

CONSTRUCTING RISKY IDENTITIES

IN POLICY AND PRACTICE

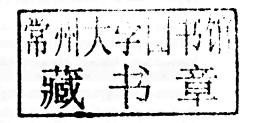
EDITED BY JEREMY KEARNEY AND CATHERINE DONOVAN



Constructing Risky Identities in Policy and Practice

Edited by

Jeremy Kearney and Catherine Donovan University of Sunderland, UK



palgrave



Selection, introduction, conclusion and editorial matter © Jeremy Kearney and Catherine Donovan 2013
Individual chapters © Respective authors 2013

All rights reserved. No reproduction, copy or transmission of this publication may be made without written permission.

No portion of this publication may be reproduced, copied or transmitted save with written permission or in accordance with the provisions of the Copyright, Designs and Patents Act 1988, or under the terms of any licence permitting limited copying issued by the Copyright Licensing Agency, Saffron House, 6–10 Kirby Street, London EC1N 8TS.

Any person who does any unauthorized act in relation to this publication may be liable to criminal prosecution and civil claims for damages.

The authors have asserted their rights to be identified as the authors of this work in accordance with the Copyright, Designs and Patents Act 1988.

First published 2013 by PALGRAVE MACMILLAN

Palgrave Macmillan in the UK is an imprint of Macmillan Publishers Limited, registered in England, company number 785998, of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan in the US is a division of St Martin's Press LLC, 175 Fifth Avenue, New York, NY 10010.

Palgrave Macmillan is the global academic imprint of the above companies and has companies and representatives throughout the world.

Palgrave® and Macmillan® are registered trademarks in the United States, the United Kingdom, Europe and other countries.

ISBN 978-1-137-27607-0

This book is printed on paper suitable for recycling and made from fully managed and sustained forest sources. Logging, pulping and manufacturing processes are expected to conform to the environmental regulations of the country of origin.

 $\ensuremath{\mathsf{A}}$ catalogue record for this book is available from the British Library.

A catalog record for this book is available from the Library of Congress.

Typeset by MPS Limited, Chennai, India.

Acknowledgements

This book developed from a series of seminars run by the Equalities and Social Justice research group within the Centre for Children, Young People and Families at the University of Sunderland. The editors would like to acknowledge those who attended and participated in the seminar series; the authors, our colleagues, for their commitment to this project, particularly Peter Rushton for his continual good advice and practical support; and Paula Willerton for her invaluable editorial assistance with the typescripts.

With special thanks to Jackie and Melissa.

Notes on Contributors

Nicola Ballantyne is Senior Lecturer in Criminology at the University of Sunderland. Her key areas of expertise are gendered interpersonal violence and criminal justice with a specific focus on the probation service. She has conducted research on perpetrator programmes for convicted offenders of domestic violence and abuse. She has a number of years experience in the field as a probation practitioner.

Rick Bowler is Senior Lecturer in Community and Youth Work at the University of Sunderland. He is past chair of Young Asian Voices youth project and a current member of the Board of Directors of the regional refugee service. His research interests are 'race' and youth-work practice and education. He is currently researching issues of critical anti-racist youth-work practice in the North East of England.

John Clayton is Senior Lecturer in Sociology and Social Policy in the Department of Social Sciences at the University of Sunderland. He is interested in and has published on social and cultural geography, sociology and social policy, particularly around the themes of identity, and socio-spatial and educational exclusion.

Catherine Donovan is Professor of Social Relations in the Department of Social Sciences at the University of Sunderland. She has published extensively in the areas of same-sex intimacy, parenting and families. She is co-author of Same Sex Intimacies: Families of Choice and Other Life Experiments (2001) with Jeffrey Weeks and Brian Heaphy. More recently she has developed an interest and expertise in domestic violence and abuse within same-sex and/or transgender communities.

Jeremy Kearney is Principal Lecturer in Social Work at the University of Sunderland. His research interests are in the theory/practice relationship in social work, childcare and child protection, and mental health, and he has published widely in these areas. He has also carried out major comparative research with the University of Gothenburg on ideas and practices of fatherhood in England and Sweden. His current research is on risk and surveillance in social work.

