CHALLENGING PRO-CRIMINAL ATTITUDES AND BEHAVIOURS OF JUVENILE OFFENDERS

PHILLIPA EVANS

DOCTOR OF PHILOSOPHY

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Department of Social Work, Faculty of Medicine, Nursing and Health Sciences

Monash University, Victoria, Australia

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ABSTRACT

The use of community based supervision as an alternative to incarceration has increased across Australia in recent years. With the use of community based sanctions growing, interest regarding the effectiveness of community based supervision has also been growing. More recently, attention has been growing in what occurs in one-to-one supervision between offenders and probation workers. Whilst a number of studies have indicated that community based supervision can be effective in reducing recidivism, it is clear that certain factors can influence this success. Research has identified pro-criminal beliefs and attitudes as a strong risk factor for offending and re-offending. This is considered a dynamic criminogenic risk factor. Probation officers and other professionals who work with offenders are trained to challenge pro-criminal comments and criminal behaviour during supervision.

There is, however, very little research regarding the nature and frequency of pro-criminal comments offenders make during supervision and the way in which probation workers respond to these comments. This study examined the nature of pro-criminal comments made by clients during supervision and the workers responses to these comments. In a qualitative, exploratory study, twenty supervision sessions between youth justice workers and their clients were directly observed and audio recorded. A grounded theory method was used to analyse young peoples' responses to the different forms of challenging workers used.

The study found that young people frequently voice pro-criminal and antisocial comments during supervision. Results suggest that workers respond to pro-criminal comments in a number of ways and found that young people appeared to respond better to the use of some methods as opposed to others. The challenging responses that engage and fail to engage or disengage young people are described and the implications of the findings are discussed.

DECLARATION

This thesis contains no material which has been accepted for the award of any other degree or diploma at any university or equivalent institution and that, to the best of my knowledge and belief, this thesis contains no material previously published or written by another person, except where due reference is made in the text of the thesis.

Phillipa Evans Date:

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ABBREVIATIONS

AIC	Australian Institute of Criminology
AIHW	Australian Institute of Health and Welfare
AOD	Alcohol and Other Drugs
ATSI	Aboriginal and Torres Strait Islander
CALD	Culturally And Linguistically Diverse
CBT	Cognitive Behavioural Theory
CJS	Criminal Justice System
CRC	Criminology Research Council
CSS	Criminal Sentiments Scale
CSS-M	Criminal Sentiment Scale- Modified
CVAG	Confronting Violence and Abuse Group
DJJ	Department of Juvenile Justice
EAP	Employee Assistance Programs
EBP	Evidence Based Practice
EGM	Encounter Group Movement
GLM	Good Lives Model
JJC	Juvenile Justice Counsellor
JJCS	Juvenile Justice Community Service
JJO	Juvenile Justice Officer
LSI-R	Level of Service Inventory–Revised
MADD	Mothers Against Drink Driving
MI	Motivational Interviewing
MUHREC	Monash University Human Research Ethics Committee
NSW	New South Wales
PID	Pride In Delinquency scale
R&R	Reasoning and Rehabilitation program
RISE	Reintegrative Shaming Experiments
RNR	Risk-Need-Responsivity model
SRM-SF	Socio-moral Reflection Measure-Short Form
STARR	Staff Training Aimed at Reducing Re-arrest
STICS	Strategic Training Initiative in Community Supervision

TFAC	Thinking For A Change
USA	United States of America
YLSI-R	Youth Level of Service Inventory–Revised

CHAPTER ONE

INTRODUCTION

Background to the study

This study was undertaken with New South Wales (NSW) Juvenile Justice, an agency that is responsible for supervising young people placed on supervision orders imposed by courts. Community based sanctions are typically employed as either an alternative to custody or following a term of imprisonment. The length, composition and conditions of community based supervision can vary considerably between individuals and jurisdictions. As highlighted in the Australian Government Productivity Commission Report:

> No single objective or set of characteristics is common to all jurisdictions' community corrections services, other than that they generally provide a non-custodial sentencing alternative or a post-custodial mechanism for reintegrating prisoners into the community under continued supervision (Australian Government Productivity Commission 2012, p. 8.9).

These differences are further exacerbated when comparing adult services with those that provide supervision to young people. Recent national statistics reveal there are currently 54 616 individuals subject to supervision by a criminal justice authority in Australia (Australian Institute of Criminology [AIC] 2014). Probation represents the primary form of justice intervention with young offenders in Australia (Australian Institute of Health and Welfare [AIHW] 2015) with 6100 young people, 18 years and under, being placed on community orders between 2013 and 2014. What occurs in community based supervision between probation officers and offenders has been largely under researched, however there is an increasing recognition that what occurs in one-to-one supervision can reduce recidivism rates (Trotter 2006; Bonta et al. 2011; Robinson et al. 2011).

Individuals who engage in criminal activity often possess pro-criminal beliefs and attitudes to justify their offending behaviours. Research indicates that there is a strong link between an offenders' pro-criminal attitude and the propensity for re-offending. Andrews, Bonta and Hoge (1990) note that empirically, antisocial attitudes are among the 'most promising' risk factors for criminal behaviour. Whilst there is a significant amount of research linking pro-criminal attitudes as a risk factor for re-

offending, there is limited research regarding how workers should challenge pro-criminal comments in the context of one-to-one supervision.

The research problem

There is an increasing body of research indicating that what occurs in community based supervision between a probation officer and an offender can have an effect on reducing recidivism (Bonta et al. 2011; Trotter 2012). Pro-criminal attitudes have been identified as a dynamic risk factor for offending and re-offending (Andrews & Bonta 2006). However, the frequency and nature of pro-criminal comments made by offenders and how workers respond in one-to-one supervision is largely unknown.

This thesis focuses on the following questions:

- What is the nature and frequency of pro-criminal comments made by young people during supervision?
- How do juvenile justice workers respond to their clients' pro-criminal comments?
- Do different methods of challenging engage, fail to engage or disengage young people?

The central research question of this thesis is:

"What is the nature and frequency of pro-criminal comments made by young people, how do workers challenge young people in relation to their pro-criminal and antisocial comments and beliefs and to what extent are clients engaged or disengaged by different types of challenging by their worker?"

The utility of the research

This study examines how juvenile justice workers' respond to young people when they make a pro-criminal comment. It further explores the young person's response to the different challenging techniques employed by the worker, examining which methods appear to engage the young person and which methods fail to engage or disengage the young person. The level of client engagement following a challenging comment is considered important given that it is desirable for a young person to be engaged when attempting to evoke change (Burnett & McNeill 2005). This study has the potential to provide probation workers with a model for successfully engaging young people when challenging pro-criminal

statements. This may inform the way in which juvenile justice workers challenge pro-criminal statements during one-to-one supervision.

Interest in this topic

This study arose from the researcher's personal experience of working with involuntary clients in several different social work settings. The purpose of challenging, how it was used and how frequently it was used by workers appeared to vary between practice settings. From personal observations there was a variety of methods workers used to challenge clients and the responses elicited from clients to being challenged varied. Within the criminal justice system, challenging appeared to be a part of the dominant narrative regarding how to intervene with offenders, particularly with individuals who had committed a sexual offence. Workers were observed to be encouraged to confront offenders regarding any 'denial' or 'minimisation' regarding their offending behaviour. This theoretical and practice position did not resonate well with the researcher and appeared to contradict the literature. While the literature indicated that challenging offenders about pro-criminal beliefs could reduce recidivism, the practical application of this skill was potentially leaving clients feeling unheard and disempowered. This provoked the researcher's interest in examining and gaining an understanding of how challenging is being used in practice and how clients respond to the workers use of challenging.

Thesis structure

This thesis is presented in five chapters. Chapter one provides an introduction to the research area, stating the research problem and providing an outline regarding the utility of this research for juvenile justice workers'. Chapter two provides a comprehensive review of relevant theories and literature central to the research question. This chapter provides an examination of the literature, the models of challenging that have been developed, and research that has been undertaken to support these models. Chapter three details the grounded theory-based, qualitative research methodology employed in this study, including the aims, research design, sample, data-collection methods and data analysis. The limitations of the research design are also outlined. Chapter four presents the results from this study. Results regarding the frequency and nature of pro-criminal comments made by clients and the workers responses are described separately. The challenging skills that engage and fail to engage or disengage young people are described in detail, with examples from the data provided. Chapter five reflects upon

the results and outlines where the results of this study support other literature and research. The scope for further research is outlined. A reflection upon the success of the study design is also presented.

CHAPTER TWO

LITERATURE REVIEW

Introduction to the chapter

This chapter critically reviews the current literature and research available on pro-criminal attitudes as a risk factor for offending and re-offending. It then considers the practice models that have been developed to challenge offenders' pro-criminal attitudes and behaviour in different contexts.

As well as reviewing the existing Australian and international research pertaining to the use of challenging, chapter two considers gaps in the current research when considering the use of challenging within a criminal justice environment.

The review of the literature is divided into four parts. Part one provides an outline of the key definitions central to this study, highlighting key concepts and how they will be utilised through the thesis. Part one then provides an overview of the theoretical constructs underpinning this research and how these constructs relate to the central research question.

Part two provides the context to the study by detailing the emerging research literature examining one-to-one supervision of offenders. Part two specifically focuses on the research pertaining to pro-criminal and antisocial attitudes and the impact they have on re-offending.

Part three is presented in four sections. Section one examines the research and literature central to communication skills in social work, closely examining empirical research that has been undertaken in this area. Section two examines nine models of challenging, detailing their research base and providing an analysis of their strengths and limitations. Section three examines the use of challenging in specific practice arenas, with section four highlighting considerations and research with specific client groups.

Part four highlights the significant issues that have emerged in the literature, detailing the gaps or areas that have been unaddressed in the research literature, concluding the chapter with clear links to the current study.

PART ONE

KEY DEFINITIONS AND THEORETICAL UNDERPINNINGS

Section one

Definitions

Several key definitions are central to this thesis, and it is important that the working definition of these key concepts is clear. As Shulman (1978) notes "Before the effectiveness of practice can be judged accurately, it is necessary to clearly define and measure the practice being evaluated" (p. 274).

Pro-criminal

Pro-criminal expression refers to the "…specific attitude, value, belief, rationalisation and techniques of neutralisation that imply criminal conduct is acceptable" (Andrews & Bonta 2010, p. 352). This thesis is specifically concerned with examining behaviours, attitudes and beliefs that are pro-criminal in nature. Andrews and Bonta (2010, p. 352) included five indices constituting a pro-criminal comment:

- Negative attitudes towards the law, courts and police
- Tolerance for rule violation
- Identification with offenders
- Endorsement of exonerating mechanisms
- Continuing to seek out high risk situations

These five indices of pro-criminal behaviours and comments informed the thematic analysis, as outlined in the methodology section of this thesis.

Antisocial

Antisocial is a wide, encompassing term and can broadly be defined as "opposed, damaging, or motivated by antagonism to social order, or to the principles on which society is constituted" (Macquarie Dictionary 2016, para. 2). It incorporates a range of behaviours, attitudes and beliefs on a long continuum ranging from inappropriate social behaviour, immoral behaviour through to criminal behaviour.

This study is concerned with the pro-criminal attitude that is encompassed under the umbrella term "antisocial". Much of the literature pertaining to pro-criminal attitudes is included under the term antisocial. It appears that the terms pro-criminal and antisocial have been utilised somewhat interchangeably in the criminal justice literature. What needs to be acknowledged is that an antisocial act or comment, whilst it may be offensive, is not necessarily supportive of nor describing an illegal activity. For this reason the term pro-criminal is used in this thesis rather than antisocial.

Cognitive distortion

The term cognitive distortion has been employed in the offender rehabilitation literature to describe "…offence-supportive attitudes, cognitive processing during an offence sequence, as well as *posthoc* neutralisations or excuses for offending" (Maruna & Mann 2006, p. 155). This term is prevalent in sex offender treatment literature, where cognitive distortions are commonly referred to as problematic thinking styles such as excusing, blaming, condoning or rationalising sexually abusive behaviours (Ward 2000). For the purpose of this thesis, a cognitive distortion is an attitude supportive of an individual's offending or circumstances leading to a person's offence/s, and constitutes a pro-criminal comment.

Confrontation

The definition of confrontation can vary depending in which context it is used. Broadly, it is defined as "To face hostility or defiance or to oppose" (Macquarie Dictionary 2016, para 2). For the purpose of this thesis, "confrontation" is defined as the action or response used by the worker following a pro-criminal comment from the client in order to oppose what the client has said. Although the term confrontation is commonly associated with negative or hostile interactions (Thoreson 1983), this research aimed to reveal methods of confrontation that engages, fails to engage or disengages the young person.

Challenging

The term "challenging" is often utilised interchangeably with confrontation. Challenging has been a term commonly employed in the psychoanalysis field, arguing it does not hold as many negative connotations as confrontation (Egan 1976; 1977). The term challenging, in a practical sense, holds the idea that alternatives to current behaviours, attitudes or beliefs are being suggested. The term *confrontation* may imply some degree of hostility on the part of the worker, as suggested by Serran et al. (2003), whereas *challenging* can be viewed as any attempt by supervising workers to caution clients or to help them understand that their comments or actions may be pro-criminal, antisocial, or otherwise unhelpful.

Effective disapproval

'Effective disapproval' is used by Andrews and Bonta (2010) to describe a worker successfully addressing negative aspects of an offenders' behaviour. They argue that disapproval delivered in the context of a warm and open worker-client relationship will have less chance of eliciting an aggressive response from the client. Conceptually Andrews and Bonta describe the following factors contributing to effective disapproval:

1. Strong, emphatic, immediate statements of disapproval, non-support and disagreement with what the client has said or done;
2. Elaboration of the reasons you disagree or disapprove;
3. The expression of disapproval contrasts previous engagement with the client;
4. The level of disapproval is reduced and approval introduced when the client expresses anti-criminal behaviour
   (Andrews & Bonta 2010, p.412).

Involuntary versus voluntary clients

There is recognition within the social work literature that clients can be considered either voluntary or involuntary (Rooney 2009). Distinguishing between these two groups is important as different factors or worker responses may need to be considered and incorporated into service delivery.

A voluntary client is defined as someone who "… applies for [social work] services" (Hepworth et al. 2010, p.4). In contrast, an involuntary client is defined as being legally mandated to accept social work services (Calder 2008; Ivanoff, Blyth & Tripodi 1994; Rooney 2009; Trotter 1997). Failure to accept this service may result in further action or a penalty. Rooney (2009) elaborates on the concept of involuntary client by incorporating non-voluntary clients, who he describes as not being mandated to accept services however has contact with the social work profession due to "non-legal pressure" (p.5), such as pressure from an employer or relative.

There are certain ethical considerations that need to be taken into account when working with involuntary clients, particularly a recognition of the power imbalance between the client and social worker and ways in which this power imbalance can impact upon the relationship.

The target client group for this study is involuntary. Young people are mandated to accept supervision provided by the NSW division of Juvenile Justice. This is an important factor to consider when examining how workers respond to pro-criminal comments and how young people respond to the different methods of challenging being used.

Section two

Theoretical underpinnings

This study was concerned with the interaction between workers and their clients in an involuntary context. A number of factors, including philosophies, policies and social expectation will influence the behaviour of both parties. However, what occurs between the worker and client within the local context also affects the wider social construction of welfare, and the role that welfare plays more generally (Payne 1997). A discussion about the epistemology and theoretical positions informing this research is therefore important.

Critical theory is an overarching theoretical perspective informing the foundation of this thesis. Allen, Briskman, and Pease (2009) note the term 'critical theory' does not encompass one theoretical perspective, instead it draws together several theories with a unified perspective, examining the structural impact on the social and political context of people's lives. The intent of critical theory is to challenge the legitimacy and counter the development of oppressive institutions and practices and also to

question the place of existing institutions, such as family, education and government (Alvesson & Willmott 1996).

Critical theory argues that knowledge is socially constructed and the meanings derived from social interactions are contextual (Trotter 2006). The construction and understanding of the interaction will be shaped by the individual's social, cultural and historical environment. Given that this study examines the social interactions between juvenile justice workers and young involuntary clients, critical theory highlights some of the contextual factors that may impact upon this interaction.

It is also important to acknowledge Evidence Based Practice (EBP) as a key perspective informing this thesis. Although EBP is not considered a theoretical paradigm, it is a process for decision making, using research to inform direct practice with clients (Drisko & Grady 2012; Plath 2006). Cournoyer described EBP as the:

> …mindful and systematic identification, analysis, evaluation and synthesis of evidence of practice effectiveness as a primary process… the evidence-based decision making process includes consideration of professional ethics and experience as well as personal and cultural values and judgement of consumers (2004, p.4).

EBP requires practitioners to critically review the best research and evidence available at the time to inform their service delivery (Drisko & Grady 2012). This study provides a definition and description of the worker responses that appear to engage, disengage or fail to engage young people. This contributes to the evidence base informing effective intervention with involuntary clients.

There are four central theories that seek to explain links between pro-criminal beliefs, attitudes and criminal behaviour. Each of these theoretical standpoints informs this thesis by providing key perspectives and contextual information. It is acknowledged, however, that although these theoretical paradigms have distinct characteristics, there is a relationship between each of these schools of thought. These theories are discussed below, with some discussion about their practical implications for work with offenders.

