"Actualizing Risk through Discourse":

Towards an Understanding of the Dynamics of Case Management

By

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A Thesis Submitted to Saint Mary's University, Halifax, Nova Scotia
in Partial Fulfillment of the Requirements for the Degree of Master of Arts in
Criminology

October 2013, Halifax, Nova Scotia

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Date: October 22, 2013

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Abstract

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Youth justice discourses, specifically discussions of risk, or 'risk talk' has begun to impact current justice initiatives and projects (Bessant, Hill & Watts, 2003). The normalization of 'risk' has contributed to recent neo-liberal governance and policy decisions regarding youth justice in Canada and other western countries (Ballucci, 2008), yet the ideology behind 'risk' and risk management is nothing new (Bessant et al., 2003). While examples of quantitative risk management have been comprehensively critiqued in the Criminology literature, qualitative examples of risk discourse and the case management of youth are largely under researched. Through a critical discourse analysis of social service professional case file entries, this thesis explores dynamics of the case management of youth involved with both the Department of Justice and Department of Community Services.

October 22, 2013

Introduction

Managing Young Offenders: A Risky Business?

  Youth justice discourses, specifically discussions of risk, or 'risk talk' has begun to impact current justice initiatives and projects (Bessant, Hill & Watts, 2003). Bessant et al. (2003) see 'risk' as part of everyday discourse within the social science disciplines as well as the human service professions. The normalization of 'risk' has contributed to recent neo-liberal governance and policy decisions regarding youth justice in Canada and other western countries (Ballucci, 2008), yet the ideology behind 'risk' and risk management is nothing new (Bessant et al., 2003). Bessant et al. (2003) maintain that "The assumptions underpinning the modern risk discourse originate in some of the very earliest attempts by conventional sociologists and criminologists to identify and measure the causes of a range of social problems." (p. 5) This language of risk, Lupton (1999) explains, is replacing discourses of need and welfare in the literature regarding social services such as probation, mental health and childcare services. Lupton (1999) argues that "Risk assessment, risk management, the monitoring of risk and risk-taking itself have become the raison d'être and organizing principle of agencies providing such services." (p. 98) Consequently, she notes, 'risk-related discourses' within the social services now function as a key component in decisions around service delivery and the identification of need for vulnerable groups.

  When looking at young offenders and understandings of crime, we cannot look the same way at this group as we would adult offenders. The history of Canadian youth

justice, as argued by Muncie and Hughes (2002), is fraught with conflict, contradictions, ambiguity and compromise all dictated by contradicting objectives focused on pursuing both welfare and justice. While welfarism seeks to address needs and facilitate rehabilitation, the justice model pursues neo-liberal retributive strategies and the responsibilization of the offender. Youth justice oscillates in the middle of these models attempting to remain holistic by fulfilling both the caring ethos of the social services and the legalistic ethos of responsibility and punishment. Muncie and Hughes (2002) further argue that "…whilst problems of control and order have always been central to youth justice discourses, they have also been underpinned by concern for vulnerability and protection." (p. 1) This results in a problem of whether to address young offenders as special and unique cases in need of care and protection or individuals who should assume full responsibility for their actions.

Discourses and portrayals of young people also complicate the functioning of current youth justice systems. Case (2006) maintains that hegemonic perceptions of youth in western countries such as the UK, United States and Canada are perpetuated by not only negative media representations but also by legislation and policy formation. Young people, and specifically young people involved with the law, are portrayed as a dangerous, irrational and irresponsible underclass that are permanently at-risk of offending. Muncie and Hughes (2002) maintain that the "Reconstruction of 'youth' and 'adolescence' as pejorative labels and touchstones for punitive, restrictive and increasingly invasive state responses can distract policy makers and service providers from attention to the inherent vulnerability and needs of children and young people." (p. 172) Case (2006) explains that social anxieties in the latter half of the twentieth century

were exacerbated by beliefs that youth were seeking to claim their social independence and perceptions of a depreciating respect for adults fuelled demands for increased monitoring and governance of youth. Muncie and Hughes (2002) maintain that the "…resultant 'moral panic' over rampant, immoral youth, has been articulated in neo-classical and right realist arguments depicting offenders (typically young people) as rational, calculating and predatory beings, immune to rehabilitation and reason." (p. 172) In turn, young offenders became subject to increased forms of neo-liberal governance and monitoring, specifically within the youth justice system. Furthermore, Case (2006) argues that a recent shift in penal discourse has led policy makers to not only concern themselves with youth who do offend, but also youth who are 'at risk' of offending.

Working as a research assistant on youth and resilience for the *Pathways to Resilience Study* (PTR) with the Resilience Research Centre (RRC) raised questions for me about how young offenders are managed at the front line with service professionals. Consequently, I reviewed an array of literature focused on risk, risk management and governance of young offenders and found discussions about the appropriateness of risk management techniques for youth and specifically young offenders. Here I found that the literature is primarily focused around quantitative assessment tools with little examination of risk management process. This led me to contemplate the value of qualitative forms of risk management analysis. The written discourse of professionals working with young offenders was made available to me through the RRC and the analysis of these narratives facilitated my exploratory inquiry into the case management process of young offenders participating in PTR.

Chapter one of the thesis begins with a discussion of historical anxieties over youth and crime and the subsequent justifications for management of youth. Further, the chapter explores the development of neo-liberal governance strategies where the advancement of risk principles became central to managing both offenders and non-offenders. Second, I review examples of risk technologies that have been used with young offenders along with a summary of the central critiques of these management methods. Last, I discuss the parallels between quantitative and qualitative risk management technologies.

Chapter two provides a review of the literature used to inform the theoretical framework of this thesis. I begin with a summary of the critical theorists who have informed the risk literature as well as the framework for this research. Second, I outline three theoretical themes derived from the risk management literature that I found to be significant in relation to my research problem, they include: *Risk in Action*, *Professional Knowledge* and *Managing the Professional*. Last, I pose my research problem, *what does case management look like within the case files of youth*, and subsequent questions derived from the literature relating to these three themes.

Chapter three begins with a discussion of Critical Discourse Analysis, a qualitative methodology used to analyse the data for this research. This is followed by an introduction to the data obtained from PTR as well as an overview of the thematic content of this data. I also establish the thematic framework map along with a review of the research problem and questions discussed in Chapter 2. Last, I provide a discussion of the methodological implications and challenges of this research.

Chapter four examines the findings derived from the data to answer the research problem and subsequent questions posed throughout this thesis. The chapter begins with a discussion of risk discourse and management processes in practice. This is followed by an examination of social constructions of risk (specifically those relevant to 'gender' and 'family') through professional discourses, referred to as "expert discourse". The chapter also highlights discourses suggesting that case files are in fact a management tool of the professional and not simply files about those who "need managing". The final chapter, Chapter 5, provides an analysis of the key findings discussed in Chapter 4, and highlights the theoretical, methodological and epistemological implications of this research.

<center>**Chapter 1**</center>

<center>**Managing the 'Youth Problem'**</center>

This chapter contains a review of the literature surrounding *risk management* with specific attention paid to the discussion of youth as a social problem and the governmental response of risk management technologies. The concept of risk management and its purported objectivity when used with vulnerable groups such as young offenders has been the focus of much research in recent years. This risk literature provides insight into the challenges of quantitative tools of risk management, but fails to address informal practices and processes stemming from the risk discourses of front line professionals. While providing an overview of risk technologies and examples of such, I also discuss a qualitative method of risk governance recognized as 'case management' and the significance of this practice to risk management.

(1) Emergence of Risk Management for Young Offenders

France (2008) argues with post-modernity, the youth question or "what is to be done about young people?" has been dominated by adult anxieties over youth as a social problem (p. 1). Central to his question is concern about youth delinquency. France (2008, p. 1) argues that "Historically, adult anxieties see the youth problem as a metaphor, and as evidence of moral and social decline, which has been used to justify greater

intervention, regulation and control of youth populations defined as 'dangerous' or 'threatening'". The sentiment that youth need to be regulated and controlled has not disappeared, especially within youth justice. Numerous academics have addressed the political and economic changes of the 1980's and impact of the welfare capitalism model on policy and practice toward youth (Beck, 1992; France, 2008; Giddens, 1998; Goldson & Muncie, 2006). France (2008) asserts that since the 1980's public policy regarding young people has become largely focused on managing youth to prevent future social problems. Goldson and Muncie (2006) also critique westernized youth justice systems and note that "A 'new' rhetoric of youth crime prevention, restoration and social inclusion…" (p. 92) is evident. This new discourse, they note, results in the targeting of both 'non-offenders' as well as 'offenders' within the community. Muncie and Goldson (2006) also argue that these systems indirectly rely on the management of social inequalities such as poverty and systemic inequality. As Cradock (2007) points out, within neo-liberal discourse, children and youth are perceived as individuals to be acted upon, not as active agents of their own subjectivity. Yet under this same ideology, the management of the young offender is subject to what Kemshall (2008) terms as the "responsibilization agenda" (p. 21) where the individual is considered to be accountable for 'shaping' their own world and making appropriate responses to risk and opportunity. The young person is essentially operating within the constructs of a predetermined risk/opportunity system, yet is expected to navigate potential risks in an appropriate manner so as not to diverge from what is deemed acceptable. In this framework, individuals are subject to punishment and increased management when deviating from these acceptable responses (Kemshall, 2008). Thus, the state is not interested in assuming

or promoting a collective responsibility for those who deviate from its norms, rather it is far more interested in promoting "morally responsible individual(s)" (O'Malley, 1992, p. 259). And as Kemshall (2008) reminds us, "It is difficult for young people to exercise responsibility as 'active citizens' if they are fatalistic about their future and considered only as a repository of risks." (p. 30)

(2) Actuarial Risk Technologies

Risk technologies, as described by Ballucci (2008) and Rose and Miller (1992), are the technologies of governance that consist of "…forms, tables and charts and otherwise mundane recording practices designed to concretize and direct such governmental ambitions." (Ballucci, 2008, p. 178) These technologies used to measure and define risk are widely used in western penology (Hannah-Moffat, 1999, p. 71). Within the risk management literature, these technologies have been described as *risk technologies* that seek to 'manage' groups in varying contexts and through various means. The risk management literature provides an abundance of theoretical critiques of the formal management tools that are utilized by justice and welfare agencies (Ballucci, 2008; Goldson, 1999; Hannah-Moffat, 1999; Kemshall, 2008). An examination of strategies and tools termed as 'risk factorology' (Kemshall, 2008) is important to this thesis because it provides a contextual history of the variations that have become attractive to policy makers. Some examples of these management tools include the *Risk Factor Prevention Paradigm*, *OASys* (an assessment tool used in the UK for mentally ill offenders), *Asset*

(an assessment tool for Youth Offending Teams in England and Wales) and the *Youth Management Assessment* or YMA (a survey utilized in some Canadian provinces for young offenders) (Ballucci, 2008; Case, 2007; Fitzgibbon, 2007; Haines & Case, 2008). Kemshall (2008) explains that 'risk factorology' proved to be attractive because it "…appeared to promise a more effective focus for policy, better targeting of programmes and professional resources, and the emphasis on prevention is seen as both morally and economically desirable for dealing with youth crime." (p. 24) However, as Kemshall (2008) also points out, the translation into policy has not been without difficulty and ultimately seems to be driven by political opportunism. In practice, there seems to be an assumption that 'risk' is a predictive factor for criminal behaviour (Case, 2007) and that formal management tools depend on the identification of 'risk factors' to predict criminal behaviour and provide appropriate prevention or management of those who are "at risk". Despite the attractiveness of formal management tools to professionals, there is literature that provides strong criticisms and identifies various hazards of risk management strategies (Armstrong, 2004; Case, 2007; O'Mahoney, 2009). Critiquing the *Risk Factor Prevention Paradigm*, O'Mahoney (2009) asserts that formal risk assessment tools "…apparently beneficent focus on social disadvantage and preventative interventions is subservient to its obsession with risk and the potential for offending, rather than the actuality of it." (p. 113)

Research has also suggested opportunity within actuarial tools for subjectivity and adaptation by professionals and frontline workers which seems to counter their purported objectivity (Case, 2007). More important to my research, however, is the legitimation of

state intervention derived from advocates of the risk factor prevention paradigm (Armstrong, 2004). Armstrong (2004) argues that this legitimation is two-fold in that risk-factor mechanisms offer a simplistic crime management system, one more concerned with laying blame than with causes of crime; and this view consequently justifies an increase in surveillance and intervention based on the assumption that youth crime is an outcome of predictable factors that can only be identified by 'professionals'. Subsequently, this legitimation of practice has spilled into academic and professional processes ultimately impacting language and discourse used day to day when working with youth (Armstrong, 2004; Kemshall, 2002).

Case Files

The 'management' of youth in the justice system as well as other social services such as child welfare, has largely been understood in terms of actuarial risk practices which seek to quantify risk factors in order to predict abnormal behaviours. While value exists in the understanding of these quantitative techniques, the argument here is that the principal and most important forms of risk management is occurring through informal case-file management where risk rhetoric informs the practices and decisions of professionals.

The case file compiled and used by professionals (known in risk theory as case management) is in itself an assessment tool, but one without the formality of quantitative technologies. The case file is a dynamic document of personal history, professional

assessments, discussions, recommendations, sentencing guidelines and evidence of programming and rehabilitation. Although the file is not a 'formal' predictive risk management tool such as OASys, Asset or YMA, it does encapsulate formal as well as informal assessments as well as summaries about a young person's offending history and is subsequently used in decision making. Hannah-Moffat (1999) briefly touches on the content and limitations of case files and notes importantly that the "Offender's criminal record, police reports, pre-sentence reports and sentences are not objective representations of an offender; they are often the outcome of a series of legal and normative processes which are arguably quite subjective." (p. 81) Importantly, the files are also informed by the perspective of the frontline professionals working with the youth, as well as the expectation of the system in which they are working.

Professional Discourse

In order to understand the extent to which case files facilitate risk management I looked at the literature. Ballucci (2008) argues that risk practices are mediated by discretionary power. Professionals, such as judges, lawyers, probation officers, correctional officers and psychiatrists are the direct governing bodies for youth who come into contact with the justice system and they hold the power to dictate how a youth will experience their time within a court room, a youth detention centre or the community. These professionals contribute to files by adding their own knowledge and are free to

make recommendations that are influenced by not only their own experiences but also information provided to them by other professionals.

Most of the risk literature has explored risk management technologies of various formal assessment tools and policy initiatives (Ballucci, 2008; Hannah-Moffat, 1999 & 2000; Baker, 2005, France & Crow, 2005; O'Mahoney, 2009), and research by means of case files and professional discourse has been neglected. Lupton (1999) argues that governing through case files is a contemporary administrative approach to managing risk. Castel (1991) further explains that this administrative approach has resulted in a change in how intervention is carried out. He notes that intervention is no longer mirrored after a relationship where there is the 'carer' and the 'cared for' and that professionals and specialists are forced to act in a subordinate role while managerial policy dictates their decisions (Castel, 1991). Rather than attention to the individual, Castel argues that the wellbeing of the general population takes precedence (Castel, 1991). Of interest to my research is whether the discourses of professionals working with vulnerable groups (such as young offenders) support such assertions.