Stephen J. Macdonald is Senior Lecturer in Criminology at the University of Sunderland. He has published widely in the area of learning difficulties

and his research interests are in the areas of learning difficulties, social exclusion, criminalisation and victimisation. His theoretical interests are in disability studies, criminology and medical sociology.

Jacqueline Merchant is Senior Lecturer in Social Policy at the University of Sunderland. She has published previously in the area of substance use and young people, edited a book on the role of health promotion for sport and physical activity and more recently been involved in research in the North East of England on the impact of the government austerity cuts.

Sheila Quaid is Senior Lecturer in Sociology at the University of Sunderland. Her research and teaching is mainly in the areas of gender, sexuality and family studies. She has edited and contributed to Home Truths about Domestic Violence (2000) with Jalna Hanmer, Catherine Itzin and Debra Wigglesworth. She is currently developing research on civil partnerships, same-sex marriages and their impact on perceptions of kinship.

Peter Rushton is Professor of Historical Sociology at the University of Sunderland. His research is in the history of English law and society, focussing on witchcraft, marriage, the poor law, and the treatment of the mentally ill and disabled. With Gwenda Morgan he has published studies of 18th-century crime in NE England; the transportation of criminals to the American colonies; and the banishment of rebels, slaves and dissidents in the early Atlantic world.

Contents

Ac	knowledgements	vii	
Notes on Contributors		viii	
1	Introduction: Identities, Individuals and Theories of Risk Jeremy Kearney and Catherine Donovan	1	
Pa	rt I Constructing Risky Identities		
2	Risk, Identities and Recognition: A History of Dangerous Categories and Categories of Danger Peter Rushton	21	
3	Risky Populations and Risky Identities: The Regulation of Trust and Relationships between Adults and Children Jeremy Kearney	38	
4	The Right to be Labelled: From Risk to Rights for Pupils with Dyslexia in 'Special Needs' Education Stephen J. Macdonald	55	
5	Lesbian Mothering and Risky Choices: 'Dangerous' New Forms of Love and Kinship Sheila Quaid	73	
6	Troubled Youth: Risk, Individualisation and Social Structure Jacqueline Merchant	91	
Part II Constructing Risky and 'At Risk' Individuals			
7	Redefining Domestic Violence and Abuse: Unintended Consequences of Risk Assessment Catherine Donovan	109	
8	Technologies of Power? Constructing Digital Exclusion, Risk and Responsibility John Clayton	127	
9	The Risky Business of Challenging Risk: Youth Work and Young People through the Lens of 'Race' Rick Bowler	146	

vi Contents

10	Probation and Risk: The Paradox of 'Rehabilitating'	
	Intimately Violent Men Nicola Ballantyne	163
11	Conclusion: Reflections on Risk, Identity and the State Catherine Donovan and Jeremy Kearney	181
Ind	lex	187

1

Introduction: Identities, Individuals and Theories of Risk

Jeremy Kearney and Catherine Donovan

Risk is now a well-established and critical area of debate in modern society and one that impinges on people both at the political and cultural level, and also at the level of how they live their own day-to-day lives (Lupton, 1999; Mythen and Walklate, 2006; Zinn, 2008). Whether it is, on the one hand, hearing experts debate the dangers posed by environmental disasters, violent conflicts between nations or economic meltdown, or on the other, making decisions about managing their own lifestyle, health and personal relationships, individuals are faced with multiple anxieties and uncertainties about how they should and could live their lives in safety, health and economic independence. In fact Denney argues that 'risk has come to dominate individual and collective consciousness in the 21st century' (2005, p. 1).

Allied to the centrality of risk as a way of making sense of our lives is the belief that individuals now need to be responsible for how they manage risk for themselves. Indeed it could be argued that the 'good citizen' is now not only expected to act in ways that demonstrate an awareness of the need for a 'culture of safety', as Furedi (1997) has described it, but also of individual autonomy. In the context of the current neoliberal political and ideological framework in the UK which seeks to reduce the role of the state and increase the privatisation of social welfare delivery, the rhetoric of risk has been very useful in promoting the primacy of the individual, both in making choices about their own lives, and in taking responsibility for themselves.