Behavioural theorists

Behavioural theorists are primarily concerned with human choice, action, and the consequences of those actions. Consistent with theories of differential association and learning theory, behaviourist theory

espouses that criminal behaviour may be a learnt behaviour developed from exposure to pro-criminal peers and role models. In contrast, pro-social behaviour and attitudes could be developed from exposure to pro-social peers, role models and by reinforcing and rewarding pro-social behaviour (Akers 1994; Trotter 2009; Andrews & Bonta 2010). Key behavioural psychologists, Thorndike (1898) and Skinner (1953; 1966) purported that behaviour, in its most basic terms, is learnt. Specifically, as Skinner (1966) noted, it is learned through the consequences that result from an individual's actions.

Operant learning theory, along with learning theory, posits that behaviours that result in positive or pleasurable changes will be continued, whereas those that produce negative or unpleasant changes will be discontinued (Skinner 1966). Rather than focusing strictly on punishing nonconforming acts, behavioural strategies seek to both sanction negative behaviour and reinforce compliant or desired behaviour (Andrews & Bonta 1998).

Consistent with the theory of operant learning Andrews and Bonta (2010) highlight the importance of 'effective reinforcement' and 'effective disapproval' in correctional settings. Andrews and Bonta (2010) argue that whilst effective reinforcement needs to occur in the context of a high quality worker-offender relationship, the use of reinforcers can vary from positive body language, empathetic expressions of support or more specific activities like sharing a movie.

Similarly, 'effective disapproval', describes how to address undesirable attitudes and behaviours displayed by the offender. They argue positive aspects of the offender also need to be acknowledged and reinforced whilst addressing an undesirable attitude or behaviour. The '4 to 1 rule' is proposed by Andrews and Bonta (2010), with the probation worker aiming to provide at least four positive supportive statements to the offender for every negative statement addressed.

Wodohl et al. (2011) examined the impact of the use of rewards and punishment by probation officers during supervision with offenders. Researchers reviewed offenders' file notes, correspondence and court reports to ascertain if the use of rewards or sanctions by probation officers impacted on the successful completion of the offenders' community based order. From the sample of 283 adult offenders, they found greater use of rewards over sanctions produced better outcomes for the offenders. When a sanction was administered, the use of the '4 to 1' ratio of rewards to punishment obtained the best

results. This study suggests that offender compliance can be enhanced by providing rewards for positive behaviour, even when addressing negative behaviour or administering sanctions.

Differential association

Sutherland's (1947) and Sutherland and Cressey's (1970) theory of differential association is well founded in the criminology field. This theory posits that "A person becomes delinquent because of an excess of definitions favourable to violation of the law over definitions unfavourable to the violation of the law" (Sutherland & Cressey 1978, p.81). Sutherland and Cressey (1978) argue that these definitions are most frequently acquired within social groups, predominantly family and peer groups, maintaining that the major part of criminal learning occurs within the context of actual interactions with others. Gendreau, Little and Goggin (1996) concur with this perspective stating that family establishes the rationale for engaging in antisocial behaviour and antisocial associates provide the opportunity for antisocial modelling to occur. These associations govern the rewards and costs of such behaviour, influencing antisocial attitudes.

Sutherland and Cressey (1970) argue that crime is essentially cultural in nature as it is a behaviour learnt between people. This theory posits that people learn to define a situation and to define their conduct in relation to the law, and that this learning takes place within a specific group context (Cunneen & White 2002). An individual learns to associate certain behaviour, either legal or illegal, with the group's approval or disapproval. This extends beyond peer groups including values that a family or people within a certain community may hold.

Gendreau, Little and Goggin (1996) undertook a meta-analysis to determine which criminogenic domains were the best predictor of adult recidivism. One hundred and thirty one studies were included in the analysis. The results found that companions, both family and peer, were both a "…significant and potent predictor of recidivism" (Gendreau, Little & Goggin 1996, p. 588). This meta-analysis has been influential in supporting the theoretical framework of differential association, providing empirical evidence that the presence of antisocial associations is one of the best predictors of an individual engaging in pro-criminal behaviour. This study suggests that whilst exposure to pro-criminal associates increases the risk of reoffending, exposure to pro-social role models may also influence and change pro-criminal attitudes.

The impact of pro-social conversations amongst offending populations has been researched. Andrews, Brown, and Wormith (1974) hypothesised that pro-social conversations between offenders and non-offenders would increase pro-social expressions, promoting a more positive attitude change amongst offenders. This theory instigated a study by Andrews et al. (1977) examining the impact of short term structured interactions between undergraduate students and juvenile offenders to assess attitudinal changes in either group. Participants were randomly assigned to one of two groups: structured recreational activities or structured topics for discussion between group members. This study found that the offenders' association with the students had an effect on their attitudes, specifically related to the law and law violations. However, the nature and direction of the effect depended upon the type of association. Offenders in the structured discussion group showed improved attitudes toward the law when compared to those in the recreational group. Whilst the content of the discussions between the groups was not included in the analysis, these results suggest that structured discussions regarding the law and law violations can have a positive effect on changing an offenders attitude. Unfortunately, this study did not have the capacity to explore whether this attitudinal change had an impact on offenders behaviour.

The theory of differential association attests that peers, family and significant persons in an individual's environment have a significant role in the development and maintenance of pro-criminal attitudes and behaviours. Workers in the criminal justice field have the opportunity to engage in conversations and challenge pro-criminal attitudes and behaviours. As highlighted in the study by Andrews et al. (1977) just exposing an offender to pro-social behavior is not enough. Discussion regarding pro-criminal attitudes and behaviours need to be purposeful to influence and have a positive effect on changing the offenders' attitude.

Social learning theory

Social learning theory is a social psychological theory of crime which explores the impact of observational and interactional learning on behaviour. Burgess and Akers (1966) expanded on Sutherland's (1947) theoretical stance of differential association, integrating principles of behaviour acquisition, continuation and cessation. For Burgess and Akers "… criminal behaviour is learned according to the principles of operant conditioning" (1966, p.137). Simply, social learning theory looks to explain the cause of the behaviour as well as how to alter the behaviour.

Social learning theory stresses that people learn through observational learning or modelling (Bandura 1977). Therefore, an individual can learn any behaviour by observing other people engaged in that behaviour, without necessarily receiving explicit reinforcement. It is postulated that those associations that occur first, last longer, occur more frequently, and involve others with a close relationship, will have the greatest effect on an individual's learning (Akers 1997).

Social learning theory proposes that there are three mechanisms by which individuals learn to engage in crime: differential reinforcement, beliefs favourable to crime, and modelling. Differential reinforcement looks at the balance of anticipated or actual rewards and the punishment that follows as a consequence of a behaviour (Akers 1997). This is linked to behavioural reinforcement. On top of reinforcing criminal behaviour, other individuals may also teach beliefs that are favourable to crime. Thirdly, modelling refers to influencing the behaviour of other individuals. Bandura (1977) argued that most learning is gained by people's perceptions and thinking about what they experience. Bandura argued that whether or not the behaviour modelled by others will be imitated is affected by a number of circumstances, including the characteristics of the models, the behaviour that has been observed, and the observed consequences of the behaviour.

Andrews and Bonta (2010) have drawn on key aspects of social learning theory in their model of effective disapproval, acknowledging the individual characteristics of probation officers may impact on how their use of disapproval will be received by the offender. They noted that a probation officer who is "…routinely austere, judgemental and 'proper' is likely to be avoided" (Andrews & Bonta 2010, p. 412) and is unlikely to influence the offender's attitudes or behaviours.

The concept of pro-social modelling is best captured under the theoretical model of social learning theory, adhering to some of the basic concepts of this perspective. As Trotter (2015) notes, defining pro-social modelling is complex. Simply, it can be defined as the "…values and actions which are non-criminal" (Trotter 2015, p.24). However, more broadly, pro-social modelling can be understood as the "…values or actions which might be construed as the opposite to criminal- in other words, actions and values which support and care for others" (Trotter 2015, p. 24). Consistent with social learning theory, pro-social modelling asserts that behaviour is more likely to be maintained or developed if it is rewarded, with the actual reward promised directly following the occurrence of a particular behaviour (Trotter 2006).

Systems/ ecological approach

Systems theory provides an integrated theoretical perspective acknowledging the importance of contextualising an individual as part of a broader system, with each system being interrelated. As Hansen (1995) argues, the value of systems theory is that it deals with 'wholes' rather than parts of human or social behaviour as other theories do. Systems theory is a dynamic theoretical perspective that is incorporated into social work practice during both the assessment and intervention phases with both voluntary and involuntary clients.

A comprehensive assessment informed by a systems approach requires knowledge of the diverse and, at times, complex interactions between people and their environments. Hepworth et al. (2006, p. 16) categorise this into four levels of engagement with an individual:

- Subsystems of the individual (biophysical, cognitive, behavioural, motivational)
- Interpersonal systems (for example, parent-child, marital, family, kin, friends, neighbours)
- Organisations, institutions and communities
- Physical environment (for example, housing, neighbourhood)

The systems perspective provides a framework for conceptualising how the environment and psychosocial systems engages with a young person, whilst acknowledging the systemic pressures he or she may be experiencing at any one time. Systems theory underpins the practical element of this thesis, exploring how workers respond to pro-criminal comments or behaviour, and the potential impact of this for the young person, their family, peer networks and the wider social environment.

Summary

This section has provided an outline of the theoretical perspectives that have informed the development of this thesis. Whilst the underpinnings of these theories differ, there appears to be a consensus that pro-criminal attitudes have a clear link to criminal behaviour and are typically acquired and developed through an individual's social systems. These theoretical perspectives emphasise that pro-criminal attitudes are learned and can be positively influenced with exposure to prosocial role models.

PART TWO

Section one

‘What Works’ in reducing re-offending

Translating theoretical perspectives into practice is complex and it has only been in recent years that the concept of rehabilitation has re-emerged, with research demonstrating that interventions with offenders can reduce recidivism (Trotter 2006; Bonta et al. 2011; Robinson et al. 2011). To set the context for this literature review, it is important to provide an overview of the current debates around ‘what works’ to reduce re-offending in the Australian criminal justice system and the different approaches regarding the conceptualisation and implementation of ‘rehabilitation’.

During recent years, research regarding the effectiveness of interventions within the Criminal Justice System (CJS) has fluctuated from an attitude of ‘nothing works’ with offenders to a more optimistic and empirically supported position asking ‘what works?’ (McGuire, Kinerman & Hughes 2002). This debate has been particularly prolific within the domain of community corrections. In 1974, Martinson undertook a review of literature on correctional treatments researched though the period 1945-1967. A total of 231 individual studies were reviewed. Martinson concluded “With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism” (Martinson 1974, p. 25). This review had significant impacts on policy makers’ views regarding the role of intervention and deterrence. Subsequently, the CJS entered what has been termed a ‘punitive and dark’ era of corrective services (Andrews & Bonta 2010) in which the focus was on deterrence rather than rehabilitation.

Subsequent to the 1974 review, several papers scrutinised these results, refuting Martinson’s negative assessment and showing that rehabilitative programs, if implemented well, can substantially reduce recidivism (Lipsey & Cullen 2007). Since the 1970s, there has been a gradual shift in thinking and an increasingly strong research base has been established about ‘what works’ to reduce offending behaviour. The key argument presented in the literature is not that correctional interventions always works, but that appropriate, well-delivered forms of intervention can be effective in reducing recidivism (Trotter 2006).

From the literature, three distinct models emerge with differing theoretical perspectives to provide a foundation for effective intervention with offenders: The Risk-Need-Responsivity (RNR) model, the Good Lives Model (GLM) and Desistance theory. Each of these models are briefly described below however more specific information pertaining to the empirical support for each of these models are discussed in part three under the practice domain of criminal justice.

The Risk-Needs-Responsivity model

The Risk-Needs-Responsivity (RNR) model, initially developed and formalised by the work of Don Andrews and James Bonta in the 1990s, specifically targets intervention at an individual's criminogenic needs to reduce or indeed stop their propensity for re-offending. Criminogenic needs, as defined by Andrews and Bonta (1998), are the dynamic attributes of offenders and their circumstances that, when changed, are associated with reduced rates of recidivism. This includes for example, reducing pro-offending attitudes.

Andrews, Bonta and Hoge (1990) conducted an analysis of the literature surrounding offender rehabilitation and subsequently identified three factors vital for effective rehabilitation, *risk*, *need* and *responsivity*, commonly known as the RNR model. As this model has evolved, a number of additional principles have been included (Andrews & Bonta 2010). A total of 17 principles are now included in the RNR model, however the authors maintain that the core principles are predominantly located within the *risk-need-responsivity* domain (Andrews & Bonta 2010). The RNR model has been utilised to develop a number of rehabilitation programs in numerous countries, including Australia, Canada, and the United Kingdom, and has additionally been the platform for the development of a risk predictor tool, namely the Level of Service Inventory–Revised (LSI-R) (Andrews, Bonta & Wormith 2004) and the Youth Level of Service Inventory–Revised (YLSI-R) (Hoge & Andrews 2002).

Andrews and Bonta (2010) present two tiers to the *risk* principle, the first being that criminal behaviour can be predicted (through actuarial risk assessments such as the LSI-R). The second aspect of the *risk* principle states that the level of services should be matched to the offender's risk level. *Risk* refers to the probability of an individual re-offending. A low-risk offender is assessed to have a relatively low probability of re-offending (few risk factors), while a high-risk offender has been assessed as high probability (many risk factors) (Lowenkamp & Latessa 2004). The level and frequency of the intervention provided needs to target the risk factors of the individual. The principle being that higher

risk individuals receive a higher frequency, more intense supervision and services. Andrews and Bonta (2010) argue that individuals assessed as low risk should receive minimal or even no intervention as it may contaminate these individuals by exposing them to high risk offenders and being subject to higher requirements of surveillance by statutory bodies. Lowenkamp, Latessa and Holsinger (2006) undertook an analysis of two separate studies investigating data from 97 residential and non-residential programs. This analysis included over 13 000 offenders to assess whether programs that adhere to the risk principle were more successful engaging higher risk offenders over longer periods of time. This study found a reduction in recidivism for offenders assessed as high risk that were provided with appropriate services for a longer period of time. This study supported the proposition that recidivism will be reduced by matching both intervention and duration to the individual's assessed risk level.

Some academics are wary of the risk principle as it excludes or minimises intervention targeted at 'low risk' individuals. There is some evidence to suggest that low risk offenders can benefit from well-delivered supervision and intervention (Robinson 2003). Research undertaken by Lowenkemp Latessa and Holsinger (2006) noted lower risk individuals tended to remain in the programs longer than their higher risk counterparts.

The *need* principle states that the targets of intervention should be factors related to offending, specifically the person's criminogenic needs. Andrews and Bonta (2010) describe a criminogenic need as a "…subset of an offenders risk level" (p. 49), being dynamic in nature, thus when targeted through intervention should reduce an individual's risk of re-offending. Specifically, the need principle emphasises that interventions need to target attitudes, thinking and beliefs which support antisocial and offending behaviour. Andrews and Bonta (2010) argue that by only addressing non-criminogenic needs it is unlikely that re-offending will be reduced. Ward (2010) is critical of this aspect of the model arguing that an individual should to be treated as a whole not as a collection of sub-categories.

Further criticism of the *need* component of the RNR model lays in the gender-neutral aspects of the assessment tool and intervention model. Research based on a feminist perspective has criticised the neutralisation of gender arguing that risk is based on an individual's social, economic, and psychological vulnerability, thus often exacerbating a female offender's marginalised status (Hannah-Moffat & Shaw 2001). Scholars argue that whilst a woman may be assessed as high *need*, it does not necessarily mean

that they are high *risk*. The lower rate of offending among women and the types of offences they commit suggest they are largely not high risk offenders (Covington & Bloom 2003).

Finally, the *responsivity* principle states that interventions should be delivered in a manner that is appropriate to the offender (Andrews & Bonta 2010), specifically to the learning style and motivation of the offender. Andrews and Bonta (2010) have further defined the *responsivity* principle by defining both general and specific responsivity, with general responsivity predominantly utilising social learning and cognitive behavioural strategies, and specific responsivity ensuring the modes, strategies and style of intervention are matched appropriately to the offender's individual needs (Andrews & Bonta 2010). Criticism has been levelled at the responsivity principle for being vague as to how to translate this principle to practice. As Ward, Yates and Willis (2012) argue, simple operant conditioning provides an inherently unsatisfying explanation for how treatment works. Polaschek (2012) further questions how a highly manualised intervention framework can integrate other key components of successful intervention such as effective relationship skills and other treatment processes.

The RNR model acknowledges the importance of targeting pro-criminal attitudes as a key area for intervention though how this occurs in practice has not been explored. As previously noted, Andrews and Bonta (2010) have drawn on the behavioural school of thought, proposing that any undesirable behaviours or attitudes displayed by an offender are addressed via the '4 to 1 rule', with the worker providing at least four positive supportive statements for every punishing or negative one.

