reconsider their habits and ideas, it was conceived and written primarily for social workers without a lot of experience with young offenders, so it is necessary to start by acknowledging that much of what we have to say is unorthodox and often actively contentious, and to define our assumptions in order to give the reader a yardstick by which to measure our arguments. It probably does not follow that a reader will find all our ideas nonsensical or valueless because he does not accept our assumptions, but it would presumably give him pause before enthusiastically enacting our advice, and by the same token we should also caution against an uncritical acceptance of everything in the book simply because a reader happens to share our assumptions. We are, to repeat, concerned to encourage thoughtful practice rather than to offer a handbook on how to do the job. Throughout the book we take for granted the following five points.

1. Crime is inexpedient behaviour. It leads to misery and wasted lives, and though it may have the attractions of excitement or other gratifications, the cost to the offender becomes progressively higher – assuming, of course, that he is caught. With each successive conviction the difficulty of abandoning a criminal career increases and the misery of the consequences deepens. For this reason social work with young offenders and the curtailment of delinquent careers have purely human, as against legal and moral, connotations. This is not to say that crime has no moral dimension: we have both been burgled, and as well as leading to a notable modification to our cordial views about young offenders, this gave us some glimpses of the consequences of crime on its victims and into the limitations of conceiving it in terms only of what happens to its perpetrators. Nevertheless in simple human ways the consequences to an offender of continuing to commit offences are not justifiable, and the wisdom of changing his ways is evident in terms of crude self-interest as well as in moral terms. It is, of course, an exaggeration to see an episode of youthful skylarking as the prelude to a life of crime or one behind

bars, but it is equally misjudged to see such behaviour as necessarily insignificant, for court appearances build up a momentum that at some point comes to seem unstoppable, so the earlier an individual leaves the process the better.

2. Related to this assumption about the inexpedient nature of crime is the rather less obvious assumption that young offenders are best dealt with outside institutions. This is in part a statement of prejudice about the importance of families, a prejudice which we analyse in chapter 5, but also an estimate about the contribution of residential establishments to the accumulation of delinquency. Much skilful and conscientious work is done with offenders in community schools, borstals and hostels and it would be impertinent and false to deny it and to see such places as necessarily or invariably undesirable, but there seems little doubt that once a person has been to such an institution his chances of resuming his delinquent career are enhanced. The reason why the failure rate of such institutions is so high is largely that people only go to them when they have been tried with other penal measures without success, so residential establishments are getting the least promising material, everybody else's failures. Nevertheless, it seems probable that people who go into institutions are going to have their capacity for autonomous behaviour eroded by the pressures to conform and by the absence of real choices. Moreover, removing someone from his home neighbourhood creates as many problems as it solves, since difficulty in settling back when he comes home is almost guaranteed because he will have had old friendships and relationships destroyed by absence, and will have inevitable emotional problems caused by regret at losing the new friends he has made in the residential establishment. Finally, though the idea of penal institutions as universities of crime is mainly a rhetorical fiction of the sensational press, lodged within it is the substantial point that in such places crime is likely to be talked about as something exciting and glamorous rather than as ultimately self-destructive, and this may affect the clearheadedness with which an offender appraises his delinquent career.

The practical consequences of such a preference for non-custodial ways of working with young offenders are marginal because courts increase the severity of their sanctions with each successive appearance and there is not much that a social worker can do to stop the process, but any assumption that there is a case for residential care before the tariff requires it – because, for example, home conditions are so bad or because the way an offender likes to live seems so unpromising – needs very careful interrogation. It is a paradox that a young person can be removed from home by a court for something such as truancy which is not even criminal in an adult, and it would

be wrong for social workers to react uncritically when faced with this paradox. When a young person apparently does need removing from home for his own good, as against what the court senses is a fitting penalty for what he has done, a social worker operating under the assumption that we have made would need to explore the alternatives very carefully before recommending that the offender be sent to an institution, and the fact that alternatives like specialised foster-parents or sympathetic friends and relations are often not available would not by itself be a fair or adequate reason to connive at committing an offender to an institution when such a disposal would clearly be a disproportionate sentence for a similarly placed adult.

3. Because social workers may see more clearly than their charges the ultimately painful human consequences of continuing to empty the shelves of the local supermarkets or to embellish the urban landscape with spray-paint, it is tempting to forget that there are other issues at stake and that not anything is acceptable in trying to save someone from a life of crime. It is not inconceivable, for example, that lying to a client might be productive – perhaps exaggerating the likely outcome of a court appearance so that the client would be hugely relieved to get a lesser sentence and so grateful to the social worker who was seemingly instrumental in bringing it about that he would be minded to be highly co-operative in their future dealings. In this example it would not be legitimate to use such means to secure the client's co-operation, no matter how desirable that co-operation might seem. Such behaviour is incompatible with the respect for the client which is the moral basis of social work, it is a travesty of civilised personal relationships and a ludicrous basis for working towards better standards of honesty with the client (and at the level of elementary pragmatism it is likely to be counterproductive when the client finds out how he has been misled). We take it as axiomatic that all dealings with clients are as far as possible contractual, that is to say that they are carried out on the basis of complete frankness about what the social worker intends to do and of the client's understanding of what this is and his assent to it. The limitation 'as far as possible' is not a licence to mitigate this very difficult undertaking but a recognition that there may be things going on which both parties may be unaware of, particularly emotional interactions that they fail to recognise, and that the inherent power structure within social work relationships means that clients will often agree to things that they would prefer not to happen. In addition, clients will sometimes fail to understand what is being explained to them but be unable to say so, and other clients will be so relieved at not going to borstal or worse that they will be minded to agree to anything that is put to them. Such acquiescence amounts to a decision made under duress, and social workers need