This book seeks to explore the relationship between such a use of risk discourse, with its emphasis on individual and professional responsibility, and the impact this has on people's social and occupational identities and practices across a range of social policy areas, including family relationships, domestic violence, health and young people, social exclusion,

social work and youth work. Drawing on the range of theoretical frameworks that now exist in relation to risk analysis, the aim of the book is to explore the effects of these frameworks for current social welfare policy and practice. Heyman et al. (2010) use the concept of the 'lens of risk' to describe a way of looking at phenomena by which policymakers, professional disciplines and practitioners interpret the world and decide on courses of action. However, they also argue that the risk perspective not only changes the phenomena under consideration and can also create new risks, but it can often designate whole classes of people as potentially risky, by constructing risky identities. Furthermore, drawing on the work of Power (2007), they contend that 'risk thinking has increasingly shifted from the science of risk analysis itself, and its epistemological debates, to the organisational systems in which it is embedded' (2010, p. 5, original emphasis). The growth of formal governance systems, in both health care and social welfare settings, is a clear example of this. Therefore the focus of this book is on policy initiatives and organisational structures in social welfare settings as sites where the risk perspective is located and implemented and the chapters look to analyse the implications for both individual and group identities and practice outcomes.

Neoliberalism, risk and the state

One very important context for this book is the rise of neoliberalism as the dominant form of governance in the Western world and its relationship to risk. In fact, as Webb suggests, neoliberalism can be seen as 'the political programme of risk society' (2006, p. 38). With its allegiance to the market, competition and economic rationality, neoliberalism focuses on the welfare state as a key site of economic management. In the effort to control both excess and deficiencies in individual behaviour, the neoliberal state has to balance an emphasis on individual choice and responsibility with managing those who are, in its view, deviant or excessive (Webb, 2006). In this context, while most adults are regarded as responsible for managing their own risks, there remain those who need to be managed, either because they are 'at risk' (for example, children and vulnerable adults) or they are 'risky' (for example, paedophiles, offenders or potentially violent mental health patients). Harvey describes the complementary nature of these two aspects of neoliberalism when he says that it is an approach that

proposes that human well-being can best be advanced by liberating individual entrepreneurial freedom characterised by strong property

rights, free markets and free trade ... The role of the state is to create and preserve an institutional framework appropriate to such practices.

(2005, p. 2)

State regulation is needed to make sure that the conditions exist for expanding the market, competition and individual choice. As Garrett emphasises, the aim of the neoliberal state is to introduce these processes into areas which were 'previously perceived to be beyond the reach of competition and commodification' (2009, p. 14). Consequently, fundamental services such as the NHS, prisons and probation, personal social services and all forms of education are now seen as potentially open to private, profit-making providers. The dismantling of the welfare state has led to the retraction of socialised forms of governance based on entitlement that formed the basis of the post-war settlement. In its place, the emphasis on individualised risk and responsibility is now the dominant aspect of risk society.

This emphasis on risk as being part of the nature of modern society means that, in many situations, the responsibility to avoid harmful outcomes (whether likely or not) is now regarded as a more important aspect of citizenship than people's rights to equal treatment, privacy, independence and dissent. Consequently, the state can argue against the provision of universal services on the basis that individual citizens are free to make their own choices and take responsibility for their own lives but, at the same time, it can intervene directly to place restrictions on people's liberties because a few individuals might act in dangerous or 'risky' ways. Examples of such interventions can be seen in the use of control orders to restrict the movements of suspected terrorists, the collection and sharing of email and telephone information across national boundaries, DNA databases made up of people who have committed no crime, monitoring relationships between adults and children via Criminal Record Bureau checks and many other similar procedures. What Steiker (1998) has described as 'the preventive state' has now become the most important mode for trying to control future risks in people's lives.