The RNR model is used by probation services worldwide, promoted by Andrews and Bonta (2010) as a key intervention model to reduce recidivism when working with offenders. Critics have noted the translation of this model from research to the field has lacked a "sensitivity to the complexities of offenders lives and neglected the need for professional reflexivity and ingenuity in individualising the generalised message from research... the significance of the 'human' in human services somehow got lost" (McNeill 2010, p. 7).

The Good Lives Model

The Good Lives Model (GLM) (Ward 2002) highlights the benefits of working positively with offenders, utilising a motivational interviewing framework to engage the offender in treatment and assist

them to acquire coping/adaptive skills, attitudes, self-confidence and goals to enable them to lead pro-social lives.

The GLM has been defined as:

> A practice in which the therapist works with the client to define together the nature of the client's problems and agree on a process for working towards solutions to the problem (Marshall et al. 2005, p. 1108).

The GLM asserts that by providing offenders with necessary opportunities and conditions, such as coping skills, values, opportunities and social supports for meeting their needs in more adaptive ways, it will reduce the likelihood that they will continue to harm themselves and others (Ward & Stewart 2003). The GLM emphasises the enhancement of offender's skills and capabilities to improve their quality of life, thereby reducing their chances of committing further crimes against the community (Ward & Stewart 2003). Perhaps by default, the GLM has aligned itself in the literature as an adversary to the RNR model by emphasising the importance of a collaborative approach between the probation worker and offender. It aims to humanise the offender rather than de-humanising him or her through identifying a range of risk factors from actuarial risk assessments.

This position is largely consistent with the argument presented by Kear-Colwell and Pollock (1997) who suggest confrontational techniques may be anti-therapeutic and deter offenders from taking responsibility for their own actions. They argue that motivational approaches produce cognitive dissonance facilitating change in a more productive direction.

The GLM does not dismiss the importance of identifying risk factors but reframes this as an opportunity to alert clinicians to problems or obstacles that are in the way of an offender achieving a valued or personally satisfying outcome (Ward & Brown 2004). The GLM acknowledges the importance of addressing pro-criminal attitudes and beliefs, and the practitioner working with the client in a supportive framework to address these perceptions.

A key criticism of the GLM is the limited empirical evidence to support the model. Two small scale qualitative studies have been undertaken. Whitehead, Ward, and Collie (2007) used the GLM in a single case study research with a participant they describe as a "… violent, high risk offender in the community" (p. 582). The phases of assessment and intervention undertaken with the offender are

outlined, highlighting adherence to the GLM. The authors concluded that the offender "…made a number of profound life changes and achievements" (p. 594) after participating in the GLM treatment program however the limitations of employing a single case study methodology were noted.

Following this study, Willis and Ward (2011) undertook an exploratory research project with 16 convicted sex offenders to ascertain whether positive experiences of transition from prison to the community were associated with increased attainment of the GLM primary goods. Three semi-structured interviews were undertaken with participants at intervals of one, three and six months following their release from prison. Based on participant self-reporting, Willis and Ward found that greater attainment of good lives ratings led to a more positive re-entry experience for this group of offenders. The small sample size, short follow-up period and absence of a comparison group was acknowledged by the authors, impacting on the degree to which the results can be more widely predictive. The support and empirical basis for the GLM appears to be building. Proponents of the model argue that this is essentially a theoretical model not an intervention model.

Desistance-based practice

As Maruna and LaBel (2010) note there is no single 'desistance theory', however this section will provide an overview of the nature of the theoretical perspective and position it within the context of the 'what works' literature.

Desistance is a difficult area for criminologists to study as "…it is not an event that happens, but the absence of events, in this case criminal offending" (Maruna 2001, p.17). The desistance paradigm is concerned with how and why an ex-offender does not re-offend. Farrington (2007) separates the construct into its empirical and theoretical definition, with the empirical definition referring to the observed end of offending and the theoretical construct referring to the offender beginning to desist from offending by reducing the frequency, variety and seriousness of offending. Much of the research literature centres on what leads a person to offend. Despite the importance and significant policy implications, minimal conversation has occurred regarding what leads an offender to stop offending. As McNeill (2006) highlights a significant focus in the literature has been on 'persistence' rather than 'desistance'. Desistance theory moves away from the empirical answers required in the 'what works' model towards an inquiry into 'what helps', which requires feedback and consultation with offenders.

Maruna (2001) identifies three broad theoretical perspectives in the desistance literature: maturational reform, social bonds theory, and narrative theory. To summarise briefly, maturational reform refers to the natural decline in criminality, and has its origin in certain types of offending and at certain developmental points. Social bonds theory suggests that ties to community supports such as family, work and education impacts on the lifespan of a person's criminal activities. Lastly narrative theory is a means of identifying subjective changes in the person's sense of self and identity, as reflected in changing motivations, greater concern for others and more consideration of the future (McNeill 2006). McNeill (2006) asserts that it is not just the events and changes that an individual experiences that make the difference, it is what these events and changes *mean* to the people involved.

The empirical work exploring this area is growing however due to the nature of the concept being investigated this research is predominately explorative. Rex (1999) was among the first researchers to examine this area. By undertaking an explorative study, Rex interviewed 60 offenders on community supervision and 21 of their supervisors to examine any factors contributing to desistance from each participant's perspective. This study highlights some of the difficulties offenders experience desisting from crime and some motivations the offenders experience to assist them to not re-offend. This research was followed by a similar study by Barry (2004) who interviewed juvenile offenders regarding their decisions to, or not to, re-offend. A key strength of this study was that Barry included a formal measure of recidivism to complement the use of self-report data. Barry (2004) reported a key factor associated with desistance for these young people was the desire for 'normal' or to maintain conventional relationships with family, friends and significant others. This is consistent with other research that has been undertaken in this field, suggesting age and maturity, social ties or bonds, and a changing sense of personal identity play a significant role in an offender desisting from re-offending (McNeill 2006; 2009).

Conducting empirical research within this paradigm is difficult for a number of reasons. Although the offender may have every intention to not re-offend, they may nevertheless offend. As noted by LeBel et al. (2008) the methodological challenge is to untangle the impacts and patterns of internal and external factors operating on the individual's decision not to reoffend and understand the sequences in which they occur.

McNeill (2006) calls for the desistance paradigm to be promoted and supported in meeting the needs of offenders. Desistance theory has the goal of assisting offenders to stop offending. It is concerned with engaging the offender and treating offenders with respect and dignity. Desistance theory is particularly important when considering the reintegration of offenders from prison back into the community.

Summary

This section presented three contemporary frameworks that guide probation officers in their day-to-day supervision of offenders. A number of authors have highlighted a lack of continuity between theory and practice in community corrections (Andrews & Kiessling 1980; Ward & Birgden 2007). Each model attempts to interweave theory and practice to guide practitioners in addressing the complex needs and issues related to offenders. Each model presents a theoretical foundation, recognising the importance of offering rehabilitation options to offenders to reduce their risk of re-offending.

There are other models that are integral to the 'what works' literature that are worth noting. The Staff Training Aimed at Reducing Re-arrest (STARR) model (Robinson et al. 2011), Strategic Training Initiative in Community Supervision STICS) model (Bonta et al. 2011) and pro-social modelling (Trotter 2006) each contain aspects of the models described above, however they do have unique features which are further discussed later in this thesis.

Section two

Pro-criminal/ antisocial attitudes

Before discussing the particular models that have been developed to challenge pro-criminal attitudes and behaviours, the concept and the theories relating to pro-criminal attitudes will be discussed. As noted in the definition section, the terms 'pro-criminal' and 'antisocial' are used interchangeably at times. In the following section, the terminology used by the author will be presented however this terminology may differ from the definitions provided in section one.

Pro-criminal attitudes have been identified as a key factor in the role of offending and re-offending. Bonta and Andrews (2010) position antisocial attitudes in the 'Big Four' risk factors for reoffending alongside criminal history, antisocial peers and antisocial personality pattern. The role of antisocial attitudes as a contributing factor to offending behaviour and recidivism has been the foundation for a number of theoretical positions including Sutherland's theory of Differential Association (1947), Control theory (Hirschi 1969) and Subcultural theory (Cohen 1955). This section focuses on classifying, assessing and challenging pro-criminal and antisocial attitudes.

Conceptualising pro-criminal/ antisocial attitudes

Given the impact on criminal behaviour, the aetiology of antisocial attitudes has been extensively studied for many years (Abbott 2000). Theories and research about attitudes have a strong historical basis in social psychology, with Allport (1937) describing the construct of attitude as the "…major building block in the edifice of social psychology" (p.798). Attitude has been described by Eagly and Chaiken (1993, p. 247) in basic terms as "…an association about a person, object, or event". Definitions have shifted over the years and become particularly complex as research seeks causal explanations into the impact of attitudes on behaviour (Simourd 1997).

Attitudes are often viewed as having three components: cognition, affect, and behaviour (Eagly & Chaiken 1993). The cognitive, or belief, component consists of the thoughts or ideas that a person has about the attitude object. The affective, or emotional, component consists of the feelings or emotions one has in relation to the attitude or object. Lastly, the behavioural component consists of a person's overt actions with respect to the attitude object. It is assumed that people who evaluate an attitude or

object favourably tend to engage in behaviours that support it (Eagly & Chaiken 1993). There has been a longstanding recognition that a person's attitude will directly or indirectly impact on his or her behaviour. However, specific information regarding the degree to which attitudes can predict behaviour is limited.

The description of attitude becomes a little clearer when establishing a working definition of antisocial attitudes. Andrews and Bonta (2010) simply define antisocial attitudes as "… thoughts, feelings and beliefs that are supportive of criminal conduct" (p. 234). This definition is similar to Simourd (1997) who broadly defined the construct of antisocial attitudes as "… attitudes/ beliefs/ rationalisations supportive of criminal conduct" (p. 53). Antisocial attitude is also referred to in the research literature as pro-criminal cognitions (Andrews et al. 1990) and criminal sentiments (Stevenson, Hall & Innes 2003). These definitions suggest a direct association between antisocial attitudes and criminal behaviour with a general assumption that people inherently know and can identify an antisocial attitude. However, not all antisocial behaviour is criminal. As Trotter (2006) asserts, what is and what is not antisocial is entrenched in social and cultural norms. Consideration needs to be given to societal attitudes with the recognition that these can change over time. What constitutes an antisocial attitude may also vary depending on the context or circumstances. These definitions therefore need to be viewed as somewhat fluid.

Research linking antisocial attitudes to offending

There is strong empirical evidence that antisocial attitudes contribute to the development and maintenance of criminal behaviour (Gendreau et al. 1992; Simourd & Andrews 1994; Gendreau, Little & Goggin 1996). Several meta-analyses have been undertaken investigating risk factors contributing to offending, and have consistently found strong correlations between antisocial attitudes and engagement in criminal behaviour.

Gendreau et al. (1992) reviewed risk factors for criminal behaviour among adult male and female offenders. They found that out of six risk factors (social class, personal distress, educational/vocational achievement, parental family factors, temperament/ misconduct, and antisocial attitudes) antisocial attitudes were most strongly related to criminal behaviour.

Following this, Simourd and Andrews (1994) conducted a meta-analysis on the correlates of delinquency in male and female juvenile offenders by examining 60 published and unpublished studies conducted over a 30-year period. They investigated eight risk factors: lower class structure, family structure or parental problems, personal distress, minor personality variables, poor parent-child relations, educational difficulties, temperament or conduct problems, and antisocial peers or attitudes. Again, for both males and females, the strongest correlation was antisocial peers and pro-criminal attitudes.

In a further review, Gendreau, Little, and Goggin (1996) examined over 100 studies examining static and dynamic factors that predict adult offender recidivism. Recidivism measures included arrest, conviction, incarceration and parole violation during a follow-up period of at least six months. A number of variables were examined including age, gender, race, criminal history, family factors, intellectual functioning, social class, personal distress, social achievement, and criminogenic needs (consisting of antisocial personality, companions, attitude and behaviour regarding education/employment). Gendreau, Little and Goggin concluded that the criminogenic needs variable was the strongest predictor of recidivism, and of its subcomponents, antisocial attitude and antisocial peers had the highest predictive values with regard to recidivism.

Stevenson, Hall and Innes (2003) undertook research to ascertain if these findings could be generalised to an Australian population. The researchers examined the criminal attitudes of 99 male and female inmates and compared to a control group of 101 male and female university students. Using the Socio-moral Reflection Measure-Short Form (SRM-SF), and the Criminal Sentiments Scale (CSS) a number of the researchers found that the prison population endorsed pro-criminal sentiments as opposed to their non-offending counterparts. Acknowledging the small sample size, the researchers also found differences between male and female offenders, with women identifying less with criminal peers than men.

Classifying antisocial attitudes

Subgroups regarding different types of antisocial attitudes have been developed in an attempt to ascertain the origins of the attitude and how it impacts on the motivations and rationalisations for behaviour. Understanding the underpinnings of an antisocial attitude may provide probation workers with more information about how they may effectively challenge these attitudes in practice. Andrews

and Wormith (1984) developed three classifications of antisocial attitudes: neutralisation, identification with criminal other and rejection of convention/ attitude towards the law.

Neutralisation

The concept of neutralisation was adapted from the work of Sykes and Matza (1957) who differentiated between the attitude content (*what* a person thinks) and the attitude process (*how* a person thinks). They hypothesised that an individual goes through a number of processes to rationalise and in some instances justify pro-criminal behaviour. Sykes and Matza (1957) conceptualised this as techniques of neutralisation. They articulated five major categories of neutralisation: The denial of responsibility, the denial of injury, the denial of victim, condemnation of the condemners and an appeal to higher loyalties. Sykes and Matza carefully explain that by using techniques of neutralisation individuals not only deflect blame but positon themselves more broadly as victims of society.

By using these techniques, Sykes and Matza (1957) argue that the individual develops a tolerance for law violation. Sykes and Matza (1957) contend that although this process is utilised by most people, offenders will use neutralisations more frequently and in multiple circumstances.

Identification with criminal others

Identification with criminal others conceptualises the strong influence that pro-criminal peers have on the formation and maintenance of criminal attitudes (Cohen 1955; Glaser 1956; Miller 1958). A derivative of the theory of differential association, identification with criminal others highlights the importance and influence of peers, families and significant others on the development and maintenance of an individual's pro-criminal attitudes.

Rejection of convention/ attitudes towards the law

The third sub-group of antisocial attitudes Bonta and Andrews (2010) identified was rejection of convention/ attitudes towards the law, courts and police whereby work and education are devalued and pro-social accomplishments are minimised.

Assessment of antisocial attitudes

Antisocial attitudes have been empirically established as a key predictor of criminal behaviour (Gendreau, Little & Goggin 1996). A number of psychometric tools have been developed to assess the prevalence of antisocial attitudes in an individual. Ball (1973) developed a neutralisation scale consisting of four criminal offences, with 10 neutralising statements for each of the vignettes. Participants were asked to rate the behaviour from 'strongly agree' to 'strongly disagree'. In an evaluation of this tool, Maruna and Copes (2005) found that offenders endorsed antisocial behaviour more than non-offenders.

The Criminal Sentiment Scale-Modified (CSS-M) (Simourd 1997) is a 41-item scale designed to measure the antisocial attitude construct. It is divided into three subsections: attitude towards the law, police and the courts; tolerance for law violation; and identification with criminal others. A number of studies established the validity and reliability of the CSS-M among both adult offenders (Simourd 1997) and juvenile offenders (Shields & Simourd 1991; Simourd & Van de Ven 1999). Mills and Kroner (1997) however found CSS-M scores to be unrelated to reconvictions and parole violations among a sample of violent offenders.

A third psychometric tool is the Pride in Delinquency Scale (PID) (Shields & Whitehall 1994). This 10-item scale was designed as an extension to the CSS-M scale, measuring the level of comfort the individual feels when participating in 10 criminal activities. Again, research with both juvenile (Shields & Whitehall 1994) and adult offenders (Simourd 1997) indicated that the PID scale was a reliable and valid measure of antisocial attitudes.

Whilst antisocial attitudes have been established as a dynamic risk factor for re-offending and actuarial assessments have been developed to assess the prevalence and intensity of an individual's antisocial attitudes, there is limited empirical evidence available about how to alter an individual's pro-criminal attitudes.

Challenging pro-criminal attitudes

Given that pro-criminal attitudes are a dynamic risk factor for criminal behaviour, changes in offenders' antisocial attitudes have been found to be predictive of reductions in recidivism (Abbott 2000). If a

worker can effectively challenge, with the view to altering, an offender's pro-criminal attitude, the risk of re-offending is reduced. This proposition has been somewhat supported in a study by Andrews and Wormith (1984), whereby the antisocial attitudes of offenders on supervised community orders were assessed using the Criminal Sentiment Scale- Modified (CSS-M) at the commencement of their order and again six months later. A reduction of the total score predicted reductions in recidivism rates three years later. Increases in scores, so increased antisocial attitudes, were associated with increased recidivism.