Discussion

The question of what is to be done about young people is amplified when discussing youth delinquency. The arguments here present criticisms of quantitative risk technologies that resulted from a neo-liberal shift in justice policy and a subsequent increased attention to managing offenders. The assumption that 'risk' is a predictive

factor for criminal behaviour is a potentially misleading one, and the suggested

opportunity for subjectivity within actuarial risk tools is contradictory to what proponents

propose, an assumption that is pursued in the next chapter. As a compilation of actuarial

assessments and written discourse, case management poses an interesting juxtaposition to

more formal actuarial risk technologies. Thus, my research question, *what does case

management look like in the case files of youth*, seeks to explore the discourses of the

professionals found within the case files of young offenders and whether a risk discourse

is in fact evident. The next chapter proceeds to a theoretical overview of 'risk

governance' and the emerging questions posed by the literature poses.

Chapter 2

Governing Risk

The theoretical and methodological approaches to this research have been shaped by a desire to understand the impact of governmentality and concepts of risk on youth. Neo-liberal strategies of governing have informed the discourses of professionals working with vulnerable groups such as young offenders (Barron, 2011). These risk discourses are found in both quantitative and qualitative management practices where professionals assess, categorize and prescribe 'risk' in order to justify recommendations and actions with young offenders (Dean, 1999). While proponents of risk management tout the objectivity of risk rationalities (Feeley & Simon, 1992), critics argue that concepts of risk cannot be understood outside of an individual's subjective reality (Ballucci, 2008; Hannah-Moffat, 1999) and therefore are not an appropriate practice for juvenile justice.

This chapter summarizes key theorists and their perspectives in the area of risk, as well as presents an exploration of the main concepts of neo-liberal governing techniques with specific attention to case management. Three themes, *Risk in Action*, *Professional Knowledges* and *Managing the Professional*, which provide a framework for the methodology and analysis of this research, are introduced along with the main research question of this thesis.

Defining Risk

Analyzing risk in relation to case management requires an understanding of the theories of risk. The concept of risk is understood differently amongst theorists of varying perspectives, and is often situated in a context of uncertainty (Barron, 2011). Barron (2011) explains that risk is viewed as objective phenomena by proponents of the scientific perspectives, however, critical perspectives of risk question how it is understood as a socio-cultural process. Lupton (1999, p. 2) explains:

> For exponents of these perspectives, a risk cannot simply be accepted as an unproblematic fact, a phenomenon that can be isolated from its social, cultural and historical contexts. Rather, what are identified as "risk", by "experts" as much as lay people, are understood as inevitably the outcome of socio-cultural processes. Further, such risks tend to serve certain social, cultural and political functions.

The critical approach to risk has evolved, and as Garland (2003, p. 5) points out, "…measuring actual risks is increasingly being redefined by a more complex, more social understanding of the processes involved." These social approaches to risk theory are outlined throughout the remainder of this chapter.

Concepts of Risk Theory

In order to appropriately situate oneself within the concepts of 'risk', a summary of the predominant approaches to theorizing risk is necessary. Lupton (1999) argues that the risk literature distinguishes between three critical theorists; Mary Douglas, Ulrich Beck and Michel Foucault, who each categorize risk in different ways. Emerging in the

early 1980's, Douglas' perspective encapsulates a cultural and symbolic anthropological

approach to the understanding of risk (Barron, 2011; Douglas & Wildavsky, 1982;

Lupton, 1999). Lupton's (1999) approach concentrates on the "social and cultural

contexts in which risk is interpreted." (p. 27) Lupton (1999) recounts Douglas' work, and

notes it is largely informed by her early work on notions of cultural boundaries between

individuals, groups and communities. Lupton (1999) explains:

> Douglas' later writings on risk and culture drew attention to the use of the concept
> of risk as a means in contemporary western societies of maintaining cultural
> boundaries. She sees risk as acting primarily as a locus of blame, in which 'risky'
> groups or institutions are singled out as dangerous. A 'risky' Other may pose a
> threat to the integrity of one's own physical body or to the symbolic body of the
> community or society to which one belongs. (p. 3)

Douglas' approach also explored the intent behind classifying 'dangers' as 'risk' (Barron,

2011). This is interesting specifically in relation to vulnerable groups such as young

offenders who are often located as 'others' and therefore unknowable and subsequently

as 'dangerous' (Barron, 2011).

The second theoretical perspective derives from the writings of Ulrich Beck's

Risk Society (1992) and Anthony Giddens work in the mid 1990's, which considers the

emergence of risk as being related to the status of society (Beck, 1992; Giddens, 1990;

Lupton, 1999). Risk, in this lens, derives from a societal shift from 'industrial' to 'post-

modern'; where there is no longer a 'class society' but a 'risk society' (Hill & Watts,

2003). Hill and Watts (2003) explain that for Beck, "A defining feature of our phase of

modernity (what he calls 'radicalized modernity') is that our society now produces a

range of hazards and risks for which no one is actually responsible and for which there

are frequently no apparent explanations." (p. 9) Advocates of the 'risk society' also argue that the post-modern world has moved towards individualization where, as Lupton (1999) explains, "We now think of ourselves as exercising a high level of control over the extent to which we expose ourselves to danger and therefore as culpable for becoming prey to risk." (p. 4) While not addressed in this research specifically, parallels can be drawn between Beck's concepts of individualization and neo-liberal governance notions of individual responsibilization.

Lastly, Michel Foucault's writings on governmentality focus on the "technico-scientific" understandings of risk and how these understandings manage populations through State discourse and strategy (Foucault, 1992; Lupton, 1999). Garland (2003) explains that risk management intersects with theories of governmentality explaining that rather than "…holding the individual fully responsible, a risk management approach tends towards a more structural account of responsibility and is less concerned with fixing blame or imposing penalties." (p. 63) Ballucci (2008) explains that "Coinciding with the new forms of governance, risk strategies and technologies attempt to govern through distinctive approaches to the management of populations." (p. 177) Discourses of risk and management, specifically around vulnerable groups are of particular interest as Foucault (1991) argues that power is articulated in the context of discourses about knowledge. Governmentality, therefore, is an appropriate place to situate this research. Concepts of contemporary governmentality, case management and discourse will be further explored throughout the remainder of this chapter.

Governmentality

      The writings of Michel Foucault have largely informed the theories of governmentality. Foucault (1991) argues there has been a shift in state-governing strategies, and that this shift has altered the operations of power. Foucault has provided scholars with a "…theoretical language with which to analyze the practices of punishment, as well as with a heightened sense of criminology's own status as a power/knowledge apparatus linked to these very practices." (Garland, 1999, p. 15) Governmentality, according to Foucault (1991), emerged in the sixteenth century with the breakdown of the feudal system and the development of administrative states. Ballucci (2008, p. 176) notes that "Analogous with the move away from the centralized sovereign power towards more expansive forms of regulation…[the] new governing strategies invoke more subtle and efficient forms of power." Based on the principles of the eighteenth century, "…the early modern European states began to think of their citizens in terms of populations, or society." (Lupton, 1999, p. 87) This social body, argued Foucault (1991), now required management and protection so as to maximize wealth, resources and welfare. Lupton (1999) explains that the social body or population that Foucault refers to became quantifiable and measurable through demographic estimates, marriage and fertility statistics, life expectation tables and mortality rates. Thus, the body of the individual along with the population as a whole holds the potential to act as variables (Lupton, 1999). Foucault (1991) explains that:

> In contrast to sovereignty, government has as its purpose not the act of
> government itself, but the welfare of the population, the improvement of its
> condition, the increase of its wealth, longevity, health, etc.; and the means that the

government uses to attain these ends are themselves all in some sense immanent to the population; it is the population itself on which government will act either directly though large-scale campaigns, or indirectly through techniques that will make possible, without the full awareness of the people, the stimulation of birth rates, the directing of the flow of population into certain regions or activities, etc. (p. 100)

Foucault (1991) provides a description of the functions of government as a bifurcation of welfare and management. He further questions how power is exercised by the state and other modalities of governance by way of discourse and technologies. He explains that government is concerned with the greater wellbeing of its population, and that the means by which government achieves this well-being is through 'indirect management' of the population. The definition of well-being, however, is left to interpretation by the governing bodies who manage. The concept of managing a population begs the question of who defines 'un-well' and ultimately the identification of risky behaviours which may threaten well-being. Furthermore, how an individual who is acting in an unhealthy manner impacts the well-being of the general population is unclear. These questions will be considered with a further examination of risk technologies used to manage populations such as young offenders.

Risk Discourses

Ballucci (2008) maintains that the literature in the area of risk and governmentality is substantiated by the examination of risk technologies as well as the discourses and risk-needs analysis related to them. (p. 195) In *The New Penology: Notes on the Emerging*

Strategies of Corrections and its Implications, Feeley and Simon (1992) suggest a shift in western penal policy, arguing that there has been a de-emphasis on individualized rehabilitation to a more administrative risk-management approach to assessing offenders. Feeley and Simon (1992) claim that within the 'new penology', discourse has changed from 'clinical' interventions of individuals to a system that identifies, classifies and manages them from potentially re-offending while minimizing the risk to the community. Subsequent research supports Feeley and Simon's view that risk-based technologies are present in contemporary penal discourse (Ballucci, 2008; Garland, 2001; Hannah-Moffat, 1999, 2005). However, their research was criticized for neglecting to take into account the influence of risk discourse on specific groups or situations (Hannah-Moffat, 1999). Hannah-Moffat (2005) suggests that the discursive shifts argued by scholars such as Garland (2001), and Feeley and Simon (1992), neglected to take into account the dynamic nature of contemporary penology and suggested that welfare strategies have not been completely replaced by actuarial risk technologies and discourse. She refers to this as a "welfare/risk binary" and argues that the complete replacement of risk management for welfare is in fact overstated (p. 30). In referencing O'Malley's (1999) analysis, Hannah-Moffat (2005) suggests that we are potentially seeing a 'mixed model of governance' where risk management acts *with* rehabilitation and restorative justice. She further notes that the literature "…fails to explore in sufficient detail how risk strategies have evolved and how rehabilitation has been received as a central feature of risk/need management and penal control." (p. 30) The literature therefore seems to lack a discussion and analysis of the dynamic nature and processes of risk technologies (Ballucci, 2008; Hannah-Moffat, 2005; Hannah-Moffat, 1999).

Case Management Risk

Recent risk theorists have responded to the static assertions of early

governmentality theory and now argue that more fluid and often merging risk rationalities

exist (Barron, 2011; Maurutto & Hannah-Moffat, 2006). Barron (2011) asserts concepts

such as insurantial risk; epidemiological risk; and clinical or case management risk are

informing risk-based governance techniques. Specific to this research, case management

and related risk discourses seek to identify and treat risk posed by individuals through

activities such as interviews, assessments and file notes (Barron, 2011). It is argued that

risk rationality through case management has proliferated neo-liberal societies and social

welfare spheres such as mental health, social work and justice where it is used to address

problems such as welfare dependency, unemployment and deviance (Dean, 1997;

Lupton, 1999). Dean (1999) explains:

> Here risk concerns the qualitative assessment of individuals and groups,
> especially families, as falling within 'at risk' categories. Risk techniques are
> closely allied to the use of case management in social security, social work,
> policing and the sphere of criminal justice. Those judged 'at risk' of being a
> danger to the wider community are subject to a range of therapeutic (e.g.
> counselling, self-help groups, support groups), sovereign (prisons, detention
> centres) and disciplinary (training and re-training) practices in an effort either to
> eliminate them completely from communal spaces (e.g. by various forms of
> confinement) or to lower the dangers posed by their risk of alcoholism, drug
> dependency, sexual diseases, criminal behaviour, long-term unemployment and
> welfare dependency. (p. 143)

Case files have become critical technologies of the social spheres as a method of

managing and monitoring vulnerable groups, while at the same time managing the

discourse of professionals who utilize them (Ballucci, 2008). As Dean (1999) notes, a

resurgence of case-management techniques has been seen in western social sectors, thus making current qualitative research of these technologies relevant.

Applying Case Management

As Ballucci (2008) shows us, quantitative risk technologies are often integrated with qualitative techniques, yet the analysis of qualitative case management risk rationalities seems to be lacking in recent literature. Dean (2009) explains, "These techniques might be supplemented by other, less observational modes that might employ techniques that are derived from quantitative analysis." (p. 143) The discourses accompanying quantitative forms of risk rationalities carry considerable importance and have the ability to facilitate holistic understandings of risk management in relation to young offenders. Through an exploration of the risk literature, three compelling themes emerged from discussions around examples of risk management, rationalities and tools which can be applied to qualitative techniques such as case management. I have organized these themes as *Risk in Action*, *Professional Knowledges* and *Managing the Professionals*.

Risk in Action

In a review of the literature, I found that the majority of risk management research is focused on examining formal risk management technologies and theoretical analyses of these tools. Ballucci (2008) affirms that the literature surrounding risk and

governmentality is primarily based on theoretical discussions which ignore the practical

implications of risk technologies in action and is often limited by theoretical discursive

analyses. The structure of the youth justice system is made up of several different levels

of governing and management including the police, the courts and the correctional

system. A youth who is subject to this system is in contact with many different

professionals and frontline workers who are each bound by different operational policies,

regulations and mandates. Furthermore, the professionals function within their own

knowledges that have been shaped differently by experience, culture, ethnicity, class and

gender. Problems also occur when professionals and institutions 'adapt' and 'respond' to

governmental discourse and assessments in ways that do not inhibit previous long-

standing practice (Hannah-Moffat, 1999; Garland, 2001; Ballucci, 2008). Hannah-Moffat

(1999) argues that subjective discretionary forms of discipline and management exist and

interrelate with actuarial techniques of risk management. Ballucci (2008) notes that these

"…risk practices are mediated by discretionary power." (p. 192) Examples of this

discretion can be found in Ballucci's (2008) analysis of the Youth Management

Assessment, a tool used to asses risk for female youth. He discovered that even though

professionals were required to fill out an assessment form in order to determine the risk

level of a young offender, they were still able to impose their own beliefs about the

individual through open qualitative sections on the form. Ballucci (2008) argues that this

ultimately impacted the outcome of the assessment. Theoretically, this negates the

assumed objectivity of a formal risk assessment. As well, the YMA also provides space

for discussion of the young offender under assessment. In addition the case file is made

up of many assessments, working notes and treatment plans that create an ongoing

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dialogue between professionals who are involved with the youth. An important

component of my analysis will be to identify the construction of risk management in the

case files as evidence of case management in 'action'. To accomplish this I ask:

- How do professionals dialogue and exchange information?
- Is risk terminology utilized in their discourses throughout the files?
- To what extent is professional risk discourse mediated by youth justice?

Professional Knowledges

Baker (2005), Ballucci (2008), France and Crow (2005), Hannah-Moffat (1999, 2000)

and O'Mahoney (2009) each present a strong case for the cautioned use of 'risk

technologies' in the management of young offenders. In her research, Hannah-Moffat

(1999) explores female offenders as a vulnerable population within a context of risk

management. Based on her analysis of the proposed model of risk assessment for

Canadian women prisoners, Hannah-Moffat (1999) argues that risk is ambiguous, and

flexible (p. 72). She notes that in instances of governing, disciplinary techniques are

subjective and in the case of Canadian women's imprisonment, needs are often redefined

as risks. Hannah-Moffat (1999) observes that while there has been recognition of the

emergence of actuarial risk technologies in the wider penal context, she argues that there

has been a failure to observe the micro-effects of this on penal governance. From a

feminist perspective, she argues that the impact of these risk discourses have yet to be

examined on individual situations. From this, it is reasonable to draw parallels between

women offenders and young offenders as both exemplify vulnerable populations within

the penal system, each with different sets of treatment needs than adult male offenders

(Hannah-Moffat, 1999; Ballucci, 2008).