A major consequence of this greater intervention by the state is that anxiety about risk has led to the creation of certain types of identities as a means by which the potential risks to, or the safety of, groups (and even populations) are monitored and managed. Many kinds of restrictions on travel and movement have to be accepted to avoid the label of 'terrorist' and changes to the nature of relationships between adults

and children are justified on the basis that any adult may be a potential 'paedophile'. Similarly, identity and/or behaviour constructions such as 'normal', 'high risk' and 'socially excluded' are seen as either inside or outside potentially risky boundaries. As Lupton argues, 'Risk selection and the activities associated with the management of risk, are central to ordering, function, and individual and cultural identity' (1999, p. 14).

Predicting and preventing future harm

Heyman et al. (2010) reflect on the use of the notion of the 'lens of risk' as being the way in which many now interpret people's current action, as well as potential future behaviour. Actions that might before have been seen as an appropriate stage in a child's development (for example, going to school on their own) or as encouraging the development of personal independence (such as a person with learning disabilities beginning a relationship) are now often seen in terms of their potential negative consequences. As a result, those in relationships of care, either in family relationships as parents or professional relationships as care workers or social workers, have to balance their parental or professional judgement as to what is beneficial to the person cared for with concerns about issues of safety and risk. In addition, they need to bear in mind the potential public response to the outcomes of their decisions, particularly if things go wrong. It has been argued that this can lead to a more a defensive approach to working with services users, especially in areas of public concern, such as child protection and mental health (Kemshall, 2002; Heyman et al., 2010).

Thus the prediction of future risk has become central to the political project of reducing the role of the state through the discourse of prevention in areas like domestic violence and abuse, social exclusion or living with a 'deficit' from what is considered the norm of family life. This is what Alaszewski and Burgess (2007) have described as the 'precautionary approach'. Because of the speed of change and technological advance in modern society, what happened in the past is no longer regarded as a reliable predictor of future outcomes. The future is uncertain. Therefore one must act in a 'precautionary' way in the present, in case there might be a risk of bad outcomes in the future. Although, at the present time, there is no clear evidence of the risk to humans of living near mobile phone masts or eating genetically modified food, people still refuse to do so in case evidence might appear in the future. Therefore, not only has risk thinking become central as a means of allocating blame to those who it is felt acted inappropriately in the past, but it also constrains

behaviour in the present in order to prevent bad outcomes happening in an uncertain future. The implications of this are not only for the individuals concerned but also for social welfare practitioners and professions whose practice is being (re)shaped by the risk agenda in ways that are fundamentally challenging their occupational philosophies. They are required to be risk averse with everyone for fear that particular cases might have bad outcomes. Values such as user choice and empowerment are lost in anxiety about an uncertain future.

The background context of risk

In order to understand the concepts of risk discussed in this book it is useful to briefly review the historical context from which the original notion of risk emerged. As illustrated by Hacking (1990) and Bernstein (1996), while the notion of risk has been around for a long time, what is meant and understood by the word has changed greatly over the years. In pre-Renaissance thought life was full of hazards and dangers but these were external and out of people's control. Natural disasters and personal tragedies were the result of fate, chance or the will of the gods (Green, 1997). Drawing on Luhmann (1993) and Ewald's (1986) work, Zinn says that the notion of risk developed in the late Middle Ages in relation to maritime trading when 'traders stuck together in order to manage the always acute risk of losing one or more ships' (2008, p. 9). In other words, potential losses were being managed by a form of insurance. Wilkinson suggests that as the concept of insurance developed 'risk features as an abstract, transferable, symbolic representation of people's confidence in their ability to understand and manage the hazards of contingency' (2010, p. 17). However, with the rise of a modern, scientific discourse, a more actuarial, insurance-based approach to the possibility of loss arose and the use of mathematical models to predict the probability of possible outcomes developed (Green, 1987). This then led to the 'science of the state' or statistics, which were used to analyse all aspects of managing populations. Such a modernist approach to risk emphasised the role of human agency and the belief that concepts of rationality, measurement and calculation enabled the prediction of possible outcomes, so that they could be prevented or allowed for (Lupton, 1999). The modernist agenda created what Reddy (1996) calls the 'myth of calculability' by removing uncertainty and replacing it with the predictability of risk.