Andrews et al. (1973) undertook a study where volunteers assessed as having 'pro-social attitudes' discussed the personal, social, and moral aspects of the law with young offenders to ascertain the effect of pro-social exposure on the offender's pro-criminal attitudes. This program composed of a weekly group session with the volunteers and offenders over eight weeks. Sessions consisted of 90-minutes of structured dialogue and 30-minutes of unstructured conversation. Informal conversations between volunteers and offenders were encouraged though the content of these conversations was not recorded. An additional no treatment group comprising offenders and volunteers engaging in recreational activities was incorporated into the research design as well as a no-treatment control group. Results revealed that offenders in the experimental group had lower measured criminal attitudes in comparison to both the no treatment groups. This study suggests that antisocial attitudes can be influenced and changed. It also highlights the impact that exposure to pro-social attitudes and role models can have on antisocial attitudes. It was unclear from the results of this study whether the pro-social volunteers challenged the offenders if they made any pro-criminal remarks.

There are a number of correctional programs underpinned by a Cognitive Behavioural Theory (CBT) framework designed to challenge, and change, the pro-criminal attitudes of offenders. These offender programs are typically group based and commonly have a component of the program focused on attitudinal change. An example of this type of program is the Reasoning and Rehabilitation program (R&R) (Ross, Fabiano & Ewles 1988). This program was designed for offenders assessed as 'high risk' and placed on intensive community supervision orders. Offenders are required to participate in 80 hours of group-based intervention facilitated by probation officers. The programs' objectives were to "… modify offenders' impulsive, egocentric, illogical and rigid thinking and to teach offenders to 'stop and think' about their behaviour" (Ross, Fabiano & Ewles 1988, p. 31). This program was evaluated by Ross, Fabiano and Ewles (1988) by randomly assigning probationers to one of three conditions: regular probation; regular probation including participation in the R&R program or regular probation including

participation in a living skills training course which required the same number of sessions as the R&R group. The result of this research was impressive, with only 18.1% of the R&R group re-offending as opposed to 69.5% of the probationers who only received regular probation. These results indicated that targeting antisocial attitudes had a significant effect on recidivism rates. This study was criticised for its limited follow-up period of only 6 months.

Raynor and Vanstone (1996) replicated this study in the United Kingdom with less impressive results. Although the experimental group had reduced re-conviction rates as compared to a custodial sentence at the 12-month mark, this effect diminished by the end of the second year. The researchers concluded that for the positive recidivism results to be sustained, factors that promote maintenance of the gains made during the program need to be better understood.

The 'Counter-Point program' is another CBT based program developed to address pro-criminal attitudes targeting offenders assessed as high risk of re-offending. Similar to the R&R program, the Counter-Point program aimed to "….reduce re-offending by providing the participants with the skills necessary to identify, challenge, and enhance their willingness to alter antisocial attitudes, and develop more pro-social attitudes" (Yessine & Kroner 2004, p. 2). Yessine and Kroner (2004) undertook a preliminary study comparing 332 Counter-Point program participants with 332 matched non-participants. Participants were required to complete the 25 two-hour group sessions with session topics including identifying pro-criminal attitudes, values and beliefs; altering pro-criminal sentiments; pro-social problem-solving and maintaining change. Participants were administered pre and post-tests to assess attitudinal change and a measure of recidivism was utilised. The authors concluded that the Counter-Point program was effective in reducing offenders' endorsement of antisocial attitudes and these reductions were significantly associated with reductions in suspensions, revocations, and/or new offences at the 1 year follow-up period. A key limitation of this study was that low risk offenders completed the Counter-Point program as opposed to their high-risk counterparts, who had a higher supervision attrition and recidivism rate.

'Thinking For A Change' (TFAC) (Bush, Glick & Taymans 1997) is a CBT-based program focusing on educating community-based probationers about social skills, such as active listening and understanding the feelings of others whilst confronting thought patterns that are identified as leading to problematic behaviours. Lowenkamp et al. (2009) undertook a study with adult offenders participating in the TFAC

program in the United States. One-hundred and twenty-one probationers were recruited to participate in the TFAC program, requiring them to attend classes in groups of 5 to 20 participants. Individual supervision was not provided. Recidivism rates of participants were compared to 96 non-group participants who were receiving 'supervision as usual'. In the six-month follow-up period, 23% of the experimental group reoffended as opposed to 36% of the control group, yielding a statistically significant result in the reduction of re-offending. Again, the authors acknowledge the short follow-up period as a limitation of this study.

The models presented above have a common psycho-educational and cognitive behavioural approach underlying the program development. There is a clear focus on promoting pro-social attitudes and beliefs of offenders whilst challenging pro-criminal attitudes in a group context. Each of the programs resulted in a reduction in participants' antisocial and pro-criminal attitudes and, in the TFAC study, a reduction in recidivism. Results from these studies reaffirm the importance of addressing offenders' pro-criminal beliefs and attitudes. Each of the programs aims to assist the offender to identify pro-criminal beliefs and values and facilitators work to challenge the core of these beliefs.

Summary

Research has established that there is a strong link between pro-criminal beliefs and offending. Pro-criminal attitudes are considered a dynamic risk factor for offending, and are considered a key target for intervention provided by the criminal justice system. As Andrews, Bonta and Hoge (1990) argue, addressing these antisocial attitudes will reduce an offender's risk of re-offending. Actuarial assessments have been developed to measure pro-criminal beliefs. Programs have been developed to educate and address offenders' pro-criminal thinking and to promote the pro-social thinking patterns of offenders. Although some of this research indicates that these programs can reduce criminal attitudes, there is little specific information about how probation officers respond to offenders' pro-criminal comments. The research that has been undertaken regarding targeting antisocial beliefs has primarily been done in a group context, usually delivered as component of a program. As emphasised by both the RNR model (Bonta & Andrews 2010) and GLM (Ward 2002) responding to the individual, their individual needs and their core pro-criminal beliefs is an essential feature of effective intervention. A number of factors contribute to the development of antisocial attitudes. It could therefore be argued that careful consideration needs to be given to how to respond to an offender's pro-criminal attitude and that a group work format may not necessarily be the most effective forum to respond to pro-criminal comments.

PART THREE

MODES OF PRACTICE

Section one

Communication in social work

Communication is fundamental to the social work role (Baldock & Prior 1981). Numerous social work texts emphasise the importance of communication skills in social work practice and, as Trevithick et al. (2004) state:

> Learning to communicate in a professional manner in a variety of contexts with people from a diverse range of backgrounds can be difficult, but it is a fundamental skill without which it is difficult to perform many other social work tasks or, perhaps the social work role at all. (p. 1)

Although there is a strong consensus in the literature about the importance of communication in social work, there has been limited research undertaken examining the effectiveness of different communication styles between social workers and their clients. As Hall and Slembrouck (2009) highlight there has been considerable research on doctor-patient interactions, however interactions between professionals providing social care services and their clients has been less well researched. There is an emerging body of evidence demonstrating that the communication skills of direct line practitioners can positively impact on client's outcomes (Shulman 1991; Gough 1993; Trotter 1999; Trotter 2002).

This section explores empirical research regarding communication skills in social work. The key skills identified are engagement, empathy and confrontation/ challenging.

Social work skills

The term 'skill' has become increasingly popular in social work and other helping professions, the hypothesis being that if the 'skill' can be identified its impact can be measured (Cournoyer 2008). Descriptions of what constitute social work 'skills' are varied, with definitions ranging from being broad to quite specific. Johnson (1995) describes skill as "….the practice component that brings knowledge

and values together and converts them to action as a response to concern and need" (p. 55). Skill has also been described as "…the production of specific behaviours under the precise conditions designated for their use" (Middleman & Goldberg, 1990, p. 12). Cournoyer (2008) expands on this definition explaining that a social work skill are a set of both cognitive and behavioural actions consistent with research-based knowledge and social work values, ethics, and obligations.

Hall and Slembrouck (2009) astutely assert "… there is considerable commentary but limited research on communication skills in child welfare" (p. 464). Often practice skills are learnt through direct experience, with minimal attention being paid to direct instruction and feedback on a theoretical framework. There appears to be a common assumption that social work skills are acquired through a process of osmosis or just 'common sense' (Maidment 2009). It is often assumed that skills will develop automatically if a social worker acquires an adequate knowledge-base and holds a desired set of values, often placing the teaching of specific skills as secondary in importance (Maidment 2009).

Research into the effectiveness of social work practice, although limited, has been part of the profession's discourse for a number of years. An influential review into the effectiveness of professional casework was undertaken by Fischer (1973). Fischer examined the extent to which social work intervention helped clients by reviewing 11 studies based on client outcomes. Fischer (1973) was scathing in reviewing the results concluding that "…not only has professional casework failed to demonstrate it is effective, but the lack of effectiveness seems to be the rule rather than the exception" (p. 9). Although Fischer was examining the practice of 'casework', social work practice was presented as somewhat generic. Fischer's review implied that the skills used in casework are general in nature and used in the same way by all social workers.

Shulman (1978) was critical of Fischer's 1973 review. He subsequently undertook a study to explore the skills social workers use to build relationships with their clients, and to identify which of these skills translate into positive change in an individual's circumstances. Shulman aimed to understand the "…worker's behaviour, in interaction with the client, [that] contributes to the development of a working relationship, which is a precondition for effective helping" (1978, p. 274). Shulman administered questionnaires to clients of a child protection agency asking them to identify the skills they noticed their workers using during their interactions. Whilst this study captured retrospective accounts of social work intervention from the client's perspective, it found that the 'relationship' between a worker and client

was a significant variable in determining whether the skill used by the worker was perceived as helpful by the client. Skills found to be helpful included workers sharing personal thoughts and feelings, understanding clients' feelings, putting clients' feelings into words, clarifying roles, identifying affective obstacles to work and supporting clients in what was defined as 'taboo' areas.

Engagement

Engagement has been identified as a concept synonymous with social work practice (Garvin & Seabury 1984). Calder (2008) emphasises the importance of engagement arguing it lays the groundwork for all future intervention by establishing a partnership essential for effective social work practice. Ruch (2005) contends that worker–client relationships act as the 'medium' through which engagement occurs and help is offered providing an "…important source of information' and the 'means' to help" (p. 113).

Efforts to understand engagement have unfortunately been hampered by inconsistent definitions and crude measures (Littell, Alexander & Reynolds 2001). As Yatchmenoff (2008) notes "… we know it [engagement] when we see it" (p. 61). Egan (2004) further complicates the definition of engagement arguing that it is not a discrete event but rather the first step in the healing process.

Attempts have been made to conceptualise observable features of engagement. These features include client co-operation, (McCroskey & Meezan 1997), client involvement (Dore & Doris 1997; Dumas & Albin 1986; Thoburn, Lewis, & Shemmings 1995), collaboration (Littell & Tajima 2000) and client participation (McKay et al. 1998; MiKim et al. 1999). In its most simple terms, clients can be viewed to be 'engaged' if they enrol, show up and come back (Yatchmenoff 2008). It could be argued that conceptualising engagement becomes even more complex when working with involuntary or non-voluntary clients, where compliance is mandated.

Engagement is based on developing a partnership between client and worker or "… getting the client on board" (Yachmenoff 2008, p. 59). The aim of the partnership is to collaboratively work together towards creating positive change for the client (Egan 2004). Bonta et al. (2004) found that in the context of community based supervision, it is important for the worker to establish a positive, warm and respectful relationship with offenders in order for them to be willing to listen to what the worker has to say, and to follow his or her advice.

Kadushin (1990) identified the following behaviours that a worker can undertake to build rapport and trust between themselves and the client:

- engaging with the client with interest and warmth;
- offering acceptance and empathetic understanding;
- demonstrating a respect for the clients individuality;
- being genuine and authentic.

Shireman, Yatchmenoff and Wilson (1999) examined the role of engagement between social workers and their clients in child protection and how this related to client's outcomes. A key objective of the research was establishing a working definition of engagement to further understand how and when a determination of client engagement can be established. The researchers undertook interviews with child protection workers, establishing four crucial aspects to engagement from a practice perspective:

- Receptivity: The client displaying an openness to receiving help
- Expectancy: The perception of benefit from the client's perspective
- Investment: The workers commitment to the helping process
- The working relationship is characterised by a sense of reciprocity and good communication.

In addition, the researchers also found that client mistrust, where by the client believed that the worker or agency was being manipulative, was a key aspect of disengagement.

This research highlighted that engagement is a multifaceted concept that incorporates what is *observed* as well as how the client *feels*. It appears that the benefit of engaging a client and establishing a trusting relationship can contribute to the client developing a "…heightened sense of self-worth [and] a growing desire for more rather than less connection with others" (O'Hara & Weber 2006, p. 122). Hepworth and Larsen (1982) argued that successfully engaging the client means that rapport must be established, which requires that clients experience practitioners as understanding persons, genuinely interested in their wellbeing.

Engagement of involuntary clients in the helping process is a constant struggle for practitioners given the mandated status of the relationship and the help being offered by the worker may not be wanted

(Yatchmenoff 2008). Additional obstacles or barriers to effectively engaging involuntary clients include the clients not wanting to uncover deeper feelings, finding exploration of these issues and feelings intrusive (Compton & Galaway 1999; Ivanoff, Blythe & Tripodi 1994). These barriers highlight the need for the worker's clear communication to facilitate engagement. Calder (2008) argues that conflict and disagreement should not be avoided in the social work relationship with involuntary clients, but the realities of the relationship should be explored so that they can be further understood by both parties. Calder goes on to argue that it is possible to engage people in a helping relationship that started from a position of tension and initial mistrust.

Despite the difficulties of engaging involuntary or challenging clients, there is research that suggests that engagement between the worker and clients can lead to positive outcomes. In his study in child protection, Trotter (2002) found that engagement and the helping relationship related to positive outcomes for all members of the family. Child protection workers and their clients were interviewed about helpful and unhelpful aspects of the client-worker relationship. Positive outcomes for families were measured in terms of service withdrawal from the family or 'case closure' (Trotter 2002). Whilst engagement was not specifically identified, Trotter found that when workers used effective practice skills, including pro-social modelling and problem-solving, and clients responded positively to the use of these skills, the outcomes for families were generally positive.

De Boer and Coady (2007) undertook a small scale qualitative study using in-depth interviews with six child protection workers and six of their allocated clients to understand and identify workers' attributes and actions that were central to the development of strong working relationships. The researchers employed the technique of re-interviewing the worker-client dyads, allowing participants to reflect and respond to the responses of their respective worker or client. This method provided a lot of detailed qualitative data regarding the key aspects of worker attributes and relationship skills. This research found that one of the primary factors contributing to a good helping relationship is a deeply humanistic style of working. This included workers:

- using a person-to-person down-to-earth manner
- engaging in small talk to establish comfort and rapport
- getting to know the client as a whole person
- seeing and relating to the client as an ordinary person with understandable problems

- recognising and valuing the client's strengths and successes in coping
- being realistic about goals and patient about progress
- having a genuinely hopeful/optimistic outlook on possibilities for change
- using judicious self-disclosure towards developing personal connection
- being real in terms of feeling the client's pain and displaying emotions
- going the extra mile in fulfilling mandated responsibilities, stretching professional mandates and boundaries.

Whilst this research provides a number of descriptors of good attributes of child protection workers, there were limitations to this study including the non-randomised sample selection, a small number of participants and potentially clients' fear of reprisal if they were not positive about workers involvement. Further to this, some key concepts used by the researchers were not comprehensively defined, such as what constituted a 'good' worker.

Empathy

Empathy is commonly seen as a valuable attribute central to effective social work practice. As Nerdrum and Linquist (1995) assert, empathy is regarded as one of the most fundamental skills in therapeutic work with clients. They argue empathy is a significant element when establishing a working relationship and has direct links to positive outcomes with clients. Empathy can simply be defined as "… understanding the clients' feelings and point of view" (Trotter 2006, p. 32). What empathy looks like in practice is complex, particularly when attempting to identify it as a specific skill being used deliberately by practitioners.

Rogers (1959) coined the term 'accurate empathy' in an attempt to conceptualise empathy as a skill for the purpose of identifying it in research. Accurate empathy is defined as:

> To perceive the internal frame of reference of another with accuracy and with the emotional components and meanings which pertain thereto as if one were the person, but without ever losing the 'as if' conditions. (Rogers 1959, p. 210-11).

Some scholars have made a link between the use of confrontation and empathy. Hepworth et al (2010) differentiated these skills by when the worker uses them and go on to argue that empathy is used by workers to recognise and resolve a client's emotional barrier that may impede progress. Confrontation,

in contrast, is described as a high risk skill used to assist clients to identify resistant patterns of thought and behaviour. Hepworth et al. (2010) highlights the benefits of using confrontation and empathy as complementary skills, arguing that the use of empathy can 'cushion' the impact of confrontation.

Shulman (1991) undertook a study in child protection examining the link between the use of specific social work skills and clients' outcomes. Interviews and questionnaires were administered to 305 clients as well as client files being reviewed. Shulman found a positive link between the worker's use of empathy and better client outcomes. Empathy, for the purpose of this study, was defined as "…reaching inside for silences, putting the clients' feelings into words, displaying an understanding of the client's feelings and sharing the worker's feelings" (Shulman 1991, p. 44).

Nugent and Halvorson (1995) undertook research examining social workers use of active listening. Participants were qualified therapists who were required to respond to role plays. Although the therapists were responding to role plays, they found that when therapists misused empathy it led to observed anger, anxiety and depression in clients.

Trotter (2002) interviewed 50 child protection workers and 247 of their clients about the extent to which workers utilised certain skills in their practice. Trotter found that when clients' felt the worker understood their point of view and the way they felt, child protection services were more likely suspended their intervention with the families after 12 months (65%) as opposed to those clients who perceived their worker did not understand, or had limited understanding of their point of view.