The problem of determining needs apart from risks ties into the discussion of notions of objectivity and the construction of risk. Armstrong (2004) argues that:

> The illusion of objectivity disguises the power of (academic) professional 'knowledge' to make assertions about 'normality', 'criminality', 'risk', 'family life', 'community values', and so on, that are more properly located in a public debate about social values, citizenship, and the politics of social inclusion and exclusion in our society. (p. 109)

Armstrong (2004) further maintains that risk management is simply an act of ignorance with regards to the social construction of 'normality' and points out that "Biological, psychosocial and environmental explanations of criminality are not neutral scientific accounts in the way that they might have us believe…they do not simply report 'risk' but construct it through the categories that are used to describe it." (p. 108) Taking into account both Armstrong and Hannah-Moffat's arguments, we can see that risk as a social construct may impact groups differently. As Lupton (1999) reminds us: "A risk is never fully objective or knowable outside of belief systems and moral positions: what we measure, identify and manage as risks are always constituted via pre-existing knowledge and discourses." (p. 29) These arguments lead to questions concerning:

- How youth are constructed within the discourses of professionals?
- Whether this construction differs among types of professionals?
- If there is evidence of specific social constructs informing these risk discourses?

Managing the Professional

The last theme of interest from the literature concerns governance of the 'professional'. Risk technologies as a mechanism of governing are not only a means of managing young offenders; they also contribute to the management of professionals

working with young offenders. Ballucci (2008) explains that risk technologies such as the YMA serve a dual purpose as they not only monitor offenders but also monitor and control the professionals. With respect to the YMA, Ballucci (2008) explains,

> It seems to increase the responsibility and accountability of particular individuals for not acting in a way that reflects risk thinking. This demonstrates the subtleties of neo-liberal governance, as the state devolves power to community agencies to govern but embeds mechanisms that also allow their actions to be monitored and surveilled. Tools justified as a means to manage offenders' risk can be more important as a means to maintain minimum levels of personal professional accountability. (p.175).

As a mechanism for dialogue between frontline workers, the case file becomes an outlet for discussion, diagnosis and ultimately management of an individual and the file provides parameters for future discourse in that the professionals control not only what they write but also what others see. As Ballucci (2008) explains, the front line workers determine "what counts". The file is yet another space for those 'in charge' to assert power over not only the youth but others who have or will contribute to that discussion. Further to this, Ballucci argues that "…without an offender history, a file, and general knowledge of the offender, risk tools are incapacitated..." therefore the case file is necessary for professionals to do their job (p. 194). It can therefore be reasonably assumed that each individual contributes to the file knowing that someone else is likely to read it. Drawing on Foucault's (1991) assertions around the relationship between power, knowledge and discourse, it can be inferred that once the professional knowledge is applied in writing, it becomes truth that must be acknowledged. This may inevitably

impact another person's knowledge or truth about that individual. Following this line of thought, questions arise about how knowledge is created within a case file:

- Is there evidence of professional self-governance that can be found within the discourse of each file?
- Is there evidence of specific outcomes and compliance from the recommendations of professionals?

Discussion

From the review of the literature, it would seem risk management is a widely accepted governance method of addressing groups who are seen as dangerous and 'at risk' for jeopardizing the social order. Contrary to the original proponents of these methods (Feeley and Simon, 1992), some literature (Hannah-Moffat, 1999; Lupton, 1999; Dean, 1999; Ballucci, 2008; Baron, 2011) suggests that risk management is a highly fluid concept with both qualitative and quantitative components and thereby challenge notions of objective risk rationalities. Case management (in case files) is a largely under researched branch of the broader risk management paradigm where professional discourse is the primary driver of the technology. I would argue risk discourse not only exists within the case files of individuals, but that it is a subjectively informed technology with the potential to be misinterpreted and misused. By answering the questions posed within the three theoretical themes, *Risk in Action*, *Professional Knowledge* and *Managing the Professional*, this research seeks to understand what risk management processes look like within the case files of young offenders.

The use of qualitative methodologies is important to ensure meaningful detail is given to events, experiences or situations, specifically when considering conceptual questions around discourse (Suter, 2012, p.343). As Berg concisely states; "Qualitative research properly seeks answers to questions by examining various social settings and the individuals who inhabit these settings" (2004, p.7) Critical discourse analysis, a qualitative method, is appropriately rooted in discussions of social realities and knowledges and provides a methodological framework appropriate for analyzing discourse data. Following an introduction of critical discourse analysis, the chapter reviews the source and content of the data used for this research. Secondly, a thematic framework map is introduced followed by a discussion of the research problem and research questions raised in Chapter 2. Lastly, I consider methodological implications and challenges that arose during this research.

Critical Discourse Analysis

In the context of this research it is important to remain cognizant and reflexive of the social realities, ideologies and power structures within which the professional discourse derives, as well as of the knowledges that I draw on to analyze them. As Jorgensen (2003) reminds us, "Discourse analysis does not provide an 'outside' view of

reflexivity. Rather it offers a perspective and a vocabulary with which to map out the discursive processes within reflexive research." (p.64) Critical Discourse Analysis (CDA) fits neatly within the theoretical framework with which this project is situated. Foucault (1990) argues that power and discourse are in fact in direct relation with one another. He notes that "In the end, we are judged, condemned, classified, determined in our undertakings, destined to a certain mode of living or dying, as a function of the true discourses which are the bearers of the specific effects of power." (Foucault, 1980, p. 94) The use of CDA in this project will potentially contribute to broader discussions around the neo-liberal management of youth within the justice system. Furthermore, it will provide a look into a privileged space (the case file) where professional discourse becomes shaped into a version of truth and knowledge and ultimately operates as a tool of governance.

CDA provides an appropriate conceptual space for the analysis of case files as it considers the relationship between text and the social reality from which it stems. CDA creates space for the consideration of power within the case files, and therefore allows an opportunity to understand risk governance technologies beyond simple management tools. This methodological perspective is important to this research because of its acknowledgement of the relationship between power and knowledge. Power relations are implicated within knowledge (Lupton, 1999). Furthermore, within this perspective, power is not monolithic; it operates on various levels through various means. The case file is an example of this manifold understanding of power where professionals of different backgrounds contribute their own knowledge to a broader dialogue. As well, this methodology acknowledges that the case file operates as a mechanism of control

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upon the professionals themselves. Discourse "…refers to the actual practices of talking and writing." (Phillips & Hardy, 2002, p.3) In the context of this research, discourse more specifically refers to "…an interrelated set of texts, and the practices of their production, dissemination, and reception, that brings an object into being." (Phillips & Hardy, 2002, p.3) Phillips and Hardy (2002) explain that discourse constructs a particular social reality where interactions within that social reality cannot be understood without reference to the reality in which it is situated. Discourse, therefore, can be found within a variety of sources such as texts which may include written or spoken words, pictures or symbols (Phillips & Hardy, 2002). Phillips and Hardy further explain that "Texts are not meaningful individually; it is only through their interconnection with other texts, the discourses on which they draw, and the nature of their production, dissemination, and consumption that they are made meaningful." (2002, p.4) Within this research I will refer not to 'text' but to 'discourse' as discourse contributes to the whole process of social interaction whereas text is only a part (Titscher et al, 2000). As the case file is a compilation of various discourses constructed under different mediums, CDA will allow me to take into consideration the relationships and interactions between these discourses over time, as well as how this contributes to management of the youth and the professional. My analysis will also remain cognizant of the structure of the case files as they are organized chronologically and as I review the data, I will maintain this order and assess the extent to which the discourses change and evolve through the duration of the file. Beyond the 'bones' of discourse, CDA is representative of not simply a method but also a comprehensive methodology. Critical discourse analytic approaches provide researchers with a social constructivist space to understand text in relation to our social

reality (Phillips & Hardy, 2002). Phillips and Hardy (2002) point out that this type of

approach is not only concerned with the constructive effects of language, but also

maintains a reflexive and interpretive style. If one is to understand and analyze particular

discourses, it is crucial to remain cognizant of the context of that particular text.

Consequently, CDA is not concerned with language but with the "...linguistic character of

social and cultural processes and structures." (Titscher, 2000, p.146) Fairclough and

Wodak consider context to be crucial to CDA:

> CDA sees discourse – language use in speech and writing – as a form of 'social
> practice'. Describing discourse as social practice implies a dialectical relationship
> between particular discursive events and the situation(s), institution(s), and the
> social structure(s) which frame it: the discursive event is shaped by them, but it
> also shapes them. That is, discourse is social constitutive as well as socially
> conditioned – it constitutes situations, objects of knowledge, and the social
> identities of relationships between people and groups of people. (1997, p.258)

They go on to discuss the social importance of discourse and its contribution to the

discussion of power (Fairclough & Wodak, 1997). For example, they note that discourse

can impact ideology that contributes to the production of unequal power relations

between certain marginalized groups such as women, young people and ethnic or class

minorities (Fairclough & Wodak, 1997). CDA as a methodology specifically addresses

the issue of power as it studies both power in discourse and power over discourse

(Titscher et al, 2000, p.146). Titscher et al (2000) note that "In discourse, practice

structures and ideologies are expressed which are not normally analyzed or questioned."

(p. 146)

The Data – Case Files

My research analyzes data referred to throughout this document as 'case files' which were obtained from *The Pathways to Resilience Study (PTR)* lead by Dr. Michael Ungar of the Resilience Research Centre[1]. With participant consent (Appendix A), the PTR study gained access to 44 youth case files involved with two or more mandated services[2]. In this study, mandated government services included the justice system, child welfare, mental health or special education programming. Part of the data collected from the PTR study consists of direct quotes taken from the files of the youth, otherwise known as 'case file entries'. This information comes from either the professionals direct interactions with the youth or from interactions with other professionals. The content of the file set include: professional accounts (including diagnosis, treatment, assessments of strengths, challenges) and discussions about the youth, types of services the youth used, reasons for referral to specific services, treatment coordination, assessments and case conferences (i.e. attendees, goals, decisions progress of youth).

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[1] The Pathways to Resilience Study explores the pathways that can either perpetuate or inhibit children and adolescents' involvement with multiple mandated (and non-mandated) services. Mandated services include child welfare, mental health, corrections, and special education programming to which young people are referred. The primary focus of the study is to investigate how resilient and non-resilient youth negotiate for, and navigate towards, the individual, family and community resources and supports that make it possible for them to do well even when facing adversity. The research is being conducted through partnerships with Child and Family Service agencies, mental health providers, provincial departments of corrections, and educational institutions, as well as non-governmental community organizations in Nova Scotia and Labrador (http://www.resilienceproject.org/).

[2] Files reviews were conducted on the service provision files of youth who had participated in the qualitative component of the Pathways to Resilience Study. These youth had been purposively sampled from a larger group of multiple service using youth who had completed the Pathways to Resilience Youth Measure (PRYM) as part of an earlier quantitative phase of the study. Youth were selected because they presented risks higher than those of their peers, but also substantially less and greater resilience resources. Overall files for 44 youth were reviewed, of which 20 had multiple service files. In total, 73 service files were reviewed from four different service providers including mental health, corrections, child welfare and a community-based service provider that serves at-risk and homeless youth (http://www.resilienceproject.org/).

Of the 44 participants 'file reviews' that were completed under *The Pathways to Resilience Study,* cases were selected for analysis in this project based on whether youth had both a Department of Justice (DOJ) file and a Department of Community Services (DCS) file. In total there were 9 youth each having a DCS and DOJ file with two files for each youth. The resulting data set for my analysis consists of 18 files. The age of first service interaction with the DCS varies and ranges between two and fourteen. All of the youth became engaged with the DCS prior to becoming involved with the DOJ. The age of first service interaction with the Department of Justice ranges from thirteen to seventeen (Table 1). At the time of the study, all of the youth were at least age sixteen. Types of offences varied from assault, mischief, uttering threats, property damage, theft under $5000 and possession of marijuana.

Table 1 - Age of Youth at First Documented Interaction with DCS & DOJ		
	DCS	**DOJ**
Youth 1	2	17
Youth 2	8	13
Youth 3	2	16
Youth 4	8	13
Youth 5	14	14
Youth 6	12	12
Youth 7	2	14
Youth 8	12	15
Youth 9	3	14

Professionals in the Case File

The youth's files are made up of entries from professionals who engaged with them at one time or another over the duration of the file. They are a diverse group that fall into two categories, *primary* and *secondary* professionals. Primary professionals are

individuals whose employer "owns" the file, either the Department of Justice or the Department of Child Services. The primary professionals from these agencies are probation officers and social workers respectively.

Secondary professionals are individuals found less consistently throughout the case file history. Secondary professionals are not usually employed by the primary agency and come in contact with the youth through school, by court order, in a secure detention center or by the referral of a primary professional. Secondary professionals include youth workers, therapists, doctors, judges, school principals, psychologists, nurses or lawyers. Primary professionals often changed throughout the life of a file. It was not uncommon to see a youth have five or six probation officers or social workers contributing to the file throughout the youth's time with that agency. While secondary professionals did not usually act as an initial point of contact for a youth, it was not unusual to see a particular secondary professional remain consistent throughout the youth's case file history.

Problem Statement and Thematic Concept Map

Using this 'case file entry' data this research seeks to understand *what case management looks like within the case files of young offenders* by analysing the discourse of the professionals making entries in youth's files. I will specifically address questions developed from the three themes, *Risk in Action*, *Professional Knowledges* and *Managing the Professional* derived from the literature and discussed in Chapter 2. These themes and

the subsequent research questions are reviewed here, along with a discussion of how these questions will answer the stated research problem.

A thematic concept map was developed and amended throughout the life of the project in order to maintain focus on the research problem at hand (see Figure 1). As Suter points out, "Visual models play an important part in describing the meaning of the data and conveying an understanding to others." (2012, p. 346) This analytic structure was derived from a purposive approach to relevant literature relating to risk, risk management and governmentality. The thematic map is hierarchical, representing the overall research problem at the top. The subsequent level of the map consists of the three themes derived from the literature and determined to be of most interest to this project. Stemming from each of the three themes are key components of the specific research questions addressed in Chapter 2 and further explained in later sections of this chapter. Lastly, evidentiary indicators, linked to the research questions, that acted as signifiers to extract discourse and group categorically for further analysis and interpretation are presented.

Thematic Framework and Research Questions

The thematic framework and subsequent research questions were developed to address the broad research problem I pose in the beginning of this project. I seek to understand what risk management looks like within the case files of young offenders by deconstructing three thematic areas relevant to conceptualizing this problem.