These ideas of rationality and calculability in relation to risk have been challenged by writers like Ulrich Beck (1992, 1994, 2000) and Anthony Giddens (1991, 1998). Beck's concept of the 'risk society' proposes that contemporary society is, in itself, 'risky' and that people now have to deal with 'the hazards and insecurities induced and introduced by modernisation itself' (Beck, 1992, p. 21). Threats such as global warming, climate change, unemployment and poverty have been created by the very effort of modernisation. The 'risk society' is characterised by unintended consequences and is a world in which greater knowledge does not ease this state of affairs but instead often leads to greater uncertainty. Anthony Giddens (1998) also talks about a world that is affected by internally produced or manufactured risks, in contrast to the external risks of the natural world. He has described the risk society as a 'society ... preoccupied with the future (and also with safety), which generates the notion of risk' (1998, p. 27).

Beck and Giddens come to not dissimilar conclusions about late modernity: that there is a shift to greater reliance on the self and the self-made biography and at the same time a decrease in confidence in experts (see Heaphy, 2007). While Beck takes a more negative view of these developments (such as individualisation, fragmentation of family and community and social networks), Giddens argues that there are positives to be had in the resulting reflexivity of individuals, groups and societies about their identities, behaviours, and relationships. His discussion about experiments in living and the transformation of intimacy points to the democratisation of interpersonal relationships as an advancement for living lives fully owned and embodied (Giddens, 1992). Regardless of whether a preoccupation with risk might have positive or negative outcomes, on the whole it is evident that it does have important consequences and the contributions to this collection consider some of them.

Frameworks for analysing risk

The shift from a modernist view of risk as calculable probability to the late modern perspective of life and society as inherently risky and uncertain described previously contains within it a number of different theoretical positions that are discussed in the chapters that follow. The authors engage with these frameworks in a variety of different ways, utilising them as analytical perspectives to discuss and critique their impact and influence on social welfare policy and practice. For clarity, a common way to locate the different theoretical standpoints in relation to risk is to discuss each one in relation to its epistemological foundation and to place them on what Zinn describes as a continuum

between 'pure realist and radical constructivist positions' (2008, p. 172). At one end of this continuum, risk can be seen from a realist or technoscientific perspective, which regards risks as objective realities and where the scientific task is to estimate the probability of their occurrence so as to either avoid them or allow for their effects. While at the other end. risk is seen as socially constructed and, as Lupton (1999, p. 29) puts it, 'all knowledge about risk is bound to the socio-cultural contexts in which this knowledge is generated'. In other words, at this end of the continuum what groups and societies decide is risky then becomes a risk to be dealt with.

These different epistemological perspectives underpin a variety of theoretical frameworks that offer not only a range of ways of thinking about and understanding risk, but also a useful template for creating and maintaining our responses to both risk in general and specific types of risks. Therefore brief summaries of the different approaches to risk are discussed next as a background to some the key ideas informing the debates in the chapters that follow. Hopefully these will enable the reader to see how these debates are being played out in real-life contexts. While current approaches to risk can be set out in different ways, Lupton's (1999) presentation of the four main theoretical perspectives for understanding risk provides a useful framework for discussion. The four approaches are (1) the realist, (2) the cultural, (3) the 'risk society' and (4) the governmentality approach.

The realist position

This approach sees risk as an independent and objective variable that can be scientifically assessed so that the probability of the occurrence of a particular event can be calculated (Denney, 2005, p. 15): that is, risks are real and concrete. The use of mathematical models for statistical assessment of potential future risks provides the basis for actuarial or insurance models and the possibility of potential losses through death, theft, business failure and other hazard can be calculated scientifically. As such an approach relies on expert knowledge there has been a great increase in the number of 'experts' in risk assessment, which has led to the individualisation of risk and the expectation that individuals, having had their level of risk assessed in a particular area, will follow the expert judgement provided. The individualisation of risk assumes that risks are unrelated to social or cultural contexts and therefore become a person's own choice. Those who indulge in smoking, drinking or eating the wrong foods are making 'lifestyle' choices which they need to take personal responsibility for. Either they are doing so because their

perception of the risks involved is distorted (Slovic, 2000) and they need to be helped to understand the true position, or they are being 'negligent' and need to be assessed and managed (Young, 1999) to prevent unwanted outcomes. From this perspective, risk assessment is intended to be predictive and preventive in order to control the future (Lupton, 1999).