Forrester et al. (2008) examined how child and family social workers talk to parents about child safety concerns by asking social workers to respond to a series of case vignettes. The researchers found that the strongest relationship between an observed social work skill and the process of the interview was empathy. Empathetic social workers produced less resistance and achieved more disclosure of information from clients. This was done while raising concerns with parents and being clear about their role. The researchers also highlighted that there were indications that empathic social workers achieved greater clarity about what should happen next with clients.

As highlighted above, research indicates workers use of empathy can lead to better outcomes for the client. There is debate in the literature, however, as to whether empathy is an attribute of an individual

practitioner or a skill that can be taught (Hepworth et al. 2010). A number of studies have attempted to resolve this debate. Several of the key studies are outlined below.

Nerdrum and Linquist (1995) undertook a controlled outcome study to examine whether social work students participating in an intensive communication skills course improved their levels of communicated empathy. The students' level of empathy was measured by the Carkhuff Scale of Empathetic Communication (Carkhuff 1969) both prior to, and after the training. The experimental group demonstrated a significant change in their empathetic responses as opposed to the control group. This study, although important, has to be viewed in light of its limitations, namely the students were responding in a written format to written vignettes. Notwithstanding these limitations, this study gives weight to the argument that some of the practical elements of empathy as a skill can be both taught and learnt.

Following on from Nerdrum and Linquist's (1995) study, Nerdrum (1997) examined the long term effectiveness of teaching core social work communication skills, with empathy taught as a key skill. Social work students from two different universities were recruited for this study, with the experimental group being provided with 50 hours of additional communication skills training. Levels of communicated empathy were assessed for each participant prior to the training and again 18 months post training. The experimental group demonstrated greater levels of communicated empathy as compared to the control group in the follow-up period. Further to this, the level of communicated empathy in the experimental group was enhanced whereas the control group was not.

Research regarding the benefits of utilising empathy in the context of a helping relationship has not always produced positive results. In research undertaken with involuntary clients in Canada, Andrews (1979) found that probation workers who scored high on psychological tests of empathy and utilised reflective listening skills in their supervision practice had clients who reoffended more often.

Trotter (1990), in research with probation officers in Australia, found that whether the probation officer rated as high or low empathy made no difference to the offenders' outcome. The Hogan Empathy Scale (Hogan 1969) was administered to participants in both the experimental and control group. This scale, developed in the 1960's, measures the extent to which a person comprehends and feels for another's point of view. It has been tested for reliability and validity in numerous studies. Whilst not statistically

significant, Trotter found that offenders being supervised by workers assessed as having high empathy committed slightly more offences than the offenders of low empathy workers. This is consistent with the study by Andrews (1979). Trotter (2004) hypothesised that the use of empathy unaccompanied by other skills, such as the reinforcement of pro-social behaviours, may be interpreted as the acceptance of antisocial behaviour.

Challenging and confrontation

The use of challenging and confrontation in the context of a helping relationship has mixed responses in the literature, particularly within the field of social work (Hepworth et al. 1982; 2010; Rooney 2009; Egan 1977; Gambrill 2006). These responses have evolved over time, with confrontation being described as a high risk technique due to client interpretation of confrontation being a putdown or rejection (Hepworth & Larsen 1982) to "….a tool that social workers should equip themselves with to enhance a client's self-awareness and promote change" (Hepworth et al. 2010, p. 526).

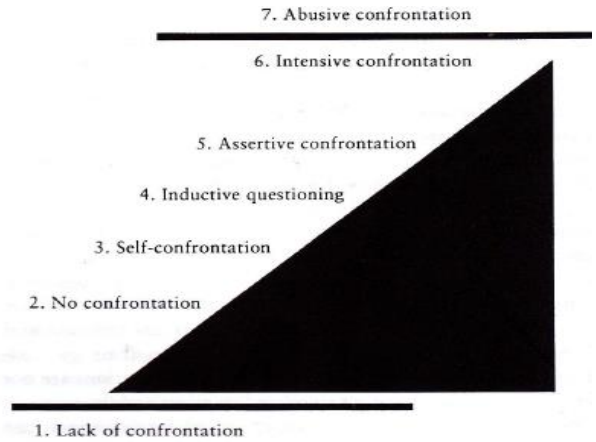
Broadly, confrontation is defined in the social work literature as "…facing clients with some aspect of their thoughts, feelings or behaviour that is contributing to or maintaining their difficulties" (Hepworth et al. 2010, p. 525). Instead of defining what confrontation is, Rooney (2009) outlined three circumstances in a worker-client relationship when confrontation is appropriate:

(a) when a law or policy has been violated or violation is imminent,
(b) when danger or harm has occurred or is imminent,
(c) when a client's own goals are threatened by their behaviour.

Rooney goes on to explain that these conversations are usually less frequent when working with non-voluntary clients (for example seeing a social worker voluntarily, but not on their own volition) as opposed to involuntary clients (for example court mandated). Rooney argues that confrontation is rarely appropriate if beliefs or actions are not illegal, violations of policy, dangerous or unrelated to clients' goals. Hepworth and Larsen (1982) concur with this position, explaining that the use of confrontation can place clients on the defensive or alienate them. They suggest expressing concern and helpful intent is a critical element when addressing undesirable behaviour as it will reduce the possibility that clients will misconstrue the motive behind the confrontation.

Rooney (2009) argues that practitioners do better if they consider confrontation on a continuum rather than selecting which clients to use confrontation with. Rooney's (2009) confrontation continuum, ranging from one to seven, describes both the appropriateness and intrusiveness of each confrontational technique. Level one is a *lack of confrontation*. This is distinct from level two where the practitioner chooses *not to confront*. Following on this continuum is *self-confrontation*, where the practitioner facilitates the client's self-examination. Rooney describes this as a low risk technique that can be used early in the client-worker relationship. Level four is *inductive questioning* whereby workers can start to explore discrepancies in the client's attitudes, beliefs and behaviours. Rooney states that this is a useful form of confrontation to begin to explore clients' behaviour. When the client's behaviour involves law violations or harm, Rooney recommends that workers move to level five assertive confrontation. *Assertive confrontation* refers to the worker making specific statements about their concerns and the possible consequences. *Intensive confrontation* occurs over a long period, with confrontation coming from multiple sources, including the worker. Rooney (2009) acknowledges that intensive confrontation can in many ways conflict with the guidelines for the other forms of confrontation but argues that there are appropriate times when this type of confrontation should be used (for example, serious events such as law violation or imminent danger). Rooney is aware that both assertive and intensive confrontational strategies can lose their situational and behaviour specific qualities and become *abusive confrontation*, whereby the client is subjected to a blaming, uncaring onslaught.

Graph 1: A confrontation continuum



(Rooney 2009, p. 138).

Whilst unsupported by empirical research, Rooney's continuum of confrontation is one of the only examples of attempting to understand when and how confrontation should be used with involuntary clients.

There appears to be a consensus in the literature that both timing and a positive relationship with the client are both imperative to successful confrontation. Shulman (1991) highlights the significance of timing, explaining that confrontation in the middle phase of intervention can be viewed as helpful when the client may not be making progress, as opposed to it being employed in the initial stages of the relationship when engagement is still being established.

Hepworth and Larsen (1982) are amongst the few scholars who describe specifically how confrontation should be used in practice. They contend that tone of voice is vital in conveying helpful intent, stating that if the practitioner confronts the client in a warm, concerned tone of voice, the client will feel more comfortable. If the practitioner uses a critical tone of voice, any further reassurance made by the worker will likely "…fall on deaf ears" (Hepworth & Larsen 1982). Hepworth and Larsen stress that workers are not to become the target of clients' abuse. They go on to say that it is:

> Vital that clients receive descriptive feedback about their aggressive and provocative behaviour, particularly if it seems to be an ongoing, repetitive style of the client which is also manifested in significant relationships with others. (1982, p. 53).

Again, each of these propositions appears to be based on the authors' inferences rather than empirical evidence.

Summary

This section presented skills that are central to communication in social work. Research highlights that positive client outcomes are associated with specific social work skills. However, much of the research that has been undertaken examining social work skills in practice has relied on retrospective accounts of service delivery by social workers and clients or getting social workers to respond to hypothetical case studies or role plays (Hall & Slembrouck 2009).

There is support in the literature for the benefits of using challenging to enhance a client's progress. Detail about the specific use of these skills is limited. As Policin (2003) notes, the use of confrontation

varies in its intent, timing, intensity, emotional content, accompanying interventions, and the relationships and organisational contexts within which it occurs. Literature concerning methods and skills pertaining to the use of confrontation within a social work relationship is presented as advice, providing cautionary tales of when not to use confrontation as it may be harmful to the relationship, as well as potentially causing personal danger for the social worker. Much of this discourse has not been researched and typically describes anecdotes and guidance from practice.

Section two

Models of challenging

The following section outlines models of intervention that utilise particular aspects of challenging. Although these models are not solely based on challenging, they each have core elements related to when and how to utilise challenging.

Motivational Interviewing

Motivational interviewing (MI) is a directive, humanistic approach focused on facilitating a client's own motivation through resolution of their ambivalence toward change (Rollnick & Miller 1995). MI is consistent with Roger's (1961) client-centred counselling approach, emphasising empathy, optimism and respect for a client's choice.

Motivational interviewing is commonly described as a particular way to help people to recognise and address problems (Miller & Rollnick 2002). Miller and Rollnick (2002) promote the ideology that motivation is a state of readiness that fluctuates and can be influenced. They argue that workers need to be "…more persuasive than coercive" (Miller & Rollnick 2002, p. 52). MI was originally developed for the drug and alcohol field and has been translated and adapted to various areas of helping people, including diet and exercise, smoking cessation and medical compliance.

Two meta-analyses (Hettema, Steele & Miller 2005; Rubak et al. 2005), that included over 72 studies, found that MI was significantly better than other approaches across behaviour change areas, outperforming traditional advice-giving 80% of the time.

MI focuses on understanding the client's point of view, developing goals, accepting the client's autonomy, working with the client's definition of a problem and simultaneously motivating the client towards change (Miller and Rollnick 2002). MI uses distinct clinical skills that include the worker's ability to express empathy, to develop discrepancy, to avoid arguments, to 'roll with' resistance and to support clients' self-efficacy. So although challenging may be used, it is a subtle skill and not a dominate feature of MI. Miller and Rollnick (2002) articulate that confrontation is a *goal* rather than a procedure, and that the occurrence of client resistance during a session should serve as immediate

feedback for altering the therapeutic approach. Rollnick and Allison (2004) elaborate on this and highlight the need to point out discrepancies in clients' thinking but at the same time to keep the clients comfortable. They argue that the more the worker focuses on discrepancies, the more the worker should employ the practice of empathic listening.

Research from the drug and alcohol field suggests that MI may be effective for those clients who are more oppositional or defiant, higher risk, or less ready for change (Project MATCH Research Group 1998; Woodall et al. 2007). Walters et al. (2010) examined the effectiveness of MI as a supervision strategy in a probation service. Twenty probation officers were randomly assigned to receive MI training, or to a waiting list control, while an additional group of 10 officers served as a supervision-as-usual group. Three hundred and eighty probationers were assigned to participating officers over a four month period. Outcome measures were reviewed over a six month period, and included offenders positive results from drug screens. The researchers found whilst the MI training program improved worker skills, the outcomes for the probationer did not vary between groups.

There has been some research undertaken examining the benefits of using an MI informed approach over a more confrontational practice. Miller, Benefield and Tonigan (1993) examined the effects of an MI intervention versus a confrontational style of intervention by investigating the different styles on clients' outcomes. Participants included 42 voluntary clients who identified as having an alcohol problem. They were randomly allocated to one of three treatment styles:

- immediate check up with a directive-confrontation counsellor
- immediate check up with an MI-centred counsellor
- delayed check-up (waiting list control)

Clients participated in two sessions with their allocated counsellor. Each session was audio taped and coded to confirm the treatment style used by the therapist. At the one year follow-up the researchers found that the more the counsellor used confrontation, the more the client drank alcohol. The researchers found that an effective element of the intervention provided is the absence of confrontational statements by the counsellor, as these statements typically elicited resistance by the client and led to poorer client outcomes.

Schneider, Casey and Kohn (2000) examined the differences between an MI informed approach versus confrontational interviewing to ascertain the impact on a clients' motivation to change, adherence to treatment and decreasing their alcohol use. Participants were recruited from Employee Assistance Programs (EAP) that typically employ confrontational, directive, non-collaborative styles of intervention to address employees substance use issues. One hundred and seventy-six participants were randomly assigned to a counsellor who was assessed to have either a confrontational or motivational style of intervention. Self-report data regarding the participants' progress was collected at three and nine month intervals. The results indicated that both groups made improvements, with no statistically significant differences in the outcomes between the two groups. Although not statistically significant, at the three-month follow-up, 63% of the MI group reported that they had followed the initial treatment plan as opposed to 54% of the confrontation group, suggesting that the participants in the MI group may have had greater participation in the development of their treatment plan. The results of this study were based on self-report data from both workers and clients. Although the workers received ongoing supervision to ensure their compliance with their assigned mode of intervention, it is difficult to assess treatment fidelity.

Forrester, et al. (2007) examined the impact of MI training on social work skills. The researchers randomly allocated 40 child protection caseworkers to one of two separate conditions, a two day workshop on MI or a two day work shop on MI plus clinical supervision for three months post training. To assess their adherence to the MI principles, participants responded to case scenarios prior to and after the training. Researchers found an increase in empathetic listening and less 'overt confrontation' used by caseworkers post-training. The researchers found relatively low skill level in MI post training. They also noted that some of the 'non-MI behaviour', such as the use of confrontation, was reduced. Interestingly, there were no significant differences reported between the 'workshop only' and the 'workshop plus' conditions. The researchers did report, (although it did not reach statistically significant levels), that workers' in the 'workshop plus' condition tended to have higher skill level in the post-training assessment. Although caseworkers did not continue to demonstrate high skills in MI post-training, there was a reduction in unhelpful practices, such as confrontation.

Narrative therapy: Invitations to responsibility

Narrative therapy is a non-blaming approach to counselling and community work which centres people as the experts in their own lives. It views problems as separate from people and assumes people have

many skills, competencies, beliefs, values, commitments and abilities that will assist them to reduce the influence of problems in their lives (Dulwich Centre 2016). Informed by a narrative approach, Alan Jenkins (1990) developed a method to invite offenders to take responsibility for their actions. He outlines nine steps which he employs to address the offenders' behaviour:

1. Invite the man to address his violence
2. Invite the man to argue for a non-violent relationship
3. Invite the man to examine his misguided efforts to contribute to the relationship
4. Invite the man to identify time trends in the relationship
5. Invite the man to examine external restraints
6. Deliver irresistible invitations to challenge restraint
7. Invite the man to consider his readiness to take new action
8. Facilitate the planning of new action
9. Facilitate the discovery of new action (Jenkins 1990, p.63).

Jenkins (1990) argues against the use of conflict or confrontation within a therapeutic relationship, advocating that abusive and violent men need to be invited to take responsibility for their behaviour. Engagement of the patient in the therapeutic process is considered central to the success of this model. Jenkins (1990) is prescriptive about how therapists interact during the therapeutic sessions, arguing that the therapist should endeavour to adhere to the following three principles:

- Decline explicit invitations to attribute responsibility for violence to factors beyond the man's influence and implicit 'invitations' to take responsibility for the man's violence and attend to it for him
- Invite the man to challenge restraints to acceptance of responsibility for his own actions
- Acknowledge and highlight evidence of the man's acceptance for his responsibility for his actions (Jenkins 1990, p. 62).

This model explicitly avoids the use of confrontation or criticism by the therapist, stressing that it is counterproductive and harmful. Jenkins highlights the importance of micro skills, such as reflective listening, to engage the offender and the importance of redressing the power imbalance inherent in the clinical relationship, for example, the worker asking permission to ask more questions.

Limited empirical research has been undertaken on Jenkins's approach. One evaluation of a program citing this approach as influential was located. The Cedar Cottage treatment program is based in New South Wales (NSW), providing intervention to adult male interfamilial sex offenders. The Cedar Cottage Treatment Program (NSW Health 2015) uses a combination of Cognitive Behavioural Therapy, and some education, however the central focus of the program is based on Jenkins's invitational approach. This program accepts and asserts Jenkin's view that a key to the acceptance of responsibility by offenders is the development of an understanding of the consequences of his conduct on members of his family. The program advocates that courts should focus less on mitigating circumstances and victim impact, and more on assisting the offender to develop responsibility-based decision making. Program participants are required to attend group and individual therapy on alternate weeks (Goodman-Dulahunty 2009). This program was evaluated in 2009 by Charles Sturt University (Goodman-Dulahunty 2009) to ascertain the effectiveness of the program, specifically with regard to sexual re-offending amongst participants. Two groups of offenders were compared, those who entered treatment to Cedar Cottage (n=93) and those who declined (n=121). The evaluation reported a decline in both sexual and non-sexual recidivism amongst program completers compared to treatment refusers. Although there are a number of other influences governing the facilitation of this program, Jenkins's (1990) theoretical framework was explicitly influential in the design and implementation of the Cedar Cottage treatment program.