Furthermore, this section develops my conceptual reasoning behind the specific research questions I raised in Chapter 2.
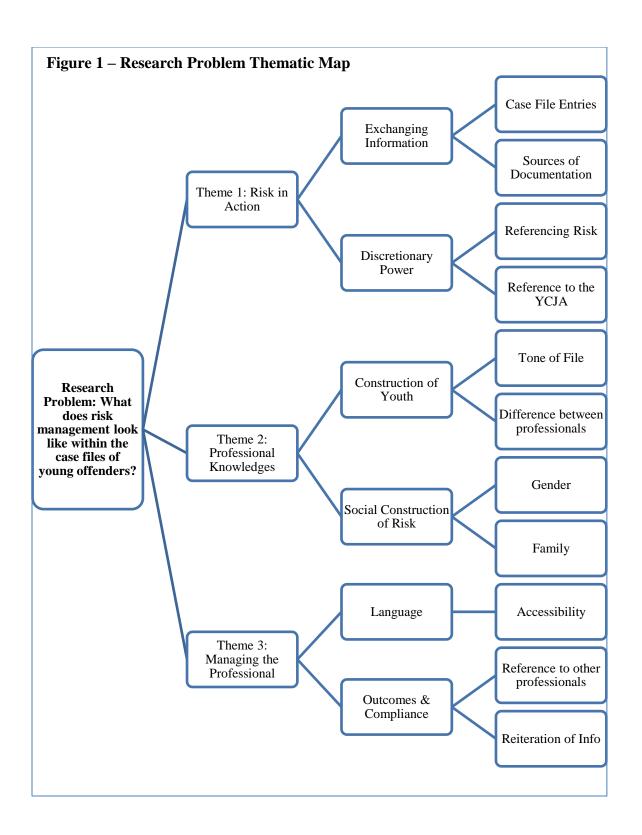
Theme 1: Risk in Action

The first theme in the concept map addresses risk management in action at the front line. With the limited research involving qualitative examples of risk management, the questions seek to uncover specifics of risk management as it occurs at the front line level through the discourse of professionals in case files. In the first theme, I ask:

- How do professionals dialogue and exchange information?
- Is risk terminology utilized in their discourses throughout the files?
- To what extent is professional risk discourse mediated by youth justice?

To identify how professionals dialogue and exchange information, I looked to categorize the *types* of entries professionals are making as well as the *source* of the entries. This was to situate where examples of risk management would occur. Following this, I searched for indicators of 'risk management concepts' with specific reference to youth justice legislation (the Youth Criminal Justice Act – YCJA) in order to examine claims that risk management is infiltrating both practice and ideologies of professionals working with young offenders (Ballucci, 2008; Barron, 2011).

Theme 2: Professional Knowledge

The second theme, *Professional Knowledge* attempts to look at not simply evidence of risk management, but a specific component of risk management understood as 'expert knowledge' (Armstrong, 2004). Within risk management, the construction and normalization of risk through discourse is apparent. As Armstrong (2004) points out

Figure 1 – Research Problem Thematic Map

	Exchanging Information	Case File Entries
Theme 1: Risk in Action		Sources of Documentation
	Discretionary Power	Referencing Risk
		Reference to the YCJA
Research Problem: What does risk management look like within the case files of young offenders?	Construction of Youth	Tone of File
		Difference between professionals
Theme 2: Professional Knowledges	Social Construction of Risk	Gender
		Family
Theme 3: Managing the Professional	Language	Accessibility
	Outcomes & Compliance	Reference to other professionals
		Reiteration of Info

risk discourse presents an illusion of objectivity and gives professionals the ability to make assertions about normality and criminality. Foucault (1991) maintains that once knowledge is written, it becomes truth. In this sense, the case file is a medium for written truths about a young person. To examine this claim, I ask:

- How youth are constructed within the discourses of professionals?
- Whether this construction differs among types of professionals?
- If there is evidence of specific social constructs informing these risk discourses?

By looking at *tone* and *language* among the different types of professionals, I was able to gain an understanding of how the youth are constructed in the case files. Beyond this, I sought to identify indicators of social constructions within risk discourse in order to fully appreciate concepts of 'objectivity' and 'normalization'. As Hannah-Moffat (1999) asserts, there has been a failure to observe the micro-effects of penal governance on vulnerable groups. Here, by looking at social constructions of risk in relation to gender and family I seek examine processes of risk management governance as applied to socially constructed categories.

Theme 3: Managing the Professionals

This theme seeks to explore an alternative perspective of risk governance; *Managing the Professional*. While risk management tends to explore the management of vulnerable groups such as young offenders (Ballucci, 2008), this theme is intended to explore the case file as a management tool of the professionals. Ballucci (2008) argues that risk technologies reflect the subtleties of neo-liberal governance where the state has devolved power to the community yet has embedded tools and practices with which to

monitor them (Ballucci, 2008). Front line workers are responsible to gather information

and justify any decisions with working notes that are stored in a central location, in this

instance, the case file. The resulting paper trail can act as a monitor for these

professionals and has the potential to hold them accountable to their decisions and actions

(Ballucci, 2008). While Ballucci is mostly discussing quantitative risk assessments, I

looked for examples of this type of management in the qualitative case files. Here I ask:

- Is there evidence of professional self-governance that can be found within the discourse of each file?
- Is there evidence of specific outcomes and compliance from the recommendations of professionals?

To ascertain whether evidence of professional self-governance exists within the

discourses, I looked for nuances in language, specifically around the *accessibility* of the

professional language. The language of the professional sets the tone of the entry and

ultimately the file for other professionals who have access to the case files. By

identifying language use of the professionals, a broader discussion around professional

management becomes available. A second method used to identify professional

management was to look for evidence of outcomes and compliance. Here, I looked for

indicators that showed *referencing to other professionals* along with a *reiteration of*

information. These signifiers were seen as evidence of professionals reading each other's

written entries and using them to inform their own actions and decisions.

Methodological Issues

Although less sensitive to issues arising in other qualitative methodologies, secondary data analysis presents its own set of challenges. With this data, issues were primarily ethical and methodological.

Ethical Concerns

Ethical concerns for this research were minimal, yet I was left to consider if using the original data as secondary data would negatively impact the participants of the *Pathways to Resilience Study (PTR)*. As Heaton (1998) points out, informed consent cannot be presumed in secondary analysis and the researcher must not rely on vagueness of the initial consent form. In this case, the consent form (Appendix A) from the PTR study was reviewed by the Saint Mary's Research Ethics Board and was determined to meet ethical guidelines regarding the use of the data for secondary analysis.

Beyond this, my primary concern was the confidentiality and anonymity of the participants as the case files contained sensitive and identifying information. While the PTR study researchers applied pseudonyms and a research number to participating youth when the initial file reviews were being completed to further ensure confidentiality and anonymity, I only referred to the participants as the "youth" in my analysis. Further to this, any professional in the file was referred to by their profession (i.e. social worker) and the names of institutions such as group homes and schools were referred to as such and not by their actual name. Lastly, I numbered each of the files (1 to 18) and when quoting direct entries referenced only the file number and service it derived from. These steps were taken to avoid association between events, direct quotes, institutions and

individuals in order to protect the confidentiality and anonymity ensured through the PTR

study and my own commitment to REB standards (Appendix B).

Secondary Data

Secondary data analysis is defined as "…the use of existing data to find answers

to research questions that differ from the questions asked in the original research." (Long-

Sutehall, Sque, & Addington-Hall, 2010, p. 336) Benefits of using secondary data are

ample, including but not limited to the access of sensitive information, the expansion of

previous research questions and the pursuit of interests distinct to the original concepts

and theories the data set was intended to explore (Long-Sutehall et al., 2010). Indeed, the

benefits of secondary data analysis in this particular instance have allowed access to a

vulnerable group such as young offenders that would not normally have been possible for

a graduate student. However, the use of this data presented its own set of methodological

challenges as well. The collection of the data was done by multiple researchers, including

myself, who were collecting for purposes not specific to this research project. It is

important to acknowledge that because I assisted in the data collection, I certainly

possessed a broader context in which to situate the data ultimately informing my research

questions and subsequent analysis. However, I was still limited to the data collected and

thus informed my own questions around this. As Long-Sutehall et al. (2010) remind us,

the secondary analysis should be done transparently, meaning that in practice an

assessment of the "…fit between the primary datasets and the secondary research

questions is essential." (p. 337) Keeping to this philosophy, the research problem and

questions were developed with the PTR data set in mind. Further to this, Long-Sutehall et

al. (2010) suggest that the analytic techniques employed should be similar to those of the primary study. Here, the PTR study collected qualitative data and subsequently used a thematic analysis which is reflected in the methodology chosen for this research.

A second challenge to this data, that was not identified until further in the research, came from an inability to revisit the original source of data the full case files of the youth. Heaton refers to this as the problem of "…not having been there…" (2008:40) As discussed, the data set I was given access to consisted of excerpts from the case files, not the original files themselves. Therefore, if contextual information was missing from my data, I did not have the ability to revisit the original case files to fill in missing gaps. I am cognizant of this challenge when drawing conclusions in the final chapters of this thesis, in that I am aware I do not have full context to analyze. It is important to note that I did gain a broader understanding of the case files and context of the youth's lives as one of the researchers participating in the PTR study. However, because I was only one of many researchers contributing, I have to assume there are pieces of information that may be missing thereby limiting interpretations of my findings.

Discussion

The private nature of the case file makes the opportunity for analyzing its contents invaluable. As a graduate student researcher, I am grateful to have had the opportunity to not only collect the data for the Pathways to Resilience Study, but also to have the chance to explore my own questions about case file management. In spite of the limitations of a

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secondary data analysis, the data itself provides an exciting first step towards a qualitative

analysis and understanding of processes of risk and case management as they apply to

youth.

Chapter 4

Discourses of Risk Management

In this chapter, I explore the thematic findings derived from the data in order to conceptualize what risk management looks like within the case files of young offenders. To address this research problem I posed several questions from three themes discussed in Chapter 3; Risk in Action; Professional Knowledge; and Managing the Professional. The chapter begins with an exploration of risk management in practice through the types of entries made by the professionals, along with risk discourses and risk concepts in relation to the Youth Criminal Justice Act. Following this, social constructions of risk are discussed in relation to concepts of "the expert" and professional knowledges. Lastly, questions of management are considered as I review examples of discourse that suggest case files are a tool that not only manage youth but also the professional.

Practicing Case Management

In looking at how professionals dialogue and exchange information, I discovered that there were various methods professionals used to do this in the case file. The file discourse referred to numerous types of documents including assessments, notes, case reviews and correspondence similar to what Lupton (1999) describes as case management. I categorized the *type* of entry as informal or formal to examine

management concepts within a qualitative lens. An informal entry would often be a reaction to a particular incident such as the youth engaging in some type of behaviour that sparked an interaction between the youth and a professional. For example, a youth may be required to attend school regularly as part of probation. If the youth failed to follow these orders, his or her primary professional (probation officer or social worker) would be notified through a secondary professional such as a school principal or teacher. The primary professional would document an interaction with the youth if it was with him/her. A specific example that speaks to this scenario is found in one file where a youth had been mandated to attend an educational support program run by the Department of Justice. His youth worker writes:

> *"[Youth] had his first unexcused absence. He cancelled the leadership weekend at the last minute. This is important to note because on the next unexcused absents (sic) there will have to be a meeting, regarding [his] fit for the program, he may be asked to leave at that time."* (File 4)

In this example the entry was sparked by the youth's absence from the mandated program and was reported to a primary professional who then noted this in the youth's file.

Conversely, formal entries were preceded by an organized contact with an individual or group of primary or secondary professionals, often a scheduled appointment or meeting. An example of this might be a weekly check-in, regular therapy session, case conference, probation reporting, counseling, an assessment or a court appearance. Formal entries could occur as a result of an incident involving the youth; however it was more

common to see the former. Formal and informal interventions are also often discussed together. For example, at a mandated probation check in, a youth was instructed he must abide by his conditions after not complying with formal interventions. His probation officer writes:

 "*[Youth] finally reported and was read his sentence order, conditions explained and [he] knows it is in effect until May 13th. It was also made clear [his] responsibility, [he] was told an assessment is on the order and [he] must either comply or have it varied.*" (File 10)

Here, the probation officer refers specifically to a quantitative risk management tool, an assessment that must be completed if the youth failed to comply with his conditions. Following this, the probation officer also discussed the more informal actions that had already been documented in the file by the youth's social worker:

 "*Social worker wasn't willing to hear any excuses from [him] as [social worker] has tried repeatedly to get [him] to abide by their [sic] guidelines without success.*" (File 10)

The entries in the case files, whether formal or informal provide examples of case management in action. The existence of both informal and formal entries supplemental to quantitative risk tools in the files speaks to a subjective component to case management. Files are not just composed of quantifiable risk assessments, programs and court orders. They also include many qualitative notes and discussions between professionals of varying occupations. Exchanging information by means of the case file is evidently

important to the case management of youth supporting what has been described by Lupton (1999) and Barron (2011) regarding this process.

Risk as Rhetoric

When describing a youth the professional discourse was inundated with variations on the word risk and significant emphasis on the concepts of management and responsibility signifying the possibility of this discourse becoming something of a rhetoric among professionals. More specifically, words such as *manage, managing* and *taking responsibility* were common and found in varying contexts. Some examples include:

"*[Youth] has been diagnosed with conduct disorder and has been placing herself at risk both physically and emotionally.*" (File 7)

"*Current environment in mother's home would likely increase [youth's] risk to act out violently in his attempt to gain control.*" (File 9)

"*[Youth] continues with high risk behaviours such as drug use and running.*" (File 7)

"*In efforts to assist in the management of [youth's] behaviour, this youth requires a highly structured environment.*" (File 6)

"*Judge determined [youth] was at high risk of reoffending if he went home to his mother.*" (File 3)

"[Youth] justifies and deflects responsibility to everyone else and doesn't see how his behaviour results in the trouble he gets in to." (File 18)

Interestingly, and regardless of occupation or employer all types of professionals engaged in these discourse. The following are examples of entries from Department of Justice professionals:

"[Youth] *remains a high risk to [herself] and thus to the community as [she] remains impulsive…"* (File 16)

"*We spoke a bit about how it is [her] responsibility, when [she] is addressed to be respectful and mindful of the reason staff are employed at this home. [She] will say what it is [she] feels you want to hear, however does not effect (sic) any change in [her] behavior."* (File 14)

Similar risk discourses were found among professionals from the Department of Community services files. The first, an entry by a social worker, describes her reasoning behind discharging a youth from a group home:

"[Youth] continues with high risk behaviors such as drug use and running and is subsequently putting [herself] at risk for victimization in the future." (File 7)

The second example comes from entry written by a youth justice case manager who was seeking to place a youth in a mental health treatment program. The case manager writes:

"[Youth] is at risk in family home and family is potentially at risk from [youth] given previous behavior (resulting in criminal charges)…" (File 18)

These qualitative examples of risk discourse evident throughout the files support

Lupton's (1999) discussion of case management where she argues that quantitative

techniques of risk management inform supplemental qualitative assessments. Further to

this, the utilization of risk discourses among all of the professionals, regardless of job is

revealing in that it supports Barron's (2011) discovery of professionals acting as risk

experts no matter their occupation. Barron (2001) suggests that these risk management

practices, understood as 'deprofessionalization', are applied across professions and

reflect current risk management ideologies.

Interestingly, some of these discourses also speak to risk in relation to

responsibilization. In the first quote, there seems to be a connection between the youth's

recent diagnosis of a conduct disorder and the professional's perception that she is

choosing to place herself at risk, physically and emotionally. In the last example, a youth

worker has determined that the youth 'deflects' responsibility away from himself. Again,

these discourses problematize risk while simultaneously expecting youth to take

responsibility for the risks around them. This confirms Case's (2006) argument that

young people are expected to negotiate internal and external factors while making

'rational' and 'normalized' decisions.

Being Bad or Being Breached?