to be as conscious as they can of the real rather than the supposed nature of the contract.

Making your intentions clear can eliminate the possibility of certain types of work. We shall periodically return to this point, but, as an example, if a social worker thinks that a client's behaviour is the result of feeling unloved and decides to rectify the matter by offering the client affection, he would spoil the effect by explaining what he was doing since the client would then realise that he was not being loved for himself, which presumably is what he is missing, but for abstract professional reasons, with the likely outcome that the project of putting right his sense of being unloved would not get very far. In this instance there would be little lost since it is invariably beyond the scope of a social work relationship to supply life's fundamental omissions, but the example nevertheless illustrates the possible difficulties of working with a contract. There are, however, two solid practical advantages to set against such problems: the first is that the presence of a contract goes a long way towards ensuring that work targets are feasible and not largely fanciful, since they have to be identified and explained to someone who is unfamiliar with social work's terminology and theories, and who could be expected to look a bit askance at schemes for his welfare based on elaborate calculations about the state of his mental health. To tell the average teenager that his behaviour is the result of a failure of early nurturing experiences would most likely lead to a look of glassy incomprehension or to the nervous grin of someone humouring a dangerous imbecile. To suggest that his problem might have to do with a lack of self-confidence which causes him to become embroiled in group escapades which he subsequently regrets is not only more comprehensible but also entails the possibility of a method of working with him which is plausible because relatively unambitious and capable of being understood and agreed to by the client. (It is worth commenting in passing that unconfident young people often get involved in behaviour that ostensibly self-confident adults would be far too frightened to go anywhere near.) The second practical advantage of a contract is that treating people as rational beings is in itself a means of securing rational behaviour, whereas to treat them as self-deluded children is a pretty sure way of getting them to act the part and behave like deluded children. Making a contract requires a level of respect for a client's capabilities that is at once a promising basis for work and a tribute to his humanity, though it does not imply that clients invariably behave in sensible or rational ways, nor that they will necessarily react appropriately to such treatment; but there is no other way to approach them that has both a prospect of success and a sound moral basis.

It could be objected that many young offenders are so young that they *are* children, and that accordingly it makes little sense to try to

treat them as adults and to get involved with the type of contract we are advocating. But the more young offenders are treated as if they are irrationally in the grip of outside forces, the more liable they are to be dealt with in ways that are also irrational – such as regarding as criminal things that are not so for older people. In any case, the tariff operates almost irrespective of age, so a 14-year old in court is in as serious a predicament as any adult, which makes it pointless to treat him as if he were not *really* culpable when his intentions and autonomy will come to be taken for granted if he makes a practice of appearing in court. And, finally, experience suggests that young people have a much clearer understanding of matters than most adults assume, and respond positively to treatment that does not presume their childishness: it is part of social work's traditional belief that people are the victims of their circumstances, but though they commonly are, it does not mean that young people have no choices or understanding, nor that they are incapable of any behaviour except the enactment of environmental and family imperatives.

The practical advantages of making an explicit agreement with a client are no more than a buttress to the more fundamental points that clients are human beings before they are clients and that only a respectful treatment of people is compatible with doing social work. As a person progresses through the penal system he is at each stage stripped of more of his humanity; he becomes known by a number rather than by a name, he is deprived of fundamental choices of what to wear and when to go to the lavatory, and in some extreme cases is given medicine to induce a bovine docility. It is no business of social workers to be involved in such a process, and the careful and explicit discussion with the client about how the social worker sees things, how he proposes to go about what he intends to do, and the sincere canvassing of the client's opinions during this discussion, are the best way to ensure a proper respect for the client's humanity. This is, to be sure, a counsel of perfection, and the practice is very much harder than the precept; we shall discuss the practicalities of making contracts at various points within the book, but at the preliminary stage it is the assumption that it is invariably correct to work with a contract that we are concerned to identify.

4. The presumption that a client is entitled to respect because he is human and that he has rights which transcend his status as a client has connotations for every detail of doing social work, and in particular entails treating clients in ways that are compatible with natural justice: because social work has a place in the judicial system and because of this insistence on the client's humanity, social workers have constantly to be preoccupied with the justice of what they are doing. It is easy to pose the arguments about justice and