Individual psychotherapy

Sigmund Freud laid the foundations of psychodynamic theory in the early twentieth century. Psychotherapy is commonly defined as:

> The informed and planful [sic] application of techniques derived from established psychological principles, by persons qualified through training and experience to understand these principles and to apply these techniques with the intention of assisting individuals to modify such personal characteristics as feelings, values, attitudes, and behaviours which are judged by the therapist to be maladaptive or maladjustive [sic] (Meltzoff and Kornreich 1970, p. 6).

Psychotherapists advocate for using opportunities to challenge an individual about their thoughts or behaviours in individual counselling, viewing this as central to the therapeutic relationship (Egan 1976). Psychotherapists have researched how confrontation is used effectively in a therapeutic relationship,

when it should be used and how it should be managed if utilised by the therapist. Whilst the majority of this research was undertaken in the 1960s and 1970s, clearly it has relevance to this thesis.

Egan (1977) describes confrontation as inviting a person to examine their interpersonal style, including emotions, experiences, behaviours and consequences carefully. Psychotherapists apply positive connotations to the use of confrontation, implying the client welcomes these discussions. Egan (1982) argues that a more appropriate term for confrontation may be 'challenging' due to the negative associations of the term for some people.

Egan (1977) emphasises the benefits of confrontation stating that it can be a positive source of communication. However, he asserts that there is not "…a great deal of evidence that people do it well" (Egan 1977, p. 211). Egan designed practical 'hints' that he hypothesised could make confrontation a positive experience for both parties. These included:

- Begin with a statement of basic understanding
- Be tentative
- Know why you're confronting someone
- Don't confront until you have earned the right
- Don't gang up on a person
- Be concrete
- Don't confront by using only nonverbal hints
- Confront only if you want to grow closer to the person you're confronting (Egan 1977, p. 211).

Douds et al. (1967) observed that confrontation, as a skill, is associated with hostile encounters in specific circumstances, such as incidents of aggression or in crisis situations. The literature appears to set aside confrontation for certain types of clients, predominantly involuntary clients with histories of antisocial behaviours, such as substance use or offending (Collins, 2002). Psychotherapists challenge this perception arguing that confrontation is a tool a therapist can use to test their understanding of their client (Douds et al. 1967).

Berensen, Mitchell and Laney (1968) and Beresen and Mitchell (1973) undertook several research studies providing some of the most definitive research undertaken with regard to confrontation in the

field of psychotherapy. By exploring the nature of the relationship between a therapist and their client, the researchers attempted to understand what conditions facilitated change and conversely, conditions that inhibited or stifled change.

Berensen, Mitchell and Laney (1968) hypothesised that therapists would employ differing methods of confrontation depending on their skill level. Fifty-six therapists participated in this study, each assessed and rated as having either 'high' or 'low' level skills based on audiotaped counselling sessions submitted to the researchers. Therapists were assessed on a five point scale specifically in relation to their level of skill in relation to empathy, positive regard, genuineness and concreteness. Therapists who were rated above 2.5 were considered high functioning and those who were rated below 2.5 were considered low functioning. Of the 56 therapist tapes, 13 were assessed as high functioning and 43 were assessed as low functioning. The audiotapes were then assessed for evidence of confrontation. Confrontation was categorised into five distinct types:

1 **Experiential confrontation:** The therapist's specific response to any discrepancy between patient's and therapist's experience of the patient, or to any discrepancy between patient statement about himself and patient's inner experience of himself, or to any discrepancy between patient's and therapist's experience of the therapist.
2 **Didactic confrontation:** The therapist's direct clarification of the patient's misinformation or lack of information. This type of confrontation may include the therapist's efforts to offer the patient information based on test data, behaviour, or data about some aspect of the world as well as details about the therapist or the structure and function of the therapy process.
3 **Confrontation of strength:** An experiential confrontation which focused on the patient's resources.
4 **Weakness:** An experiential confrontation which focused on the patient's liabilities or pathology.
5 **Encouragement to action:** The therapist pressing the patient to act on his world in some constructive manner and discouraging a passive stance toward life.

The researchers found a clear difference between the types of confrontation high functioning therapists used as opposed to low functioning therapists. Analysis of the audio-tapes revealed the 13 higher functioning therapists confront their patients more often, using experiential methods of confrontation more frequently, with didactic confrontation being the predominant second choice. This is in contrast to

the low level therapists who confronted patients using weakness method. This research captured the different styles of confrontation in practice as well as how confrontation is used differently by different therapists. Unfortunately, this research has not considered the client's response and how the clients responded to the different methods employed by the therapists.

Beresen and Mitchell (1973) further analysed this material to determine whether therapist style affected the type of confrontation employed in a counselling session. They found therapists who were described as 'facilitative' offered more confrontation in an attempt to understand and clarify the patient's position. Conversely, low facilitative therapists were more likely to utilise confrontations aimed at a patient's weakness.

Patterson and Forgatch (1985) examined the impact of therapist behaviour on client compliance by observing six families engaged in counselling for identified child behavioural issues. The researchers wanted to ascertain if the therapist behaviour has an impact on client non-compliance. The researcher found that when the therapist 'taught' or 'confronted' family members, significant increases in non-compliance occurred. Interestingly, the researchers also found that therapists who 'support' and 'facilitate' were also met with increased likelihoods of client non-compliance. This led the researchers to hypothesise that even the efforts of well-trained therapists may be met with clients' non-compliance. This study highlights the pitfalls of employing a confrontational approach early in the worker-client relationship, risking higher levels of non-compliance with appointments.

The field of psychotherapy has significantly contributed to the knowledge base regarding the practice of confrontation. It should be noted however, that psychotherapists are typically working with voluntary clients who may have an intrinsic motivation to address deficits in their current circumstances.

Boot camps

Boot camps were established primarily as a result of the 'get tough' movement on crime (Lipsey et al. 2010). They were developed as an intermediate sanction appearing harsher than probation but not as severe or costly as prison (Andrews & Bonta 2010). The allure of boot camps saw them expand and used as a criminal justice response to rectify the behaviour of offenders.

Boot camps were established in the United States in 1983, initially in the adult correctional system but gradually expanding to the juvenile system (Wilson, MacKenzie & Mitchell 2005). Boot camps typically assume the structure and routines of a military environment incorporating physical routine, drills and uniforms into the program (Wilson, MacKenzie & Mitchell 2005). Although often described universally, boot camps have programmatic differences complicating evaluation of their effectiveness. For example, some boots camps have a stronger emphasis on the physical activity, and others on the therapeutic programs (Wilson, MacKenzie & Mitchell 2005).

Boot camps are controversial for a number of reasons. Much of the criticism revolves around the nature and frequency of harsh confrontation techniques utilised. Meade and Steiner (2010) argue that exposure to this type of aggressive and demeaning behaviour by authority figures can actually serve to model and reinforce antisocial behaviours. Szalavitz (2007) raised a number of concerns regarding boot camps in the United States citing a number of young people that have been severely traumatised due to participation in these programs. Criticism has not only been levelled at the content of some of the boot camp regimes but also at the lack of aftercare for participants when they are released from the programs that are primarily residential.

Several studies have examined the impact of participation on recidivism rates in boot camps. Wilson, MacKenzie and Mitchell (2005) undertook a meta-analysis focusing on the effectiveness of boot camps, specifically with regard to recidivism. Thirty-two individual studies where included in this analysis. The authors concluded that inclusion in a boot camp program made ‘no difference’ to recidivism. They did, however, find larger positive effects for boot camp programs that incorporated counselling, and more generally, for programs that had a primary focus on therapeutic programming beyond discipline, physical training, and military drill and ceremony. In a key study, Mackenzie, Bierie and Mitchell (2007) undertook a randomised controlled trial with 234 male inmates who were assigned to either prison or a boot camp. The researchers reported that boot camp had minimal effect on criminogenic risk levels, however also found that inmates sentenced to prison, as opposed to boot camps, became more antisocial.

Due to the significant variations of boot camp programs it is difficult to make a clear statement about their effectiveness. When designed as paramilitary regimes characterised by highly confrontative and volatile environments, a meta-analysis found that boot camps and other forms of disciplinary programs

increase recidivism by about 8%, on average (Lipsey 2009). Conversely, when pro-social role modelling is included (Clark & Aziz 1996) benefits have been reported. These benefits have precipitated a 'second wave' of boot camps emerging predominantly in the United States of America, with increased use of rehabilitative treatment and aftercare services, coupled with a decreased emphasis on the confrontational quasi-military components of boot camps (Meade & Steiner 2010).

ToughLove

ToughLove, founded by Phyllis and David York (1972), is a 'self-help program for parents, kids and communities struggling with unacceptable adolescent behaviour (http://www.toughlove.org.au/ accessed 1/1/2012). ToughLove describes itself as a crisis intervention program, emphasising the child's behaviour as the problem, not the parent. ToughLove promotes a confrontational style of resolving conflict in the home.

ToughLove is a group based parenting program with groups formed both in the United States of America and internationally. Despite the criticisms this program has attracted (Holihan & Riley 1987), the ToughLove paradigm still has a strong following.

Limited research has been undertaken examining the effectiveness of ToughLove interventions. Holihan and Riley (1987) undertook a qualitative study observing the group based sessions, capturing the responses of parent participants. The thematic analysis suggested that the parenting style promoted by ToughLove was more similar to the parenting the participants reported they experienced growing up. The researchers observed that participants appeared to be 'drawing strength' through the stories and experiences of other participants. This appeared to be a reinforcing principle, whereby parents were encouraged by facilitators and other participants to lay down the 'bottom line' to their children (Holihan & Riley 1987). The researchers noted that when parents showed 'weakness', criticism from other parents were levelled at them and those parents who were tough at enforcing rules were applauded by other parents and facilitators. Although this study provided insights into the content of the program, the outcomes of the program for individual participants and their families was not canvassed. Although the ToughLove website (www.toughlove.com.au accessed 1/1/2012) is littered with successful case studies, empirical support for the ToughLove program could not be located.

Scared Straight programs

‘Scared Straight’ is the generic term incorporating a number of related programs that includes shock incarceration programs that expose offenders, or those assessed as potential offenders, to prison-like environments to shock them away from the criminal lifestyle (Andrews & Bonta 2010). Also known as ‘juvenile awareness’ these programs have seen a rise in popularity, particularly in the United States of America. Scared Straight programs typically comprises bringing young people at risk of offending into the prison, exposing them to threats, intimidation, and aggressive persuasion techniques from prisoners to literally scare them away from delinquency; to “scare them straight” (Lipsey et al. 2010). Informed by the principles of deterrence theory, the appeal of this program lies in its simplicity. Most programs involve a confrontational presentation by prison inmates about the horrors of prison life (Petrosino, Turpin-Petrosino & Finckenauer 2000). This ‘shock confrontation’ approach is designed to show the young people what would happen to them if they followed a life of crime (Andrews & Bonta 2010).

Petrosino, Turpin-Petrosino, & Finckenauer (2000) conducted a review of nine randomised controlled studies of juvenile Scared Straight programs. The authors emphatically concluded that Scared Straight programs are harmful and lead to an increase in criminal activity and delinquency amongst participants.

O’Malley, Coventry and Walters (1993) evaluated a ‘Day in Prison Program’ based in Victoria Australia from 1989 to 1991. This program was based on principles of the Scared Straight paradigm. The review failed to provide any support for this program and the program was subsequently abandoned under controversial circumstances. Comparisons between participants and matched controls of non-participants concluded that such programs do not have a positive effect on attitudes to crime and offending, rates of rearrest, recidivism or seriousness of subsequent crimes committed (O’Malley, Coventry & Walters 1993). Concerns were raised by the authors that this program was initially established due to political pressure rather than consideration of the empirical evidence supporting the program (O’Malley, Coventry & Walters 1993). Despite these negative findings, such programs continue to have public support and are still being run in a number of jurisdictions, predominately in the United States (Office of Juvenile Justice and Delinquency Prevention 2011).

Parental challenge

Parental challenge involves family members using challenging or confrontation to change behaviour. This is usually a parent challenging an adolescent child (Dailey 2008). Although the concept of parental challenge is not new, it has received limited attention in the literature. There has been some empirical support to validate the use of parental challenge, with the combination of support and challenge have found positive outcomes for the young person (Dailey 2008). There is also literature supporting healthy challenging as being more beneficial than avoiding disagreements (Cooper, Grotevant & Condon 1983), with Schmidt and Padilla (2003) finding that good use of challenging in the family environment was positively related to self-esteem.

There are several key differences between worker-client confrontation and parent-child confrontation. First and foremost there is an established relationship, usually occurring within the home environment.

> Parents are seen as modelling self-directed behaviour, setting rules and limits, and expecting adolescents to take steps that will lead to individuation and goal achievement. Thus, a challenging context is one wherein adolescents perceive that they are being asked to focus their attention, be more objective, and formulate plans that accommodate changing expectations. (Rathunde 2001, p. 160).

The model of parental challenge appears to support the idea that confrontation can be helpful in the context of a warm, supportive relationship.

Restorative justice

Restorative justice is positioned as an alternate intervention to traditional criminal justice interventions. It is typically employed as a diversionary strategy for low risk young offenders, though it is used in some adult jurisdictions. Restorative justice is based on the concept of ‘re-integrative shaming’, whereby disapproval is cast upon the offender’s actions whilst simultaneously valuing the offender as an individual who can be reaccepted into the community (Braithwaite 1989). This process is distinguished in the literature from ‘stigmatisation’ which, along with labelling theory, is hypothesised to have negative effects on individuals.

Restorative justice facilitates the worker to challenge the offender about their actions with a view to providing restitution to the victim. Proponents of restorative justice argue that the process promotes the

communication of moral disapproval instead of administering statutory penalties (Stubbs 2006). Victims are given the opportunity to speak about the impact of the offences, which is promoted as providing healing and therapeutic opportunities for the victim.

The extent to which restorative justice achieves these ideals in practice is largely unknown. Much of the literature surrounding restorative justice describes the philosophy, giving examples of restorative justice programs (e.g., Bazemore 1998; Bazemore & Umbreit 1995; Clear & Karp 2002; Umbreit & Carey 1995). Research regarding the effectiveness of restorative justice is growing however the success of this approach is remains contested in the literature (Sherman & Strang 2007; Lane et al. 2005; Maxwell & Morris 2002; Presser & Van Voorhis 2002).

A meta-analysis undertaken by Latimer, Dowden and Muise (2005) examined the effectiveness of restorative justice practices. Twenty-two studies were included in the analysis though the authors acknowledged the difficulties defining a restorative justice approach. The meta-analysis indicated higher victim and offender satisfaction after participating in a restorative approach as opposed to other criminal sanctions. There was also greater compliance and reductions in offender recidivism noted. Researchers highlighted the limitations of the analysis, including the homogeneity of offenders, and voluntary participation in the restorative process, meaning offenders may be more motivated to participate and complete their order.

Sherman and Strang (2007) undertook a systematic review of restorative justice trials across a number of jurisdictions to from 1986 to 2005 to further articulate what good practice in restorative justice looks like and its effectiveness in relation to specific types of offending. The authors argued that restorative justice is more effective than many other justice initiatives however emphasised that it works differently for different types of people. The authors found that participation in restorative justice does not increase re-offending and for specific types of crime, including violent crime, it decreases re-offending.

The Mothers Against Drink Driving program (MADD), designed as a response to drink driving offenders, incorporates key underpinnings of restorative justice. The offender is seated before a panel of people who have been directly impacted by drink driving, putting a face to what some consider a faceless crime. Woodall et al. (2000) evaluated the impact of the MADD program by randomly assigning participants to either a standardised drink driving school or a drink driving school with a

MADD panel. This evaluation included a two-year follow-up period with a number of outcome measures including the participants reported alcohol use. Initially, participants in the experimental group reported less alcohol consumption however this was not present at the one or two-year follow-up points. The re-arrest rates for the experimental group were higher at the two year follow-up point as opposed to the control group. These findings suggest that making someone feel bad or remorseful may have an immediate effect on their behaviour however the long term effect led to increased drinking.

Strang et al. (2011) undertook a large scale project commonly referred to as the Reintegrative Shaming Experiments (RISE). These experiments compared the effects of standard court processing with the effects of a diversionary conference for four kinds of offence categories: Drink driving, juvenile property offending with personal victims, juvenile shoplifting offences and youth violent offences. This was a long term project with data collection spanning over 10 years. The researchers found that the frequency of arrest among non-Aboriginal people under 30 years of age who were assigned to restorative justice dropped by 84 per 100 offenders more than in the control group. The arrest measure included all kinds of crimes, from offences with victims to non-compliance with court appearances. The authors noted that these effects were not found amongst Aboriginal offenders, however the sample size was small.

Research regarding how the restorative justice session is facilitated and how the facilitator challenges the offender about their offence could not be located.