In looking at risk discourses and management concepts, specific attention was paid to

whether professionals were utilizing youth justice legislation in conjunction with risk

ideologies or concepts. Interestingly, reference to the YCJA in the qualitative discourses

of the professionals was negligible. However, some legal conditions did impact case file

discourse. The term 'breach'[3], meaning failure to comply to court set conditions of a

probation order, was apparent in both the DOJ and DCS case file entries equally. Here, a

probation officer reiterates a Crown attorney in his case file entry:

> "*Crown attorney explained that under no condition can he have [youth]*
>
> *remanded for simple breach offences as there is no history at this time and there*
>
> *needs to be new criminal code offences for that to happen.*" (File 18)

The ability to breach a youth for violating conditions is a powerful management tool as

"breaching" can lead to more serious legal consequence such as detention on a new

criminal charge. Professionals seemed to use the terminology to manage and negotiate

with the youth much like a parent would with a child. This concept is explicitly identified

in the following where a youth bail supervisor (YBS) indicates that a youth care worker

(YCW) will act in this capacity through the DCS. The bail supervisor writes:

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[3] Youth Criminal Justice Act 2002, s 102(1) If the provincial director has reasonable grounds to believe that a young person has breached or is about to breach a condition to which he or she is subject under section 97 (conditions to be included in custody and supervision orders), the provincial director may, in writing *(a)* permit the young person to continue to serve a portion of his or her youth sentence in the community, on the same or different conditions; or *(b)* if satisfied that the breach is a serious one that increases the risk to public safety, order that the young person be remanded to any youth custody facility that the provincial director considers appropriate until a review is conducted.
Criminal Code R. S. C., 1985, s 742.6(9) Where the court is satisfied, on a balance of probabilities, that the offender has without reasonable excuse, the proof of which lies on the offender, breached a condition of the conditional sentence order, the court may *(a)* take no action; *(b)* change the optional conditions; *(c)* suspend the conditional sentence order and direct (i) that the offender serve in custody a portion of the expired sentence, an (ii) that the conditional sentence order resume on the offender's release from custody, either with or without changes to the optional conditions; or *(d)* terminate the conditional sentence order and direct that the offender be committed to custody until the expiration of the sentence.

"YBS met with [youth] in youth court today to assess her for the program. He

spoke with [group home] YCW and advised her that [she] meets the criteria for

the program and he will take over [her] probation from her previous PO. He

noted that Bail Supervision is the highest level of supervision for those in the

community. He requested that the DCS sign as a responsible parent for [youth]

which means that the agency would report all known breaches to the program."

(File 6)

The example demonstrates the DCS acting as legal guardian for the youth. Further to this,

the use of the term "parent" is of significance as the professionals from the DCS are to

understand that they are required to report breaches if they become known, similar to

what is expected of parents. Another example illustrates the DCS taking on this

"parenting" role and emphasizes the consequences of not following court orders. In this

case, a DCS youth worker (PED) is reporting that a youth is potentially in non-

compliance with her curfew. The worker writes:

"PED calls [group home] staff and YCW advised PED worker that [youth] is

'playing games' and that social worker never ordered a cab for her. YCW tells

PED worker that [youth] is probably panicking because she now has a court

ordered curfew of 10pm and could be breached if she is not back to [group home]

on time. YCW agreed with PED's decision to not provide cab service for [youth]

and that she has access to money and can get herself home. YCW advised PED

that [youth] is 'very capable of finding ways to her desired destinations'." (File

5)

Lastly, as information gathering and documentation has been identified as a functional component to case management, the following probation officer's entry demonstrates the interconnectedness of this process with risk rhetoric of 'breach', borrowed from the YCJA, to manage and control a youth's behaviours. The probation officer writes:

> "…*she understands that we are on to her excuses and they will no longer wash. Also she was advised to not try and pit me against her [youth care worker] as she will miss out as I look to them to provide the information to me which might result in breaches...*" (File 14)

The constant threat of "breaching" youth is an interesting management tool for professionals where the front line worker is able to hold something against the youth in order to pressure compliance. This concept fits within Foucault's understandings of neo-liberal governance techniques where rarely is blame or penalties allocated, but rather the focus is on affixing responsibility (1992). Here, the threat of a breach allows professionals to manage and responsibilize without the added task of applying consequences. While professionals did not refer to the YCJA in their entries, 'breach' is a clear derivative of a legal component of the legislation. Understanding "breach" as a management tool supports claims that risk management concepts are used in conjunction with justice policy and practices and those justice concepts are infiltrating the practice and ideologies of professionals.

Professional Knowledges – Setting the Tone

Overall, the tone of the files was mundane, negative and patronizing. Descriptors often prefaced factual information around details of an interaction with a youth and changed the tone of an entry depending on its nature. Character laden words and phrases such as *unmotivated*, *poor attitude*, and *immature* are examples of some of the descriptors found throughout the files. For example:

> *"[Youth] is still not working, but claims to have passed out resumes everywhere..."* (File 17).

Words such as 'still' and 'claim' leave an impression that the youth's effort to gain employment is lacking and possibly non-existent. Another example suggests that a youth is typically irresponsible. A probation officer writes:

> *"I told [youth] that if [she] needed the assistance [she] could come up, and in true [youth] fashion ignored [her] responsibility..."* (File 17).

A third example gives a summary of a youth's behaviours as being difficult;

> *"[Youth] was suspended from school for fighting. After meeting with his mother he came back with an attitude; visits with his grandmother are fine. [Youth] was in a fight again today. [Foster parent] says she does not know how much more she can handle [youth]. Vice principal says [youth] was doing well September to November but in the past two months has been a "pain in the ass", being saucy, fighting, lying." (*File 4*)*

With the negative tone of the entries throughout the files the opportunity to see the youth in a positive light is diminished and the negativity eventually becomes the norm. The negative descriptions of the youth, coupled with the risk rhetoric of the professionals challenges the ability to delineate between actual risks and the disposition of the youth. As Armstrong (2004) points out, risk is not simply a neutral scientific explanation of criminality but rather is socially constructed through the categories used to describe it.

The tone of the entries also differed across professional occupations and seemed to be dictated by the frequency of interactions with a youth. Because primary professionals interact frequently with a youth over time, these individuals seemed to know the youth on a more intimate level. Compared to secondary, primary professionals tended to use a 'parental' tone when speaking about a youth. For example, a probation officer writes:

> "*Talked about the kids [he] is choosing to associate with at school and warned [he] is heading in the wrong direction if this continues as those kids aren't ones who will encourage [him] to go to class.*" (File 18)

The tone of the secondary professionals was much more formal and prescriptive possibly because of the low frequency or nature of their interactions with a youth. A therapist for example, might only interact with a youth on a scheduled appointment basis. Here, a therapist writes:

> "*Something needs to happen soon before [youth] is lost. I recommend that [she] be placed in a secure residential setting to ensure [her] safety. I think [she] is in*

danger, [she] needs a lot of support right now. If [she] continues to use [she] may

reach a point where [she] is not willing to get help." (File 7)

The same youth's discharge report from a community services secure facility approximately ten months later shows an outcome from the above situation, however it is written by a primary worker. The social worker writes:

> *[Youth] has been diagnosed with conduct disorder and has been placing herself*
>
> *at risk both physically and emotionally in the community. She has refused all*
>
> *treatment and refused to attend programming at her group home or attend school.*
>
> *She has not been taking her medication and has been engaging in substance*
>
> *abuse."* (File 7)

The two entries show the different tones between the two types of professionals who are speaking of the same youth, one (secondary professional) being formal and clinical and the other (primary professional) being informal and descriptive.

A second example unpacks this further and comes from a psychiatrist (secondary professional) at a children's hospital who writes:

> "*[Youth] is at risk for psychosis and bipolar due to [her] genetics and drug use.*
>
> *Anxiety management should be the focus of [her] treatment*" (File 6).

Conversely, prior to the youth's visit with the psychiatrist, her social worker writes:

> *"There is a zero tolerance approach now being taken with [her] as [she] has*
>
> *become increasingly aggressive. Adoption process has been put on hold until*
>
> *[she] is more stabilized"* (File 6).

In the first quote, the psychiatrist writes with a clinical and prescriptive approach while the social worker gives a brief description of the youth's current disposition and highlights punitive measures taken because of her behaviour.

The tone and subsequent descriptors found in the entries as well as the difference between primary and secondary suggests that professionals possess the agency and ability to determine how they will portray the youth in the case file. While the secondary professionals maintain a sense of professionalism and what might be perceived as objectivity, the primary front line workers write in a much more casual manner, often with subjective tones. This finding seems to support what Armstrong (2004) discusses when referring to "the expert", where professionals working with vulnerable groups are in a position to present their personal knowledge and judgements as expertise.

Risk in Relation to Social Constructs

Gender

While it is clear that professionals are utilizing risk discourses and concepts when discussing youth in their entries, particular social constructs also became evident which seem to inform certain utilizations of risk. While I did not set up the methodology

initially to look for specific examples of this, my preliminary analysis did point to gender and family as distinct contributors to both the use of risk concepts along with how these risk concepts were exercised. As a result I added these concepts to my analytical model.

Further analysis indicated there were consistent differences in professional discussions of case file entries such that professionals would more often refer to female youth as being 'at risk' rather than 'posing risk' as they did for male youth. For example, one social worker writes:

> *"[Youth] was re-admitted to [Department of Community Services secure facility] after refusing to engage with addictions services, running from her placement, placing herself at risk in the community and drug use." (File 7)*

A second example from the same file speaks specifically to the community risk noted in the above quote. Contextual information from the file tells us that the young woman did not want to live in care anymore and left her group home to live with an unknown woman. The DCS identified the woman as not a family member of the youth and as someone who had her children involuntarily removed from her in the past. A youth care worker writes:

> *"...this disclosure highlights the considerable risks as to where she was living and what possible risks this living situation place [sic] her in." (File 7)*

A last example comes from the same youth's DCS file where her social worker writes:

"She continues with high risk behaviours such as drug use and running and is subsequently putting herself at risk for victimization in the future." (File 7)

This entry speaks directly to the potential for victimization at the hands of someone else. In the eyes of the professionals, the youth is consistently placing herself 'at risk' of harm from her environment, and is seen as putting herself in a position for victimization.

The professionals consistently spoke of boys in relationship to risk in terms of the young men as being 'a risk'. For example, a probation officer writes:

"…returned to [group home] and within a month went back to [secure facility] due to high risk behaviour in the community." (File 11)

In this example, the youth was seen engaging in high risk behaviour and the professionals subsequently decided he posed a risk to the larger community. Here, the youth himself is the risk. Boys were also often described as 'a risk' because of some external factor presenting a 'risky' hazard. A probation officer writes:

"Current environment in mothers home would likely increase [youth's] risk to act out violently in his attempt to gain control in an uncontrolled and disorganized environment." (File 9)

This example shows the obscurity with which risk is used in relation to male youth. The youth is not described as being at risk in his mother's home, but rather as having the potential to "act out" due to a 'risky' or 'hazardous' environment.

In all of the examples, risk concepts are used to justify increased monitoring and management. The professionals see hazardous situations or environments that they present as detrimental to the youth's safety or the safety of others and recommend removing them or taking preventative measures. The main difference, however, is that only boys are seen to possess the agency to decide whether they respond to their 'risky' environments with further risk behaviours. These findings support Hannah-Moffat's (1999) assertions that risk categories are shaped by wider contextual factors such as gender. She notes that when discussing female offenders the source of 'risk' is often located in male behaviour in that woman are presented as more 'at risk' of being victimized by men either in prison or in the community. She notes that "Unlike the male prisoner, the woman prisoner is rarely constructed as a risk to the community: but like women in the community, she is often portrayed as being at risk of being victimized by men." (p. 74)

Christie Barron (2011) confirms that risk is constructed in the same way for girls in the youth justice system as it is for women. Barron draws attention to the importance of incorporating a gendered perspective in any analysis of the impact of risk governance. She argues that the 'at risk' label positions girls at a particularly vulnerable and powerless position relative to others. Barron (2011) maintains that the label is then used to justify increased surveillance, monitoring and intervention of girls. While my findings reflect Barron's assertions that girls are presented as vulnerable and powerless through the discourse of the professionals, I did not find any gender difference in justification for increased surveillance and monitoring. Here, professionals are consistently seen to expect

youth, no matter their gender, to take responsibility for their situations and manage their environments while at the same time the expectation is that they will succumb to hazardous (or risky) situations.

Family

The construct of family also arose as an interesting indicator of risk and risk concepts. While I did expect to find information regarding the youth's family in the case files, specifically their community service files, I did not expect to find discussions of family in relation to risk and youth. For example, a probation officer says:

> "*[Youth] was much more pleasant today, scary how [she] blows up so hot and cold, possible [sic] showing early onset of some disorder such as bipolar as [her] mother.*" (File 15)

This probation officer's suggestion of the youth's risk of a mental health disorder because of her mother's history is evidence of informal risk management. It is not evident anywhere in the file that the mother has a diagnosed disorder. Nonetheless, this information in the youth's file contributes to perceptions and construction of the youth's potential 'risk'. This contextual information of the individual's family highlights issues raised about assumed objectivity and 'expert knowledge'. Further to this, the probation officer does not make mention of seeking help for the youth supporting Hannah-Moffat's (1999) assertions that risk and needs are often misinterpreted. In this case, the probation officer is presenting a potential 'need' as 'risk'.

A second example comes from a youth's social worker discussing his 'needs' while with his mother:

> *"Realistically, when her emotional health is left unattended or managed by poor choices, [his] needs are met in a minimal way."* (File 4)

The social worker then writes:

> *"[Youth] is a bright and sociable teen but without more positive avenues in his life and secure feelings about what his mother can offer him, he will continue to display resistance, anger and non-acceptance of responsibility [sic] negative choices he makes."* (File 4)

Here, the social worker's discussion of the youth focusses concern on the management of his needs. This entry suggests that poor management of behaviours leads to risky outcomes, however in this case, it is the mother who is not meeting management standards. While management is fundamental to risk concepts and particularly case management when predicting behaviour, the result is that the needs of an individual are not often considered. Other family references in the files showed concern for parent's skills as role models and caregivers. It is also interesting to note that it is most often mother's skills and abilities that were referenced in the files. An example written by a social worker who identifies herself in the entry as "worker" shows this:

> *"Worker indicates that mom needs to learn how to role model more positive relationships. Work on her parenting skills will be ongoing."* (File 9)

A second example comes from a social worker citing the decision made by a judge to send the youth to a group home rather than back to his family. The social worker writes:

> *"Judge determined [youth] was at a high risk of reoffending if he went home to his mother and if he didn't he had a low risk of reoffending. Mom signed voluntary care agreement." (File 3)*

The examples of discourse referring to family, more specifically mothers, and risk supports an assertion that not only is risk socially constructed but that 'family' is viewed as a risk factor in the case files. The professionals' reference to parenting abilities and specifically "role models" contributes to an 'at risk' portrait of the youth and his family life. This is not a question of whether mothers are exhibiting behaviours that are not safe for their children; rather, of interest is the professionals' willingness to make this determination. The professionals have an opportunity to define behaviours and relationships as 'abnormal' and impose judgements on these, categorizing between risk and non-risk. Interestingly, "non-risk" behaviours are never discussed in the files, making it difficult to determine what 'normal' the professionals are seeking. Furthermore, the youth is perceived as 'at risk' for exhibiting behaviours similar to or in response to their mothers' situations. These findings support what Armstrong (2004) asserts as the "family factor". Drawing on Hawkins, Catalano and Miller (1992), Armstrong states that family factors can be considered a "risk factor" that contribute to offending behaviour in young people. He argues that since crime is often viewed as an outcome of dysfunctional individuals and communities, simplified crime management systems that include 'risk factors' such as family, justify management and surveillance of vulnerable groups.