Formal, quantitative risk-assessment procedures are now a common feature of health, social welfare and educational settings and are seen by managers and organisations as ways of controlling risky outcomes. Kemshall (2002) argues that much of social policy and social welfare provision is now based around assessment of risk rather than assessment of need. Similarly, much of the 'public' arena, such as open spaces, parks, playgrounds and sports facilities, as well as sites of community activities, like youth centres, schools, scout groups, day centres and so on, are considered now as 'risky' places (Gill, 2007). As a result, all these places, and the people who use them, need to be risk assessed, managed and controlled (McLaughlin and Appleton, 2010). Such an actuarial approach to risk forms a key aspect of the neoliberal approach to policymaking and as such was widely utilised by the New Labour Governments during their periods of office (1997–2010). The need to assess, calculate and quantify levels of risk is an essential requirement for making individuals responsible for their own lives and this was reflected in New Labour's emphasis on targets, check lists, tick boxes and other forms of audit and regulation across the public services. Many of the contributors to this book highlight the influence of a realist approach to risk assessment as the background to the diverse social welfare issues they discuss.

2 The cultural position

The cultural theory of Mary Douglas looks at the symbolic function that risk serves for a particular society and draws on her earlier theorising on the cultural meanings of pollution and purity (Douglas, 1966, 1992). It is the boundary between the inside and the outside that needs to be protected from pollution (in the case of the body) and from threats and danger (in the case of a community). Lupton (2006, pp. 12–13) argues that for Douglas 'ideas about risk are part of shared cultural understandings and practices that are founded on social expectations and responsibilities'. While Douglas acknowledges that many risks are real, each group picks out particular risks which relate to their own social and cultural context and gives them symbolic meaning for the group. The identification of specific risks is then one of the community's ways of protecting themselves and defining themselves against the 'Other',

which maybe another social group or individuals who become marginalised or deviant (Tulloch, 2008). Douglas politicises the notion of risk as she argues that communities use it to protect their cohesion and moral values. Similarly, she emphasises that this leads to the attribution of blame when danger threatens the community (Douglas, 1992): 'every death, every accident and every misfortune must be "chargeable to someone's account" - someone must be found to blame' (Lupton, 1999, p. 45). In contemporary society, the focus on risk and blame can clearly be seen in health and social welfare settings where every negative event is somebody's fault and specific individuals must be held accountable (Stanley and Manthorpe, 2004).

In this volume, the socio-cultural approach of Douglas is used by a number of contributors to frame discussions of society's attitude and response to such groups as lesbian mothers, young 'rioters' and perpetrators of domestic violence and abuse.

The 'risk society'

As mentioned earlier, the influence of Ulrich Beck's work on the risk society (1992, 1994) has been wide reaching and highly influential with O'Malley (2004, p. 1) suggesting that now 'it is almost banal to make the claim that we live in a risk society as risk-based routines and practices of government pervade most of our lives'. Unlike technical and scientific approaches to risk analysis which are about calculating probability, for Beck the 'risk society is about uncertainty' (Wilkinson, 2010, p. 44). He focuses on the major global hazards that are the result of modernity and technological developments - for instance, nuclear and technological disasters, new diseases such as bird flu and unpredictable events like global terrorism. Beck contends that with the shift from traditional forms of society to 'late modern' or 'post modern' societies, life is based not on rationality and calculation but rather on uncertainty and anxiety. For Beck the values of the 'unequal society' have been replaced by the 'unsafe' society, which is an anxious and preventive position rather than a search for a better society:

[T]he utopia of the risk society remains particularly negative and defensive. Basically one is no longer concerned with attaining something 'good' but rather preventing the worst.

(Beck, 1992, p. 49)

From this perspective, risk assessment and management is seen as a positivist science, which conceals a range of social and moral judgements.