Cognitive restructuring

Cognitive restructuring, is a core technique of Cognitive Behavioural Therapy (CBT) endeavouring to "….change the beliefs, values, and attitudes of participants" (Lester & VanVoorhis 2007, p. 183). Cognitive restructuring is commonly used in the field of mental health however has been used in corrections to address the needs of offenders and to teach the individuals to identify errors in their thinking that support antisocial attitudes and behaviour (Hogan, Lambert & Barton-Bellessa 2012). The theoretical basis supporting cognitive restructuring is based on the belief that antisocial thought patterns are believed to come from faulty learning, where assumptions and perceptions are based on inadequate or incorrect information, and can be adjusted through retraining or relearning (Hansen 2008). Cognitive restructuring typically involves individuals participating in "… activities and exercises aimed at

recognising and modifying the distortions and errors that characterise criminogenic thinking" (Landenberger & Lipsey 2005, p. 466).

Landenberger and Lipsey (2005) undertook a meta-analysis of 58 experimental and quasi-experimental studies examining the effect of cognitive-behavioural therapy (CBT) on re-offending rates of adult and juvenile offenders. A key finding from this meta-analysis was that cognitive restructuring reduced re-offending when incorporated into interventions.

Persuasion

Persuasion methods are used to deliberately influence behaviour and attitudes by inducing an individual to weigh up an argument or encourage alternatives (Eagly & Chaiken 1992). Persuasion can include guiding a person toward a behaviour or attitude through their value and goals, presenting alternatives and evidence to support an alternative viewpoint (Rooney 2009; Reardon 1991). Persuasion does not include manipulation, coercion or veiled threats (Rooney 2009; Reardon 1991). Reardon (1991) argues that practitioners may either consciously or unconsciously use persuasion by selecting particular behaviours or attitudes to comment on and reinforce and ignore others.

Several components of persuasion play a key role in whether attitude alteration is going to be successful, including the perceived credibility of the source of the message, how the message is conveyed, and also characteristics of the receiver (Western 1996).

Rooney (1991) recommends the use of persuasion as a technique to assist mandated clients replace pro-criminal behaviours with more pro-social ones. Whilst no empirical evidence to support this position could be located, Rooney highlights the role that persuasion can play in maintaining an offender's behavioural change by facilitating self-attribution.

Summary

This section has presented ten models that commonly employ challenging as a component of their intervention. The way in which challenging is used in each model differs as does the empirical research available to support their position. The research that has been undertaken consistently demonstrates that harsh, confrontational use of challenging appears to disengage clients, leading to high attrition rates and

poorer outcomes. Successful aspects of the models presented included positive relationships established between the worker and client, the worker's use of empathy and purposeful challenging.

Section three

Practice domains

The use of challenging appears to be more visible in specific practice domains, typically when working with involuntary clients. Specific research and literature has been developed to examine confrontation in these contexts. The following section discusses six key practice domains considered relevant to the contexts in which challenging might occur.

Child protection

Statutory work in child protection typically requires working with non-voluntary and involuntary clients, raising concerns about allegations of harm or neglect with parents or carers about the children in their care and continuing to work with these families to ensure that these concerns are addressed and the children are safe. Research has started to focus on how child protection workers interact with parents and primary carers to raise child protection concerns and the worker skills that can lead to better outcomes for children and families. There is currently limited empirical guidance available for workers on how they can use challenging effectively within the context of child protection. The literature recognises the importance of concurrently establishing partnerships with families whilst providing protection to the child or young person. However, how this is undertaken in practice and guidance regarding effective micro skills when working with parents and carers in these difficult and complex circumstances is limited (Forrester et al. 2008).

Shulman (1993) undertook a study in child protection in the United States with 305 families to ascertain their perceptions of the skills utilised by their allocated social worker. Shulman conceptualised practice skills into two groupings. The first comprising of social workers' skills to help clients manage their feelings including reaching inside of silences, articulating client feelings, displaying an understanding of client feelings, and sharing feelings. The second grouping consisted of the skills social workers used to help clients manage their problems including clarifying their purpose and role, obtaining client feedback, addressing client concerns, and supporting clients in 'taboo areas'. Semi-structured interviews were conducted with families and questionnaires were administered to staff. Clients were asked to rate the frequency they observed the social worker using the specific skills. Social workers that were

identified by their clients as 'caring' had better outcomes on a number of different measures, and were viewed by their clients as more helpful. Clients of social workers who frequently used skills identified in the two groupings spent fewer days in care and were less likely to go to court for care proceedings.

Van Nijnatten, Hoogsteder and Suumond (2001) conducted a qualitative study in child protection in the Netherlands analysing 51 videotaped interviews between social workers and their clients. The researchers used conversational analysis to examine how social workers managed the tension between care and control. The study found that social workers tended to downplay the power they had, which led to confusion on the part of the parents. The authors were critical of the social workers' communication style stating:

> They [social workers] pretend to form a team with the parent and share goals promoting the well-being of the client…. At the moment conflicts are imminent, they seek an escape route. (Van Nijnatten, Hoogsteder & Suumond 2001, p.717).

The researchers observed that participating social workers displayed difficulty asserting their authority, typically avoiding confrontation for fear of raising conflict. The researchers hypothesised that the lack of skill displayed was a result of their training where students are taught to avoid conflict (Van Nijnatten, Hoogsteder & Suumond 2001). The authors concluded that many social workers consider confronting clients as a difficult aspect of their work and often do not see it as a helpful part of the communication process. This research highlights a number of key issues including a reluctance of social workers to use confrontation in practice, how challenging and confrontation is addressed in social work training and the impact this type of avoidance has on frontline practice.

In his 2004 child protection study, Trotter observed interviews between workers and their clients to understand what skills child protection workers used in practice. Semi-structured interviews with both workers and families were conducted to further understand what social work skills clients found most helpful. Analysis of this data found that 'appropriate confrontation' led to better outcomes for families. Appropriate confrontation comprised of workers suggesting more positive ways of dealing with a situation, acknowledging that negative feelings may be justified and exploring the reasons why clients feel and act the way they do. In contrast, poorer outcomes were found when the clients felt a sense of being criticised or when workers pointed out the likely ill effects of the clients' views. This study also found that ignoring a client's pro-criminal or antisocial comments and actions is also related to poorer outcomes.

Forrester et al. (2007) conducted a study in child protection in the United Kingdom asking social workers to verbally respond to two child protection case scenarios. They found that "…social workers tended to use a very confrontational and at times aggressive communication style" (p.23). The authors noted that this was so consistently observed that it is likely to be a systemic issue. This observational study provided the platform for a further study by Forrester et al. (2008) which examined social worker's responses to case vignettes prior to and post training. Twenty-four social workers from a child protection agency participated in the training and research. Consistent with their 2007 study, the researchers noted a high level of confrontation and a low level of listening shown by social workers. The researchers acknowledged the limitations of using case vignettes given that they cannot be treated as a reliable reflection of what routinely happens in practice. These findings do provide valuable insight about what may be occurring in practice and how to target training and support for workers.

Mental Health

Social work in the mental health arena routinely requires work with involuntary patients, compelled to accept the care and intervention of health professionals. Research exploring how social workers use challenging skills in this domain is scarce, however two studies provide further insight about effective challenging.

Lishman (1988) analysed the behaviours of social workers and their clients in a mental health setting with a view to exploring the relationship between social worker behaviours and patient outcomes. The researcher videotaped interviews between nine social workers and parents in a total of 22 families. An attempt was made to videotape an 'early', 'middle' and 'final' interview, resulting in 47 interviews altogether. Lishman found that positive remarks, nodding, smiling and laughing were associated with positive outcomes, while unchecked interpretations, confrontation, and hostility were associated with negative outcomes. Unfortunately the definition of confrontation and how it was operationalised for the purpose of this study was not provided.

Eno Louden et al. (2012) examined the practice of mental health workers in an adult probation service in the United States. Eighty-three supervision sessions between mental health workers and their clients were recorded and analysed to ascertain the extent to which the interviews are consistent with evidence based principles to reduce risk. They found that the mental health workers generally developed a supportive relationship with their clients that predominantly affirmed, and supported rather than

confronted probationers. They relied more heavily on neutral strategies and positive pressures for example, inducements, rather than negative pressures such as threats of incarceration, to monitor and enforce compliance. The researchers observed that the workers were able to blend their role of surveillance and therapeutic intervention. Confrontation occurred in 26% of the observed sessions. Confrontation was typically used when a violation was being discussed. Workers used other skills more frequently, specifically affirming (present in 63% of interviews), respect (present in 31% of interviews) and support-reassure (present in 41% of interviews). These skills are more consistent to the "firm, fair and caring approach" (Eno Louden et al. 2012, p. 118). This study was exploratory in nature, and did not provide any information regarding client outcomes.

Drug and Alcohol

Confrontation in the drug and alcohol field has been the cornerstone of a number of interventions provided to individuals with substance use issues. White and Miller (2007) attribute this to a range of cultural factors, particularly in the United States, that emerged prior to the development of methods for reliably evaluating the effects of such interventions. As a result, drug and alcohol interventions have been characterised by confrontational strategies designed to 'break down' an individual's defences, specifically their denial of the drug and alcohol issues (Heather & Stockwell 2009). Interventions are typically group-based with facilitators using the group to address the individual's denial about their substance use issue. The Encounter Group Movement (EGM) is an example of a group-based intervention where counsellors make frequent challenges to individuals to assist the individual to gain greater insight into their behaviour (Thoreson 1983).

This therapeutic process uses confrontation as a key intervention strategy. When done skilfully, proponents of this model argue, it provides the opportunity to:

> Address inconsistencies, clarify perceptions, and to assume a proactive rather than a reactive posture. When done awkwardly, it leads to fear, anxiety, and heightened defensiveness on the part of the [group] members (Reid 1986, p.224).

Critics argue that the confrontational strategies employed are usually reserved for "… those suffering from alcohol and other drug problems and for … criminal offenders" (Miller & Rollnick 2002, p. 6). It appears that there is an assumption that individuals with substance use issues possess extraordinarily high levels of defensive mechanisms, rendering them inaccessible by ordinary means of counselling

(Miller & Rollnick 2002). Miller and Rollnick (2002) strongly assert that a confrontational approach employed "… is regarded as ludicrous and unprofessional treatment for the vast majority of psychological problems from which people suffer" (p. 6).

White and Miller (2007) reviewed the use of confrontation in the treatment of addiction. This review focused on the use of confrontation in drug and alcohol residential facilities in the United States of America. The review comprehensively outlines the rise of 'therapeutic confrontation', highlighting the cultural context which encouraged the development of this intervention model. White and Miller (2007) observed that there appeared to be a dominant philosophy that you needed to "… tear 'em down to build 'em up" (p. 10). Confrontation was utilised with vulnerable individuals, with group members being subject to cruel personal attacks by group members. White and Miller (2007) confidently asserted that, after reviewing four decades of treatment outcome research, they found no persuasive evidence for a therapeutic effect of confrontational interventions with substance use disorders. In this review they emphatically concluded that "… it is time to accept that the harsh confrontational practices of the past are generally ineffective, potentially harmful, and professionally inappropriate" (White & Miller 2007, p. 12).

Although confrontation has been considered an essential component of alcohol treatment, no studies in the field have shown positive findings for approaches using confrontation (White & Miller 2007). Pomerleau et al. (1978) undertook research randomly assigning community-based clients who self-referred with an identified alcohol issue to one of two treatment groups. The first treatment group received treatment described as behavioural group therapy providing positive reinforcement, with a harm minimisation philosophy. The second group received treatment described as 'traditional' confrontation therapy, emphasising abstinence from alcohol. Thus, the style of intervention undertaken by the therapist was different, but also the goal of the treatment was different i.e. reduced drinking versus abstinence. There were also financial obligations required of participants, with those assigned to the first treatment behavioural group obliged to pay a treatment and commitment fee. The researchers found no statistically significant differences between the two groups with regard to reduction in their alcohol intake, however, the attrition rate was four times higher for the confrontational group.

Francis et al. (2005) undertook a study examining the impact of practitioner behaviour on patients' resistance to change. Thirty-two practitioners, participating in a two day workshop, participated in role-

plays interviewing smokers presenting with either high or low levels of resistance to change. Whilst acknowledging the limitations of using role-plays, the researchers found that the more resistance the patient displayed, more direct and negative confrontation was utilised by the practitioner. They observed that resistance displayed by the patient affects the practitioners behaviour, often drawing them into a confrontational conversation with the patient.

Family violence

Interventions with perpetrators of family violence are typically characterised by direct confrontation of the perpetrators (Murphy & Baxter 1997). Interventions are typically group-based with participants encouraged to challenge and confront one another about attitudes permissive of violent behaviour (Murphy & Baxter 1997). Participants are generally men, with significantly more male perpetrators of family violence with predominantly female victims. The emphasis of family violence intervention is on stopping the abuse and, as Chovanec (2009) notes, with little emphasis on what has caused the behaviour or the process of changing the behaviour.

The Duluth model (Pence & Paymar 1993) is the cornerstone of many family violence groups. This model defines abuse broadly, including physical violence, emotional and economic abuse and the use of threats and coercion by the perpetrator. Pence and Paymar emphasise that facilitators need to hold the men accountable for their abusive behaviour and challenge the men's abusive belief systems. Chavanec (2009) is critical of this method arguing it endorses a poor use of modelling by the facilitators.

The effects of using such a confrontational approach with perpetrators of family violence has not been extensively researched however the high attrition rates of participants in family violence interventions have been examined. In a study conducted by Daly and Pelowski (2000) attrition rates of family violence treatment programs ranged from 50% to 75%. This included voluntary and involuntary participants. In light of such findings, there has been a gradual recognition that participants have to be properly engaged in order to participate in family violence programs.

In a small scale study Chovanec (2009) interviewed 15 group facilitators to understand the key principles that informed family violence intervention. Despite being encouraged by supervisors to use confrontation, most of the facilitators reported not using confrontation, particularly at the start of treatment. Although based on self-report data, this study highlights workers' recognition of engaging

participants in the program. The workers reported that confrontation did occur, but more discretely than outlined in the program. Given that this study is based on self-report data from facilitators, what actually occurs in family violence intervention programs is largely unknown.

Silvergleid and Mankowski (2006) conducted in-depth interviews with nine program completers and ten program facilitators to further understand the process of change in family violence intervention programs. The authors found that a balance of support and confrontation appeared to engage the participants in the program. It was unclear, however, how key concepts such as confrontation were defined for the purpose of this study. The researchers used a purposive sample, with program facilitators identifying program completers to be included in the research. This selection process may have skewed the results as only program completers and those that facilitators considered articulate were invited to participate. This study also employed retrospective accounts regarding facilitators' use of confrontation along with a self-account of participants' change process. Further information could be obtained through observational studies to ascertain what confrontation looks like in these group-based programs.

The Confronting Violence and Abuse Group (CVAG), established in Adelaide Australia in 1992, developed the technique of 'reverse role play'. This technique is "…designed to elicit from violent men some empathy for their abused partners" (Tonkin & Michell 2010, p. 461). This technique was designed as an alternative to direct confrontation, which is met with considerable resistance by clients. CVAG recognises that clients have to be engaged to address their violent behaviour. Although this program has considerable local support, research was not found to support its effectiveness.

Sex offender programs

Intervention with individuals found guilty of sexually-based offences is controversial, often considered in the context of the community's reaction to what are commonly perceived as reprehensible criminal acts. Programs and interventions offered to individuals found guilty of a sexual offence will be discussed separately to those for non-sex offences, as the literature often separates the two based on offence categories.

There has been a tendency in the sex offender treatment paradigm for intervention to be worker directed and confrontational. Sheath (1990) theorised that because of the nature of their offences, workers feel compelled to confront and belittle the offender, often getting the offender to recount their offence in

detail, confronting and challenging the offender. Failure to do this insinuated the worker was 'colluding' with the client (Sheath 1990). Further there is a belief that sex offenders are not co-operative and have to be forced to change their behaviour (Kear-Colwell & Boer 2000). Offenders are encouraged to accept the label of 'sex offender' and any resistance against this process is assessed by the therapist as being 'in denial' or 'unmotivated' (Kear-Colwell & Pollock 1997). As discussed by Kear-Colwell and Boer (2000) there are a number of societal and legal obstacles that may inadvertently prevent the offender from being honest during the initial stages of treatment, such as legal teams discouraging full disclosures as this might lead to further charges. However, once engaged in treatment, the majority of sex offender programs require the offender to make full disclosures about the circumstances surrounding the offence (Kear-Colwell & Pollock 1997). The worker typically challenges the offender's version of events by comparing their narrative of the offence to the official police facts (Marshall, Marshall & Ware 2009). Sometimes, these challenges are quite harsh, clearly designed to imply that the offender is lying (Salter 1988).

The literature regarding sexual offenders typically refers to an offender's pro-criminal beliefs as 'cognitive distortions'. As Maruna and Mann (2006) note, whilst this is a popular term in the offending literature, it is ill-defined. Some authors have noted the importance of exploring and challenging offenders' cognitive distortions however the rationale and research base for doing this is unclear. As Schneider and Wright (2004) assert:

> Although it would be a mistake to reinforce biased views or to excuse dishonesty, it may be just as harmful to attack these excuses and explanations without appreciating their meaning to the offender. (p. 16).

A qualitative study of sexual offenders in a Canadian prison found that therapists challenging what are perceived to be a cognitive distortions led offenders to presume that the therapist did not believe them. The offenders further reported that they would often provide information in line with what they thought the therapist wanted to hear (Drapeau et al. 2004).