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Evidence of risk management known as 'expert knowledge' (Armstrong, 2004; Ballucci, 2008; Lupton, 1999) was found throughout the case file entries. The discourses suggest that risk is constructed and applied to youth, and that these constructions are largely informed by social indicators such as gender and family. Furthermore, difference in the application of risk through tone and language between primary and secondary individuals was identified. As Ballucci (2008) found in his examination of the Youth Management Assessment, front line workers, such as those in this project, are the ones who determine what counts and when to include it in making risk determinations. These findings support notions that risk is not only socially constructed but applied at the discretion of professionals and is therefore fundamentally a subjective construct.

Managing the File

To identify whether the youth's case file is a governance tool for professionals, the entries were scanned for patterns of "outcomes and compliance". At the outset of the thematic analysis, I looked for evidence of a dialogue between professionals but there was none. What I did find was a documentation of subsequent compliance to recommendations set out by other professionals in the form of written discourses. Specifically, an entry would document a recommendation from a secondary professional and if the youth did not comply with the recommendation it would be documented by a primary professional. For example, if a youth was required to attend programming as part of their probation laid out by a judge and failed to do so, the probation officer or social

worker would document this. This finding is important because the only professionals who would have access to the files on a regular basis would be the primary professionals, in other words whoever owned the file. For example, the social workers would ultimately "own" community services files and would have regular access to them. Therefore, it would be unlikely that a secondary professional, such as a therapist or principal, would read an entry, identify the recommendations, apply them and document this within the case file. The practice seems to be that secondary professionals will document interactions they have with a youth and submit this to the primary professionals. Either way, this is evidence of the primary professional's exclusive power of discretion as to the information or 'knowledge' that ends up in the files.

Examples of recommendations, outcomes and compliance can be seen in the following example. In this first entry, a primary professional from the DCS makes reference to a secondary professional's involvement. The social worker writes:

> "*[The youth] has been causing chaos and is a danger to others at school. According to the therapist, the youth mentioned that [she] would like to try and get [herself] kicked out of school because [she] missed so much work already...*" (File 6)

Although the youth's social worker did not comment on this information in any detail, another entry indicates that the youth was immediately enrolled in an alternative education program. A second example comes from a documented discussion between a youth and his probation officer about his behavior at a group home where he was in care.

The conversation is recorded in the youth's DOJ file along with a record of a report from the group home the following day that there has been a positive change in the youth's behavior. The interaction is subsequently documented by the probation officer in the youth's DOJ file. The probation officer writes:

> *"[Group home] staff called to say whatever [probation officer] said to [youth] has made a huge difference. Told her that [probation officer] simply told him that in order to get the respect he is expecting he needs to be more respectful of others. Also told her that he was informed that [probation officer] asked for weekly summaries of his behaviors. She was grateful for the support."* (File 12)

Both examples demonstrate a discourse of outcomes between professionals. In the first example the social worker is acknowledging information brought forward by the youth's therapist. Subsequently, the social worker acted on that information in deciding on an outcome for the youth. The second example shows an interaction documented by a probation officer. Interestingly, preceding this interaction, the DOJ file indicates that the group home had called the youth's probation officer to inform him of bad behaviour. It is documented in the following entry:

> *"… [group home] house staff called to inform [probation officer] of [youth's] rude behaviours and not following the rules.*" (Probation Officer, File 12)

This example between the probation officer and the youth care worker highlights a dialogue of exchange between primary and secondary professionals that influences outcomes as well as the compliance of these groups.

A further example demonstrates a dialogue with potentially negative outcomes. A probation officer seems to be venting frustrations about a youth to a new probation officer who will be taking over responsibility for the youth.

"Yes I told [youth] that IF she needed the assistance she could come up or I would go to [group home] to help her with it. For every appointment following her RJ contract I asked her about it and her response was OH YEAH, I gotta to [do] that! So, looks like she did not need the assistance and in true [youth] fashion, ignored her responsibility. At this stage of the game I would not be willing to help her out, and I don't think you should either, unless of course you have a burning desire to write an essay with her. My purpose in offering to help was to give her an opportunity to get on it and be guided through the process. So, if I were in your shoes, I'd feel no obligation to offer anything to her as SHE made the choice to not accept the help when it was offered. Call me if you need further information." (File 14)

This example of "non-compliance" is indicative of the risk management approach as it predicts risk to both the youth and the new probation officer as well as demonstrates responsibilization of the youth. Each of the examples suggests that professionals do respond to recommendations with a sense of compliance which is documented in the outcomes described in the above entries. Following professional recommendations, whether documented by primary or secondary professionals, suggests that the case file is capturing a process of management. As is seen throughout the examples, risk thinking is clearly demonstrated and concisely documented in the professionals discourses

supporting what Ballucci (2008) has termed 'professional responsibility'. Not only do the files act as a tool to manage the young person's behaviour, but also to control the professionals.

Learning the Language

Beyond demonstrating compliance and accountability, I found that professionals use a certain type of language when referring to themselves in their entries. Specifically, case workers and social workers acknowledged themselves in the third person, such as "the worker". The importance of this finding is twofold. First, the absence of the professional's name in his or her own entry is interesting when the identity of the professional is noted in other entries throughout the file. Second, the self-reference of "the worker" provides an illusion of objectivity, which, combined with the formal tone and language of the files creates an essence of authority and expertise.

The following are some examples supporting this finding:

> "*Based on the information available to the agency, the worker will close the file at intake as there are no child protection concerns. The issue of stress in the family, [youth's] medical condition & [youth's] brother's behaviour do not fall within section 22 of the CFSW.*" (Social Worker, File 9)

"Worker informed [youth] that if he did not stop going AWOP (away without permission) from [group home] he would have to make an application for [secure treatment facility]." (Social Worker, File 2)

"Talked at length to [youth] regarding her choices, future and conditions. This worker did not feel [youth] took any responsibility for her behaviours." (Social Worker, File 5)

"[Youth] asked if he could spend the night with a friend in [another town] & requested bus money. Worker explained money couldn't be provided. [He] got frustrated as he felt the worker wasn't trying to help him. [He] insisted he speak with a supervisor. Worker went to speak with supervisor who told worker to convey to [youth] he would only relay the same info to [youth]. [Youth] hung up." (Youth Worker, File 3)

The hierarchical nature of "the worker" further demonstrates a clear division between the 'self' and the 'other'. As Lupton (1999) points out, important components of risk include order, control and the categorization of things. Here, the professional is able to maintain a sense of self in opposition to the youth (other) with the use of the clear-cut terminology such as 'worker'. Further to this, the formality of the language demonstrates a level of accessibility with which the expert is privy to and becomes accessible only to those with the knowledge and capacity to interpret it.

These professional discourses provide evidence of self-governance and accountability in managing youth. The entries demonstrate that professionals not only

possess the ability to determine what is included in the file, but when an entry includes a recommendation. The evidence of outcomes throughout the case file entries demonstrates professional accountability through case management. Further to this, the language professionals use to refer to themselves in the files is indicative of larger implications around concepts of the "other" becomes apparent, where hierarchical social positioning becomes of importance.

Discussion

The findings include a look into the practice of case management by identifying the types of entries made by professionals in the case files, along with a discussion of risk discourses, practices and concepts. Furthermore, social constructions of risk were identified and discussed in relation to concepts of the "expert" and professional knowledges. Lastly, questions of management were considered through a review of findings which suggested case files are a tool to manage both youth and professionals. Through this analysis and discussion several general conclusions are apparent. It is clear that risk related case management is evident at the frontline level of both the Department of Justice and the Department of Community Services. Further to this, risk discourses were in fact found as tools of case management. Concepts of risk were found to be used as both descriptors and predictors of behaviours and are also influenced by socially constructed factors such as the environment, gender and family. Lastly, case management

practices effectively manage both the youth and the professionals through language and

risk practices.

Chapter 5

Implications of Risk Assessment and Case Management

Risk has historically been understood by proponents of the techno-scientific perspective as objective phenomena (Barron, 2011). Two themes developed throughout the course of this research: the extent to which risk assessment occurs within informal means of case management; and how risk is subsequently manifested as an objective means of working with youth in the justice and child welfare systems. Overall, the establishment (in the social sphere) of risk concepts through quantitative means has consequently impacted the informal dialogues and processes of management for individuals working with youth. Case management is found to be a dynamic process, and the findings present epistemological implications about how youth with challenging needs are managed and policed when in the care of the state.

Case Management in Practice

The findings of this research suggest that risk related case management is evident at the frontline level of both the Department of Justice (DOJ) and the Department of Community Services (DCS) and furthermore that the outcomes and processes of case management are highly subjective. As the analysis shows, the volume of case file entries

in both formal and informal contexts implies that the exchange of information and documentation between professionals is integral to the management of youth in care. Further evidence of risk discourse becoming rhetoric in both the DOJ and DCS files supports Muncie and Goldson's (2006) arguments that risk discourse now targets both offenders and non-offenders within the community. The case file entries suggest that the source of the documentation, meaning whether primary or secondary professionals author the entry, does not dictate the use of risk discourses as rhetoric, suggesting that risk management exists across professions equally. This supports the argument that case files act as a qualitative risk rationality tool and should be understood in a similar context to the formal quantitative actuarial risk tools used in varying contexts with young offenders.

Much of the risk research to date offers critiques of risk management concepts through analyses of actuarial risk tools and assessments (Armstrong, 2004; Ballucci, 2008; Barron, 2011; Case, 2007; Fitzgibbon, 2007; Haines & Case, 2008; O'Mahoney, 2009). A small amount of the current research is focused on case management (Lupton, 1999), a much more informal process of managing individuals in care by means of risk concepts. While criticisms of risk management are plenty, few have delved into understanding the implications of qualitative methods of risk management through discourses and case management. Ballucci terms this conceptual process as "risk in action" where he argues that the current theoretical discussions of risk seem to overlook practical implications (2008). Ballucci's research asserts that case management not only exists, but functions through concepts of risk rhetoric and practice. The findings from this

research support this assertion and therefore allows for comparisons to be drawn between examples of quantitative risk assessments and qualitative case management.

Risk as Rhetoric

Risk discourses as examples of rhetoric were found as fundamental tools of case management and identified throughout the case files. Variations of the word *risk*, *management* and *responsibility* were found in both formal and informal entries. Youth were often described as *at risk*, *high risk* or *increasing risk*. Further to this, youth were presented as unable to *accept responsibility* or as having difficulty *managing their behaviours*. From a governmentality perspective, the purpose of risk management and subsequently risk discourse is to identify those who need discipline and normalization through state apparatus (Lupton, 1999). It is through categorization and normalization that individuals can be compared to others, and assessments are completed in accordance with the current social norms (Lupton, 1999). In this view, risk discourse is an essential tool of frontline professionals and provides a language to identify normalized individuals (or lack thereof). Prefaces used to accompany the descriptors signify the dynamic nature of risk. For example, someone can be *high* risk; *at* risk or *having difficulty managing* their risk. Furthermore, if risk is not commonly understood as a set of belief systems and knowledges, then it cannot be used consistently by professionals, and their discourses are seen as subjective. Hence, the widespread use of actuarial risk assessments that are believed to remove this discretion. Some are more sceptical and argue that the interpretation of "risk" is still an issue within governmentality models (Ballucci, 2009).

Case management involves similar conceptual tools. Front line professionals were seen to categorize youth by degrees of 'normalcy' when documenting in the youths case files their levels of risk. The objective seemed to be to not only manage youths risks, but also to direct them towards non-risky behaviours and situations (or normality), and encourage youth to make safe choices on their own. This finding supports Bessant, Hill and Watts (2003) who argue that in contemporary risk rhetoric it is the experts who intervene and develop programs to address and overcome risk factors. This is encouraging in that case management allows space for the application and discretion of the front line professionals according to their own ideologies and understandings of risk. The interpretation of risk however, could be problematic if 'risk' is not inherently understood as a socially constructed concept and becomes applied under the illusion of objectivity. Challenges may arise if professionals or experts are "ordering" (Lupton, 1999, p. 179) risks differently.

The case files also showed that professionals use specific aspects of youth justice legislation as a risk management tool. The analysis showed frontline workers threatening to report a breach when youth were thought to be not following mandated conditions of a probation or court order. The legal term became a functional threat and a punishment if exercised, a potentially powerful risk management tool for frontline workers. In Hannah-Moffat and Maurutto's (2003) *Youth Risk/Need Assessment,* they criticize the use of risk/need assessments related to custody and reintegration. While they are speaking specifically about formal risk assessments, the context informing these assessments is derived from information found in case files. Hannah-Moffat and Maurutto (2003) argue

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that further investigation should be required when a breach is suggested. They note that, "The frequency and type of breaches of conditions, the circumstances of the breach, the reasons for returning the youth to custody and whether additional conditions unnecessarily intensify surveillance…" should be questioned when in relation to any type of risk assessment (p. 26). The findings show that the discourse of 'breaching' youth is occurring outside formal legal conversations and is being used as a threat. While breaching youth might be an opportunity for front line professionals to "gain control", one wonders whether the informality of this practice is impacting the number of actual breaches youth are charged with when in care.

The risk rhetoric identified is derived from qualitative case file entries suggesting that risk assessment and management can be subjective, informal and unofficial, the opposite of the intent of quantitative actuarial risk tools. Arguably, the informality of risk, risk rhetoric and risk management in the case files is the antithesis of the intention of the objective paradigm. While the actuarial risk literature forewarns against reliance on quantitative predictive tools, a similar argument could be constructed for the use of informal case file entries where it is clear that risk rhetoric has infiltrated discourse and informal practice.

Characteristics of Case Management

The findings show that the overall tone of the case file entries was negative: descriptors such as *unmotivated, poor attitude, immature, saucy, mouthy, aggressive, abusive, demanding, naive, disrespectful, threatening, unworkable* and *impulsive* were found consistently throughout the files. The 'risk' tone seemed to reflect the professional's experience with a youth throughout his or her service history, and the tone of one informs other professional's entries and assessments of normality, criminality and risk. Furthermore, as is described in other research around quantitative technologies, qualitative entries are often used to inform actuarial risk technologies when developing treatment plans and assigning supervision (Hannah-Moffat & Maurutto, 2003, p.4). The qualitative entries, risk rhetoric and subsequent tone not only significantly challenge the assumed objectivity of actuarial tools but the potential usefulness of information from case files in assessing risk or as a compliment to quantitative assessments is fundamentally in question.

Social Constructions of Risk

The value of case file assessments and information is further in question after this analysis of the social constructions of risk. Socially informed factors including environment, gender and family were each identified as informing risk rhetoric and practice. The data suggests that risk is informed by contextual information which is used to support the professional's ability to categorize youth as "at risk". As discussed in Chapter 4, the trend of 'risk experts' is developing across social sectors, where

professionals utilizing risk models are becoming 'experts' in their fields in determining

risk (Barron, 2011).

Risk and the Environment

Discourse revolving around managing and responsibility the risk rhetoric and

occurred equally across professions. The findings suggest that risk discourse is

consistently used in relation to environmental factors. The context was varied but social

factors such as living arrangements, family, gender and criminal behaviours including

drug use were often referenced in relation to risk. These findings support results from

both Barron (2011) and Ballucci's (2008) work which affirmed that professionals used

context from the youth's social realities to inform their practice of managing. Also

interesting is the dictate of neo-liberal governance techniques that youth should be

working towards appropriately managing their own risks. Case (2006) points out that

youth are disadvantaged and sometimes have little control over their environments,

thereby challenging the assumption that all youth have an ability to determine and

navigate their environmental risks. Foucault (1982) reminds us that governmentality is a

power that evolves from the margins of society rather than one central body. Thus, the

impetus of control for youth lies in social mechanisms (other than the government) such

as the school, the juvenile justice system, the welfare system and health services (Barron

& Lacombe, 2005). These "centres of governance" and the power produced from them

effectively target the individual and encourage self-regulation and autonomy (Barron,

2011; Garland, 1997). As Garland (2003) points out, neoliberal governments have taken

steps to relocate the responsibility for risk to the individual by legislative changes within the youth justice system and elsewhere to ensure that individuals are managing their own 'risk' while maintaining the norms and expectations of society (Barron, 2011; O'Malley, 1996).

Risk and Gender

Gender was also found to be a contextual component informing the professionals judgements of the youth being 'at risk' or a 'risk'. The findings here support Hannah-Moffat's (1999) claims that women and risk are often located within male behaviours, for example, women are described as being the victim or "at risk" more often than being "the risk", emphasising the perceived vulnerability of being a girl. The entries show that the professionals believe that girls are placing themselves at risk in the community more often than boys, and are subject to external risks such as 'running' and drug use. On the other hand boys were consistently perceived to possess the agency for controlling risks in their environments. Even when boys were perceived as being in an environment of risk, potential "running" or drug use was understood as boys acting out. Further to this, all youth regardless of gender were expected to manage their behaviours and mitigate opportunities for risks, a finding not supported by the literature. The responsibilization of youth speaks to the governmentality "agenda" (Kemshall, 2008) where the individual is considered to be accountable for 'shaping' his or her own reality and is expected to navigate and respond appropriately to situations and behaviours that have been pre-determined by "experts" to be "risky".

There is a wealth of academic research (see Barron, 2008; Bessant, Hill & Watts, 2003; Hannah-Moffat, 1999, 2000, 2005) supporting the notion that risk is a gendered concept. As Bessant, Hill and Watts (2003) point out: "Risk based research is part of disciplinary practice that involves marking out those viewed as posing an actual or potential threat to the social order and applying regulatory strategies to them." (p. 122) They further argue that risk discourse is simply an extension of criminology's traditional focus with marginalized groups (2003). The youth in the cohort for this research were involved with multiple public services including the Department of Justice and the Department of Community Services, and they are identified as "high risk" by these institutions. Hannah-Moffat (1999) reminds us that risk governance and subsequent disciplinary techniques to date, neglect to acknowledge vulnerable groups such as women and youth. She notes that a challenge to utilizing risk discourse and actuarial tools for these groups is that needs often become redefined as risks (Hannah-Moffat, 1999). The data supports the notion that risk is in fact a gendered concept, and also that it is informed by many other social constructions such as the environment and family of the youth. Significantly, however, the tendency of the professionals to attribute agency to boys and not girls supports Hannah-Moffat's argument that risk and need are in fact often misinterpreted.

Risk and Family

Family was identified in the findings as a contributor to risk in the youth's lives supporting Armstrong's (2004) concept of the 'family factor', where family is considered

a risk factor in actuarial technologies. The data suggested that family as a risk factor is not limited to actuarial technologies, but is also used in qualitative assessments of youth. Further to this, the findings show that professionals reference clinical risk factors of family members such as mental illness when discussing and assessing youth. This could potentially prove problematic in that the types of professionals involved in case file discourses are not typically clinical experts such as physicians or psychiatrists but rather social workers and probation officers. The process of professionals attributing levels of risk and need through therapeutics is understood as clinical risk management and arguably a variation of case management (Lupton, 1999) The findings show that social service professionals are demonstrating degrees of clinical case management by drawing conclusions around diagnosable illnesses about risk and thus predicting behaviours of youth. There was no indication in the case files that professionals questioned one another, or their claims. Rather, as will be discussed in a later section, evidence was found of professionals following the recommendations of their colleagues. While the acknowledgement of contextual factors in the youth's lives by the professionals is encouraging, family is inherently understood as a risk factor. A major criticism of risk technologies is that they purport risk to be a predictive factor for criminal behaviour (Ballucci, 2009; Case, 2007; Hannah-Moffat, 2005; Kemshall 2008). A similar theme is found in case management, where risk factors, even indirect factors such as family, are identified as predictive of certain behaviours. What is more concerning however is that the predictive factors are determined by those without the 'expert' knowledge needed, once again challenging the value of the claims.

Beyond the implications of family characteristics as a risk factor, the absence and 'failure' of the normalized family is used in risk rhetoric when discussing youth. The family (parents in particular), is historically understood to hold primary responsibility for crime control (Madriz, 1997). As Barron (2011) points out, the private sphere is now expected to assume more responsibility for things which were once understood as public. The family is typically known to have the capacity to impose normative behaviours on their children, and when this does not happen, social service professionals step in to assume this responsibility. The data suggests that the professionals are in fact assuming this role and determining where the family is lacking in its ability to support youth. However, this is all done within the context of risk rhetoric, practice and management. This finding is largely in support of Barron's (2011) research that found there is a renewed emphasis on the enforcement of behaviours in the juvenile justice system with respect to girls in relation to assumptions about the role of the family. She argues that ideologies relating to the private sphere (such as families) inform laws and policies and contemporary control strategies (such as risk governance) target everyday behaviour subsequently impacting both offenders and non-offenders (Barron, 2011).

Professional Management

While the case file entries demonstrated examples of case management of the youth through risk rhetoric and practice, the entries also demonstrated case management working in reverse where management of the professionals became apparent. Case

management of the professionals is similar to what Ballucci (2008) found where risk

management technologies are embedded in practices of the professional; these same

technologies are used to monitor the professionals who use them. Here, it is unclear who

holds the 'power' of management; whether it is the professionals by their ability to

document actions, decisions and justifications, or whether it is the state in their ability to

monitor these of the professionals through the case file.

Outcomes and Compliance

The data confirms Ballucci's (2008) findings that self-governance exists within

risk technologies not only through the dialogue between internal colleagues, but also in

an inter-agency capacity. I found self-governance reflected in both the documentation of

events through the referencing of other professionals in entries as well as in outcomes and

compliance with others' recommendations. As Ballucci (2008) points out, risk discourse

and subsequently management techniques regulate and standardize practice for other

professionals to use. A key component of governmentality and subsequently risk

management is the ability for citizens to self-regulate. Those who manage to do this have

the ability to successfully operate within centres of governance such as schools, social

services and hospitals similar to the professionals found here. In this case, service

delivery may be impacted if professionals are operating within a construct of normalized

behaviours governed by higher authorities. As Ballucci's (2008, p. 195) work determines,

"…risk is not only mediated by discretionary power but it necessitates this power." Risk

discourse used in a case management capacity is inherently complex. Risk is understood

as an objective phenomenon (Barron, 2001). Case management; however, seems to be neither an objective nor subjective process, but rather one mixed with interpretation, imperfection and incomplete information, challenging conventional concepts of risk in practice.

Language and Objectivity

The language and discourse used in the case files supports Garland (1997) and Lupton's (2004) claims of the 'autonomous, self-regulated citizen' and supports Ballucci's (2008) claims of self-governance among professionals. This autonomous self-regulation manifested in the form of self-referencing as 'the worker'. By using 'the worker' in written entries, an illusion of professionalism, knowledge and objectivity is provided. As Foucault (1991) reminds us, once knowledge is written, it becomes truth. By cloaking observations of a youth's actions with power laden and anonymous labels such as "the worker", conclusions and recommendations take on a guise of objectivity.

Discussion

The intention of this project was to come to an understanding of what risk management looks like in the case files of youth and to understand how case file management relates to broader conceptualizations of risk. This chapter conceptualizes my findings and situates them within the broader discussions of risk theory and methodology. The findings from this research suggest that not only does case management exist within

the social service files of young people, but it operates within boundaries defined by risk rhetoric and practice. This risk practice is applied by professionals across the child welfare and youth justice files and has implications for service delivery to youth.

It is clear from the discourses of the professionals that risk is applied and concepts of risk are used liberally throughout a youth's service file. It is also evident that within case management; risk is not only used as a descriptor, but also as a predictor of behaviours, a management tool and a justification of 'expert' decisions. While the findings presented challenges of case management with respect to risk, it is encouraging to see that the process does leave opportunity for improvement and space for the qualitative context of the youth's complex lives. Further research into case management and the risk paradigm would bring a broader understanding of not only the decisions and actions of professionals but the service needs of youth involved with the social services.

Recommendations

A review of risk management literature was conclusive in that little research has been done on qualitative and informal examples of case management. What research has been done suggests that looking at quantitative risk assessments as the only "risk tool" for managing youth is short sighted. While some of the quantitative criticisms still apply to the use of risk discourses and practices with case management, it is also shown that informal case management practices potentially produce positive outcomes, contradicting generalized risk management condemnations.

The value of this work lies in the questions it produced. The research provides a first glance into informal case management practices derived from the words of professionals who practice it. While risk and case management is traditionally understood as formal and quantitative, this research shows that risk management is also practiced in the informal discourses and actions of professionals working with young offenders. While the analysis provided valuable insights, the use of secondary data and the nature of the data itself limited the scope of analysis and left some important questions unanswered.

In order to move forward with case management research, the data set needs to enable questions about the context and impact of risk. In order to understand how individuals construct or conceptualize risk and how these constructs are applied in practice, the data must include first person accounts of both professionals and youth in the file's entirety. While this research provided a perspective from the professionals, it was not a complete accounting through the file and the "youth voice" was entirely missing throughout. Gaining first person accounts from youth would allow for an understanding of the impacts of risk discourses and practices. For example, the data here suggested that risk was constructed differently between male and female youth; it would be important to understand the extent to which this differentiation is experienced by youth. While the opportunity to access some of the professional case file entries answered some questions, more were raised that require a review of the entire files. Case management is not limited to the direct entries of professionals, but also involves

decisions, practices and outcomes that were not evident in the data available for analysis in this study.

One of the main criticisms of formal risk management is that is purportedly an objective practice able to predict or determine the risk behaviours of an individual. Looking forward to best practices, perhaps, case management could be understood as a complimentary subjective practice to quantitative risk assessments. Practitioners would understand risk as a socially constructed entity, as evidenced in this research, and apply it appropriately and differently when assessing youth. Standardizing risk practices (formal or otherwise) is not recommended while allowing for discourse and input from professionals should be encouraged.

<div align="center">**References**</div>

Abrams, L., & Hyun, A. (2009). Mapping a Process of Negotiated Identity among Incarcerated Male Juvenile Offenders. <u>Youth & Society</u>, 41(26).

Armstrong, D. (2004). A Risky Business? Research, Policy, Governmentality and Youth Offending. <u>Youth Justice</u>, 4(2), 100.

Baker, K. (2005). Assessment in Youth Justice: Professional Discretion and the Use of Asset. <u>Youth Justice</u>, 5, 106.

Balluci, D. (2008). Risk in Action: The Practical Effects of the Youth Management Assessment. <u>Social & Legal Studies</u>, 17, 175.

Barnhorst, R. (2004). The Youth Criminal Justice Act: New Directions and Implementation Issues. <u>Canadian Journal of Criminology & Criminal Justice</u>, 46(3), 231-250.

Barron, C., & Lacombe, D. (2005). Moral Panic and the Nasty Girl. <u>Canadian Review of Sociology and Anthropology</u>, 42(1), 1-19.

Barron, C. L. (2000). <u>Giving Youth a Voice; A Basis for Rethinking Adolescent Violence</u>. Halifax: Fernwood Publishing.

Barron, C. L. (2011). <u>Governing Girls; Rehabilitation in the Age of Risk</u>. Winnipeg: Fernwood Publishing.

Beck, U. (1992). <u>Risk Society: Towards a New Modernity</u>. London: Sage Publications.

Bell, S. (2003). <u>Young Offenders and Juvenile Justice</u> (2nd ed.). Scarborough, Ontario: Nelson.

Berg, B. L. (2003). <u>Qualitative Research Methods for the Social Sciences</u> (5th ed.). Boston: Pearson Education.

Bessant, J., Hill, R., & Watts, R. (2003). <u>"Discovering risk": Social Research and Policy Making.</u> New York: Peter Lang Publishing.

Bottrell, D. (2009). Dealing with Disadvantage; Resilience and the Social Capital of Young People's Networks. <u>Youth & Society</u>, 40(4).

Bourdieu, P. (1990). <u>In other words: Essays Towards a Reflexive Sociology.</u> Stanford, CA: Stanford University Press.

Calverley, D., Cotter, A., & Halla, E. (2010). <u>Youth Custody and Community Services in Canada, 2008/2009</u>. Juristat, Canadian Centre for Justice Statistics.

Carey, M. (2009). <u>The Social Work Dissertation: Using Small-scale Qualitative Methodology.</u> London: Open University Press.

Case, S. (2006). Young People 'At Risk' of What? Challenging Risk-focused Early Intervention as Crime Prevention. <u>Youth Justice</u>, 6, 171.

Case, S. (2007). Questioning the 'Evidence' of Risk that Underpins Evidence-led Youth Justice Interventions. <u>Youth Justice</u>, 7, 91.

Castel, R. (1991). From Dangerousness to Risk. In G. Burchell, C. Gordon & P. Miller (Eds.), <u>The Foucault effect: Studies in governmentality: With two lectures by and an interview with Michel Foucault</u>, (pp. 281-298). The University of Chicago Press.

Cradock, G. (2007). The Responsibility Dance: Creating Neoliberal Children. <u>Childhood</u>, 14, 153.

Criminal Code (R.S.C., 1985, c. C-46). Retrieved from http://laws-lois.justice.gc.ca/eng/acts/C-46/page-4.html.

Dean, M. (1997). Sociology after Society. In D. Owen (Ed.), <u>Sociology after Postmodernism</u>, (pp. 205). London: Sage Publications.

Dean, M. (1999). Risk, Calculable and Incalculable. In D. Lupton (Ed.), <u>Risk and Sociocultural Theory: New Directions and Perspectives</u> (pp. 131). Cambridge: University Press.

Department of Justice. Retrieved March, 2011, from www.justice.gc.ca

Doob, A., & Sprott, J. (2006). Punishing Youth in Canada: The Blind Man and the Elephant. <u>Punishment & Society</u>, 8(2), 223-33.

Douglas, M., & Wildavsky, A. (Eds.). (1982). <u>Risk and Culture: An Essay on the Selection of Technological and Environmental Dangers</u>. Berkeley, CA: University of California Press.

Esterberg, K. (2002). <u>Qualitative Methods in Social Research</u>, Boston; Toronto: McGraw-Hill.

Fairclough, N., & Wodak, R. Critical Discourse Analysis. In T. van Dijk (Ed.), <u>Discourse Studies: A Multidisciplinary Introduction </u>(pp. 258). London: Sage.

Farrington, D. P. (2000). Explaining and preventing crime: The globalization of knowledge - the American society of criminology 1999 presidential address. Criminology, 38(1), 1-24.

Feeley, M., & Simon, J. (1992). The new penology: Notes on the emerging strategies of corrections and its implications. Criminology, 30, 449.

Fitzgibbon, W. (2007). Risk analysis and the new practitioner: Myth or reality? Punishment & Society, 9, 87.

Foucault, M. (1980). In Gordon C. (Ed.), Power/Knowledge: Selected Interviews and other Writings 1972-1977. New York: Pantheon.

Foucault, M. (1982). The subject and power. In H. L. Dreyfus, & P. Rabinow (Eds.), Michel Foucault. Chicago: Chicago University Press.

Foucault, M. (1990). The History of Sexuality (R. Hurley Trans.). New York: Vintage Books.

Foucault, M. (1991). Governmentality. In G. Burchell, C. Gordon & P. Miller (Eds.), The Foucault Effect: Studies in Governmentality. Hemel Hampstead: Harvester Wheatsheaf.

France, A. (2008). Risk Factor Analysis and the Youth Question. Journal of Youth Studies, 11(1), 1.

France, A., & Crow, I. (2005). Using the 'Risk Factor Paradigm' in Prevention: Lessons from the Evaluation of Communities that Care. Children & Society, 19, 172.

Garland, D. (1985). Punishment and Welfare: A History of Penal Strategies. Aldershot, Gower.

Garland, D. (1999). Governmentality and the Problem of Crime. In R. Smandych (Ed.), Governable Places: Readings on Governmentality and Crime Control. Aldershot; Brookfield, VT: Ashgate.

Garland, D. (2001). The Culture of Control: Crime and Social Order in Contemporary Society. Oxford, New York: Oxford University Press.

Garland, D. (2003). The Rise of Risk. In R. Ericson, & A. Doyle (Eds.), Risk and Morality, Toronto: University of Toronto Press.

Giddens, A. (1991). Modernity and Self-identity: Self and Society in the Late Modern Age. Cambridge: Polity Press.

Giddens, A. (1998). <u>The Third Way.</u> Cambridge: Polity Press.

Goldson, B. (1999). <u>Youth Justice: Contemporary Policy and Practice</u>. Aldershot: Ashgate.

Goldson, B. (2000). 'Children in Need' or 'Young Offenders?' Hardening Ideology, Organizational Change and New Challenges for Social Work with Children in Trouble. <u>Child and Family Social Work</u>, 5, 255.

Goldson, B., & Jamieson, J. (2002). Youth Crime, the 'Parenting Deficit' and State Intervention: A Contextual Critique. <u>Youth Justice</u>, 2, 82.

Goldson, B., & Muncie, J. (2006). Rethinking Youth Justice: Comparative Analysis, International Human Rights and Research Evidence. <u>Youth Justice</u>, 6, 91.

Green, D. A. (2008). <u>When Children Kill Children</u>. Oxford: Oxford University Press.

Green, R. G., & Healy, K. F. (2003). <u>Tough on Kids: Rethinking Approaches of Youth Justice</u>. Saskatoon: Purich Publishing.

Haines, K., & Case, S. (2008). The Rhetoric and Reality of the 'Risk Factor Prevention Paradigm' Approach to Preventing and Reducing Youth Offending. <u>Youth Justice</u>, 8(1), 5.

Hannah-Moffat, K. (1999). Moral Agent or Actuarial Subject: Risk and Canadian Women's Imprisonment. <u>Theoretical Criminology</u>, 3, 71.

Hannah-Moffat, K. (2000). Prisons that Empower: Neo-liberal Governance in Canadian Women's Prisons. <u>British Journal of Criminology</u>, 40, 510.

Hannah-Moffat, K. (2005). Criminogenic Needs and the Transformative Risk Subject: Hybridizations of Risk/Need Penality. <u>Punishment & Society</u>, 7, 29.

Hannah-Moffat, K., & Maurutto, P. (2003). <u>Youth Risk/Need Assessment: An Overview of Issues and Practices.</u> No. RR03YJ-4e, Canada: Department of Justice.

Hawkins, J. D., Catalano, R. F., & Miller, J. Y. (1992). Risk and Protective Factors for Alcohol and other Drug Problems in Adolescence and Early Adulthood: Implications for Substance Abuse Prevention. <u>Psychological Bulletin</u>, 112(1), 64-105.

Heaton, J. (2008). Secondary analysis of qualitative data: An overview. <u>Historical Social Research</u>, 33(3), 33.

John Howard Society of Nova Scotia. Retrieved March, 2011, from ns.johnhoward.ca

Jorgensen, M. W. (2003). Reflexivity and the doubles of modern man: The discursive construction of anthropological subject positions. In G. Weiss, & R. Wodak (Eds.), Critical Discourse Analysis: Theory and Interdisciplinarity (pp. 63). New York: Palgrave Macmillan.

Karstedt, S. (2012). Comparing Justice and Crime across Cultures. In D. Gadd, S. Karstedt & S. F. Messner (Eds.), The SAGE handbook of criminological research methods (pp. 373). London: Sage.

Kempf-Leonard, K., & Peterson, E. S. L. (2000). Expanding the Realms of the New Penology: The Advent of Actuarial Justice for Juveniles. Punishment & Society, 2(1), 66.

Kemshall, H. (2002). Risk, Social Policy and Welfare. Buckingham: Open University Press.

Kemshall, H. (2008). Risks, Rights and Justice: Understanding and Responding to Youth Risk. Youth Justice, 8(1), 21.

Long-Sutehall, T., Sque, M., & Addington-Hall, J. (2010). Secondary Analysis of qualitative data: A valuable method for exploring sensitive issues with an elusive population. Journal of Research in Nursing, 16(4), 335.

Lupton, D. (1999). Risk. London; New York: Routledge.

Lupton, D. (Ed.). (1999). Risk and Sociocultural Theory; New Directions and Perspectives. United Kingdom: University Press, Cambridge.

Madriz, E. (1997). Nothing Bad Happens to Good Girls. Berkeley: The University of California Press.

Miles, S. (2000). Youth Lifestyles in a Changing World. Buckingham: Open University Press.

Muncie, J. (2006). Governing Young People: Coherence and Contradiction in Contemporary Youth Justice. Critical Social Policy, 26(4), 770.

Muncie, J., & Hughes, G. (2002). Modes of Youth Governance: Political Rationalities, Criminalization and Resistance. In J. Muncie, G. Hughes & E. McLaughlin (Eds.), Youth justice: Critical readings, London: Sage Publications.

Nova Scotia Department of Justice. Retrieved March 2011, from www.gov.ns.ca/just/

Nova Scotia Department of Justice. (2003). Youth Criminal Justice Act Canada Pocket Guide. Retrieved March 2012, from www.jlc.nscc.ns.ca/ycja/YCJA_Pocket.pdf

O'Mahony, P. (2009). The Risk Factor Prevention Paradigm and the Causes of Youth Crime: A Deceptively Useful Analysis? Youth Justice, 9(2), 99.

O'Malley, P. (1992). Risk, Power and Crime Prevention. In P. O'Malley (Ed.), Crime and the Risk Society (pp. 252). England: Dartmouth Publishing Company.

O'Malley, P. (1996). Risk and Responsibility. In A. Barry, O. Thomas & N. Rose (Eds.), Foucault and political reason: Liberalism, neoliberalism and rationalities of government (pp. 189-209). London: UCL Press.

Phillips, N., & Hardy, C. (2002). Discourse Analysis: Investigating Processes of Social Construction. Thousand Oaks, California: Sage Publications.

Pratt, J. (1999). Governmentality, Neo-liberalism and Dangerousness. In R. Smandych (Ed.), Governable Places; Readings on Governmentality and Crime Control (pp. 133-162). Hants, England: Dartmouth Publishing.

Purcell, R. F. (2006). Perspectives on Youth Crime in Canada. Nova Scotia Department of Justice.

Rose, N. (1996). The Death of the Social? Re-figuring the Territory of Government. Economy and Society, 25(3), 327.

Rose, N., & Miller, P. (1992). Political Power beyond the State: Problematics of Government. British Journal of Sociology, 43, 173-205.

Rutter, M. (1987). Psychosocial Resilience and Protective Mechanisms. Journal of Orthopsychiatry, 57(3), 316-31.

Singer, D., & Hunter, M. (1999). The Experience of Premature Menopause: A Thematic Discourse Analysis. Journal of Reproductive & Infant Psychology, 17(1), 63.

Suter, W. N. (2012). Introduction to Educational Research: A Critical Thinking Approach. (2nd ed.). California: Sage.

Taylor-Butts, A., & Bressan, A. (2006). Youth Crime in Canada, 2006. Juristat, Canadian Centre for Justice Statistics.

Thomas, J. (2007). Youth Court Statistics, 2006/2007. Juristat, Canadian Centre for Justice Statistics.

Titscher, S., Meyer, M., Wodak, R., & Vetter, E. (2000). <u>Methods of Text and Discourse Analysis.</u> London: Sage Publications.

UNICEF. (2008). <u>UN Convention on the Rights of the Child</u>. Retrieved March, 2011, from http://www.unicef.org/crc/.

van Dijk, T. (1996). Discourse, Power and Access. In C. R. Caldas-Coulthard, & M. Coulthard (Eds.), <u>Texts and practices</u> (pp. 84). London: Routledge.

Wood, L. A., & Kroger, R. O. (2000). <u>Doing Discourse Analysis; Methods for Studying Action in Talk and Text</u>. Thousand Oaks, California: Sage Publications.

Youth Criminal Justice Act (S.C. 2002, c. 1). Retrieved from www.laws-lois.justice.gc.ca/eng/acts/y-1.5/page-1.html.

Appendix A: Participant Consent Form

**DALHOUSIE
UNIVERSITY**

Inspiring Minds

Faculty of Health Professions

Pathways to Resilience:
A Mixed-method Investigation of the Negotiations for Health Resources among At-Risk Children and their Families who Experience Concurrent Child Welfare, Mental Health, Correctional and Educational Services

LETTER OF INFORMATION FOR QUALITATIVE STUDY: YOUTH

Hello,

A team of researchers led by Dr. Michael Ungar from Dalhousie University is conducting a research project. We hope to interview youth like you in different communities in Canada who have different kinds of experience with child welfare, mental health, corrections, education and community services and recreational programs. We want to know what kinds of services you've used during your life and why. Also, to do the study, we will need permission to look at your personal files at each of the services you mention.

For the interview, one of our researchers will need to speak with you individually in an office or meeting room where people who see you meeting won't necessarily know you are participating in the study. We're going to ask you to tell us your life history and how you have managed to cope. We will ask you about yourself and your family and what services you've used. Some of the questions may bring up difficult memories. Please feel free to answer only those questions you feel comfortable answering. The interviews usually last between one and two hours.

Second, with your consent, a member of the research team who does not know you or your family personally, will need your permission to look at the information in the files of the different services with which you may have had contact. These include Child Welfare, Mental Health, Corrections, Education (your school) and Phoenix Youth Programs, which is also part of this study. You should know that there is the chance we find out things about you from your file that you may not know or have forgotten happened. We are not, however, interested in information about what happened during meetings with your workers one-on-one, but instead on how decisions were made about which services you had and why.

Please remember though, our role is not to find out about any one person, but to look at what happens to many young people over time. That's why we will not discuss with you what we read in your file. We will only look at your file after we've finished our interviews. If for any reason you want access to your files as well, we can arrange for you to speak to the people at each service who can help you do this but you should know the agency that has your file may or may not let you see it. Different agencies have different rules about this.

If there are any service providers you would rather not have any chance of knowing you are part of this research, please let us know and we will not review any files prepared by that person.

Our interview will take about an hour or an hour and a half. The interview will be audio taped, so that the person conducting the interview can remember everything you say. We will send you a written transcript of the so you can see what was said. We will also phone you or if you prefer, meet with you in person to ask you if you have any other thoughts about the interview we did together. These phone calls are usually 15-30 minutes long. Both the interview and phone call will be at a time convenient for you. After all the interviews are done, a researcher from our team will go and read your files.

All the information you provide will be kept strictly confidential and will be stored in a locked cabinet in Dr. Ungar's office in Halifax. We would like to assure you that only members of the research team will have access to the information you provide. The information that specifically identifies you, forms with your name and address, will only be stored separately so that no one will be able identify you. It is very important that you understand however, that when we go and read your files at the offices of different service providers, there is a possibility that those people who worked with you before, or work with you now, will know we are looking at your file. They will not, however, know what we find out about you. We will not talk to them about you. Any information we collect will have no personal information on it except the forms you sign. We will instead put on all the information we gather a false name, or a number, so we can keep track of who you are, but no one else can identify you.

There is only one situation that would make it necessary for us to tell someone what you have told me during the interview. If you say that you are being harmed, are in serious danger, or any other youth you know, are in danger of being hurt, we have a professional and legal obligation to get help. Likewise, if you tell us you are going to hurt yourself or someone else, we must legally tell someone who can help keep you and others safe.

Your involvement is entirely voluntary. Even if you agree to be interviewed, you can still end your participation in the research at any time - up to one year from today. Should you decide to do this, once you let us know, we will destroy all copies of your interview. This will in no way affect what services you get, or your family gets. Those people who provide you these services will not know whether or not you have agreed to participate in this study. Should you agree to participate, I will offer you $25.00. This money is yours to do with what you like, though it is also meant to help cover your food and travel expenses getting to and from the interview.

Should you at any time feel uneasy about what is discussed and would like to talk to a mental health counsellor about issues brought up during this research, you can make contact with the professional whose name and contact details have been given to you.

Once information has been collected, members of the research team intend to publish the information in books and journals, even on the project website. Your identity will never be revealed. Should we use a quote from an interview with you, we will ensure that details are changed to make it impossible to identify you as the one who said it (like your age, school, where you live, what your parents do, those kinds of things about you). If you wish we will send you a copy of our final report when the study is completed.

The contact details of the Principal Investigator, Dr. Michael Ungar, are also provided to you in case you want to tell us about any concerns you have, or simply have questions about any aspect of your participation in this study. You may also, if you wish, contact the Human Research Ethics, Integrity Coordinator at Dalhousie University's Office of Human Research Ethics and Integrity for help at 902-494-1462.

Many thanks for taking the time to look over this letter.

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Sincerely,

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Pathways to Resilience:
A Mixed-method Investigation of the Negotiations for Health Resources among At-Risk Children and their Families who Experience Concurrent Child Welfare, Mental Health, Correctional and Educational Services

CONSENT FORM (Youth) Qualitative Study

I have read the Letter of Information, have had the study explained to me, and I agree to participate in this research. I understand I am agreeing to the following things (please check each box):

[ ] Information will be collected directly from me
[ ] Interviews will be audio taped
[ ] Results from the study will be published in books, journals and on the web, but I will not be identified personally
[ ] I will be paid $25.00 for my participation in the interview to cover food and travel expenses
[ ] Information gathered from a review of my files held with the following agencies/services:

(Please check all that apply)
    [ ] Social Services/Child Welfare (name of service _____)
    [ ] Education (name of school board/school _____)
    [ ] Mental Health Services (name of service _____)
    [ ] Corrections (name of service _____)
    [ ] Community-based organisation (name of service _____)
    [ ] Other (as required) (name of service _____)

I understand that I may discontinue my participation at any time – up to one year from today - and by doing so any information I have provided will be destroyed and the services provided to me or my family will in no way be affected.

_____
Signature of youth participant

_____
Signature of guardian/parent (if under 16)

_____
Signature of researcher

_____
Witness signature (if required)

Date: _____

_____

Dalhousie University School of Social Work   4

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