There is a growing voice in the literature suggesting that a confrontational approach with sex offenders is not effective (Kear-Colwell & Pollock 1997; Kear-Colwell & Boer 2000). Marshall et al. (2003) undertook two research studies examining the influence of therapists facilitating sex offender group programs by analysing videotapes of group sessions. The 'confrontational' approach, defined by the authors as a harsh approach to challenging clients, was negatively related to the client attaining their

treatment goals. Worker features that were positively correlated with beneficial change for the offender included empathy, warmth, rewardingness, and directiveness. Non-confrontation, defined as firm but supportive challenges, was also associated with positive change.

Criminal justice

Limited attention has been paid in the research literature to what occurs in practice between workers and probationers in community corrections, specifically the core skills used by workers to assist offenders and reduce recidivism (Dowden & Andrews 2004). Dowden and Andrews (2004) meta-analysis of core correctional practices of community correctional workers included 154 studies; however many of these studies did not report specifically on worker skills. Despite this, the meta-analysis found effective disapproval was infrequently used by correctional workers, found in only 3% of studies. Even the most commonly used techniques, for example problem solving and advocacy, were present in only 16% of the studies. These results reflect that appropriate staff techniques has been sorely lacking within correctional interventions (Dowden & Andrews 2004). It was unclear whether the programs failed to describe their staff and treatment procedures in detail or whether there was an actual lack of these skills present within these human service programs (Dowden & Andrews 2004).

Research undertaken in community corrections typically examines the re-offending rates of offenders placed on community supervision as opposed to those unsupervised (Solomon, Kachnowski & Bhati 2005; Green & Wink 2010), with limited attention being paid to what actually occurs in the supervision session. There is conjecture about what occurs in practice and, as Taxman's (2002) review of one-to-one supervision concluded, "…unless the [supervision] contacts are more than check-ins it is unlikely that they will impact outcomes" (p. 17).

More recently, research has examined what has been coined the 'black box' of individual community supervision (Bonta et al. 2008, p. 1) to find out what occurs in probation supervision. There is a growing research base demonstrating that specific skills, such as pro-social modeling, positive reinforcement and role clarification, are effective in improving clients' outcomes (Raynor, Ugwudike & Vanstone 2010; 2014; Trotter 2006; Bonta et al. 2011).

In his study in Victoria Australia, Trotter (1996) offered probation officers a five-day training course on core correctional practices. Key skills delivered in this training included pro-social modelling and

reinforcement, problem solving, role clarification and empathy. Outcomes measures included analysis of clients' files to assess the extent to which file notes reflected the workers' use of pro-social modelling, problem solving and empathy and if the presence of these skills in files notes was related to reduced recidivism. Clients also completed questionnaires to elicit their perceptions of the supervision process. When compared to the control group, 28% of clients in the experimental group were breached during the one year follow-up compared to 44% of clients supervised by officers who were not trained in the model. At the 4-year follow-up period, 46% of clients of officers trained in the skills re-offended, as opposed to 64% of clients who were not trained in the skills.

Bonta et al. (2008) observed supervision sessions between probationers and their workers in the Canadian province of Manitoba. Researchers undertook a thematic-analysis to ascertain how workers adhered to the principles of the RNR model in practice. The researchers noted that adult probationers frequently voiced antisocial attitudes and conversations relating to criminal peers present in approximately half of their audiotapes. Despite this frequency, attitudes were infrequently addressed by the workers, with only 8.8% of workers discussing antisocial attitudes and 21.1% discussing criminal peers. This finding was consistent with the juvenile participants, with almost all (30 of the 31) young people identifying peer based issues, and workers only discussing negative peer influence in less than half of the cases (43.3%).

Bonta et al. (2011) expanded on this study using a randomised experimental research design. This study tape recorded the supervision sessions of 143 offenders supervised either by probation officers who had undertaken training in evidence based corrections, or by one of 19 probation officers who had not undertaken the training. Analysis of tape recordings found that those who had received training made more use of relationship skills, behavioural and cognitive techniques. Bonta et al. reported that 75.8% of probation officers in the experimental group discussed attitudes with their clients as opposed to 10.5% in the control group. Overwhelmingly, 69.7% of the experimental group employed what the researchers defined as 'cognitive techniques', specifically employed to alter pro-criminal attitudes, as opposed to 5.3% of the control group. It is unclear the nature of antisocial attitudes workers were targeting, or the clients' response to these skills. The researchers concluded that offenders, with some exposure to their officers' use of cognitive techniques (n = 42), had a recidivism rate of 19.0%, versus a rate of 37.1% for probation officers who did not employ any cognitive techniques.

In a similar study, Robinson et al. (2011) used an experimental pre-post-test design in community corrections to examine the impact of the Strategic Techniques Aimed at Reducing Re-arrest (STARR) training program. Forty-one officers were trained in this program which is based on the principles of the RNR model (Andrews & Bonta 2006), teaching officers to use the specific skills of active listening, role clarification, effective use of authority, effective disapproval, effective reinforcement, effective punishment, problem solving and cognitive behavioural therapy. Officers from both the experimental and control groups were required to submit audio-tapes of their supervision sessions with medium to high risk clients at three separate pre-determined dates. Robinson et al. found that those in the experimental group were more likely to use the effective practice skills. Outcomes relating to clients of the experimental group were compared to those in the control group, with more than 1000 participating clients. The researchers examined the use of reinforcement and disapproval and found that the experimental group utilised these skills 34% of the time as opposed to 17% for the control group. Researchers also reported an impact on recidivism, with the offenders supervised by officers in the experimental group re-offending in 26 percent of cases compared to 34 percent in the control group. The researchers coded the workers' use of reinforcement and disapproval together, making it somewhat difficult to distinguish between the types of comments or behaviours workers are reinforcing or disapprove of.

The relationship between the probation officer and offender

How much emphasis workers place on the establishment of a positive working relationship with the offender has been subject to much debate, typically varying between workers and jurisdictions. This debate has seen a number of shifts over the years, from a stance of befriending the client to more restrictive, structured method aimed at changing the offender. As Barry (2007) asserts:

> The most effective way of reducing offending is to re-engage with the message of the Probation Act of 100 years ago, namely, to 'advise, assist and befriend' offenders rather than to 'confront, challenge and change' offending behavior. (p. 407).

Andrews and Bonta (2003) articulate five indices of effective workers: High quality relationship, demonstrating anti-criminal expressions (modelling), approving of their client's anti-criminal expressions (reinforcement), and disapproving of client's pro-criminal expressions (punishment), while at the same time demonstrating alternatives. They emphasise a central role for the correctional workers is to serve as a pro-social role model for clients and as a source of reinforcement for their clients' pro-

social behaviours. Andrews and Bonta (2010) argue that within the context of an open and warm relationship, disapproval can be delivered effectively with less chance of an aggressive response by the client.

Dowden and Andrews (2004) refer to the relationship between the worker and offender as one of the core correctional practices. They argue that the interpersonal influence exerted by the worker is maximised under conditions typically characterised by open, warm, and enthusiastic communication. An equally important consideration is the development of mutual respect and rapport between the offender and the worker. This approach asserts that correctional interventions will be most effective when these types of relationships exist within the treatment program (Dowden & Andrews 2004). Andrews and Kiessling (1980) further state that effective rehabilitative efforts involve workers who are interpersonally warm, tolerant and flexible, yet sensitive to conventional rules and procedures. In their research with adult probationers, Bonta et al. (2004) found that the most common indicator of a positive relationship was a high frequency of prompting and encouraging behaviour by the probation officer towards the offender.

Barry (2007), using a qualitative research design, examined probationers views of offending and desistance in Scotland. The relationship between the worker and probationer was a central theme resonating through her thematic analysis.

Raynor, Ugwudike and Vanstone (2010; 2014) examined the skills probation workers use during supervision. Ninety-five supervision sessions between probation workers and their clients were videotaped and analysed using an observation check list. The research found that clients of workers assessed as having higher level skills, including relationship and structuring skills, re-offended less frequently. Fifty-three percent of clients supervised by a worker assessed as having low skills reoffended in the two year follow-up periods as opposed to 31% that were supervised by a worker assessed as having higher skills.

Specific supervision skills

Pro-social modelling is broadly defined as workers modelling and encouraging desirable or pro-social behaviour, and challenging antisocial or pro-criminal behaviour (Trotter 2006). The worker exposes and

makes attractive the alternative to pro-criminal attitudes, styles of thinking and actions (Bonta & Andrews 2003). The workers demonstrate their own anti-criminal and pro-social attitudes, values and beliefs and enthusiastically engage the offender in the process of increasing rewards for non-criminal activity (Andrews & Bonta 2003).

Trotter (1997) describes the pro-social approach as containing four key elements:

- identifying a client's positive or pro-social actions or expressions
- identifying and using rewards to reinforce these pro-social actions and expressions
- the modelling of pro-social actions and expressions
- providing some negative reinforcement, confrontation or punishment for negative, antisocial, or criminal actions or expressions (p. 218).

Trotter argues that workers cannot rely on the benefits of a warm relationship with the offender and should not presume that the offender will independently self-discover pro-social alternatives. The pro-social alternatives are discovered through words and actions explicitly demonstrated by the worker. Explorations of alternatives are encouraged through modelling, reinforcement and specific guidance (Andrews, Bonta & Hodge 1990). When disapproval is used by the worker, Andrews and Bonta (2010) propose a '4 to 1' response, with the worker providing at least 4 positive supportive statements for every punishing one. This appears to be consistent with a behavioural reinforcement schedule previously discussed.

A number of studies have shown that the use of reinforcement and pro-social actions and expressions by supervising officers is related to reduced re-offending rates among both adult and juvenile offenders (Sarenson & Ganzer 1973, Fo & O'Donnell 1974; 1975; Andrews et al. 1979; Andrews et al. 1990; Trotter 1997).

Supervision strategies in probation

Probation workers have considerable discretionary powers in the administration of their day-to-day role. Andrews and Kiessling (1980) described two models of supervision strategies that probation workers usually employ. The 'authority dimension' describes workers' direct attempts to place controls on criminal or related activities by the introduction of clear and specific rules for what constitutes

appropriate and inappropriate behaviour. The worker provides explicit consequences when rules are not adhered to or ignored. Alternatively, the 'anti-criminal dimension' model attempts to produce behavioural change by examining the consequences or value of criminal activity, relative to non-criminal activity. The worker may explore opportunities for the offender to interact with non-criminal others who express and reinforce anti-criminal and pro-social attitudes, values and behaviours, who exhibit and reinforce non-criminal alternatives, and who are themselves the recipients of reinforcement for their non-criminal activity for example the process of modelling and direct reinforcement (Andrews & Kiessling 1980).

What probation officers do in practice

There have been several research studies examining what probation officers do in practice. Burns (1994) undertook a small qualitative study with probation officers in Australia. By observing supervision sessions, Burns found that the more effective probation officers, those with clients who had low recidivism rates, focused almost exclusively on the positive things that their clients said and did and made little, if any, use of confrontation. A key finding from this research was the impact of the workers' non-verbals cues, with Burns observing that the less effective workers often inadvertently reinforced pro-criminal comments through the use of body language, for example, smiling.

Taxman's (2002) study with the United States probation service examined the skills of probation officers. She concluded that very few probation officers had the basic interviewing skills needed to elicit information from offenders. Taxman noted an abundance of closed questions being asked by the workers, stating fewer than a quarter of them use open questions.

In their meta-analysis, Dowden and Andrews (2004) found support for workers' appropriate use of authority – an approach which is 'firm but fair'. Worker did not use this approach often and the effect size of .17 was relatively low. Paparozzi and Gendreau (2005) expanded on these findings proposing that extremes in supervisory approaches produce increases in recidivism. They argue that 'get-tough' workers are more oriented to changing offenders through threats or by technical rule violations with excessive zeal. Those with a more nondirective, excessively forgiving approach, may allow offenders to get away with things they should not, thereby inadvertently reinforcing criminal behaviour. They go on to state that a more balanced approach to supervision is a more appropriate supervision strategy.

Schwalbe and Maschi (2009) conducted a web-based survey of 308 probation officers to further understand the style of confrontation they used with their clients. The researchers defined confrontation on a continuum ranging from benign reminders about the consequences of non-compliance, to more assertive or aggressive approaches, such as threatened consequences. They found that workers often used confrontational approaches, however reported that this was often employed in conjunction with a client-centered approach. Probation officers defaulted to more confrontational strategies when addressing non-compliance. Workers reported that they use confrontation more often with youth and were prone towards using a problem-solving approach for females when prior service use was high. This finding is consistent with the 'chivalry hypothesis' where justice systems seek to protect female offenders from harsh sanctions (Chesney-Lind & Sheldon 1998; Leiber & Mack 2003). In this study, females with identified needs were the beneficiaries of a more gentle and positive approach. The researchers also found that some probation officers reported that they employed more extreme confrontational approaches contingent on key youth characteristics, for example illicit drug use. Interestingly, the young person's age, prior service utilisation, and youth compliance tended to decrease the workers use of confrontational tactics. Whilst the findings from this study are based on self-report data, it highlights that workers are aware of their use of confrontation and that they adapt their responses based on the offender's demographics and circumstances.

Van Nijnatten and Stevens (2012) undertook a qualitative study examining the communication between juvenile offenders and their probation officers in the Netherlands. Twenty-two young people and their respective probation officers participated in this study, with one supervision session being audio-taped. Following the session, researchers analysed the audio tapes with the young person present, allowing the young person to describe his or her response to particular aspects of the conversation. Most of the young people noted a dominant style exhibited by the worker. Most of the probation officers described being unsatisfied with the interviews and expressed a desire to get the young people to 'open up' during supervision. The researcher noted a dominant style of questioning used by probation officers that was confrontational, often asking direct questions at a fast rate. This study provided a unique opportunity to examine offender-probation officer sessions in detail and to allow for both participants to reflect on the communication style exhibited. It was clear that neither party were satisfied with the communication, however, there was limited discussion regarding what was done well.

Summary

Research literature indicates that the supervision of offenders is most effective when the offenders' needs are appropriately identified and addressed. It is further suggested that the use of certain worker skills is likely to be related to positive client outcomes. Specifically, research has found that effective workers make appropriate use of confrontation; and using these skills within a collaborative client-worker relationship.

While research provides evidence and information with regard to specific targets for intervention and effective frameworks of working with offenders, it does not provide precise detail of the way in which more successful workers make use of effective practice skills. Some work has been done in this area in child protection (Trotter 2002) which suggests that the actual use of the skills by the practitioner is often more subtle and conversational than the way in which it is usually taught.

Section four

Challenging with specific groups

The use of challenging appears to be more visible in specific practice domains, and within those contexts it appears that it may be used differently with specific groups of offenders. Section four examines the use of confrontation with female offenders, offenders from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander offenders and young offenders.

Female offenders

The majority of individuals under community supervision are male (AIHW, 2015), however there is a recognition in the literature that specific consideration needs to be given to the needs and complexities of female offenders.

Malloch and McIvor (2011) conducted a qualitative study with women placed on community based orders. The authors noted the complex problems and needs of the women, including the significance of stigma and histories of abuse and trauma. Women reported that their supervisor being accepting and non-judgmental were significant factors in forming a positive relationship with them.

As highlighted above, Shwalbe and Maschi's (2009) study found that probation officers were more prone toward problem-solving approaches for females than for males when prior service use was high. This finding was conditional, with women identifying as African-American receiving more confrontational approaches than any other sub-group. The rationale for workers' increased use of confrontation with this group of women was not discussed.

Culturally And Linguistically Diverse (CALD) offenders

There is a notable absence of literature or research regarding the use of challenging with individuals from Culturally And Linguistically Diverse backgrounds (CALD). As Collins (2002) notes, there are specific issues that may need to be considered when working with these groups. Witte and Morrison (1995) noted that in many cultures, authority figures cannot be challenged or contradicted, so the offender's response to the use of challenging may be different to the general population.

Aboriginal and Torres Strait Islander offenders

There is a significant over-representation of Aboriginal offenders both in custody and on community based orders Australia wide (AIHW 2015). Recent data obtained by the NSW Department of Juvenile Justice indicates that 37.6% of young people supervised on community based orders in NSW are of Aboriginal descent (NSW Department of Juvenile Justice Annual Report 2014). Many of these young people have experienced considerable family stress and have been affected by various forms of maltreatment (Baikie 1997).

There is a lack of empirical knowledge regarding effective community based correctional supervision for Aboriginal adults and young people (Trotter, Baidawi & Evans 2014).

Juvenile offenders

Young people can be formally sanctioned through the Criminal Justice System from 10 years old in NSW. Sanctions can range from verbal warnings from the police to serving a custodial sentence in a secure detention facility. The term 'youth justice' is used to refer to a state's criminal justice responses to children who have committed a criminal offence (AJJA 2016). Policies within government and the division of Juvenile Justice (JJ) clearly emphasise the need to divert young offenders from custody. Placement on community based orders is one of the major diversionary strategies employed. A focus of the juvenile justices' supervision and intervention with young offenders in the community is to address the factors that contribute to their offending behaviour. Young people under juvenile justice supervision are typically characterised as a vulnerable and disadvantaged group (Indig et al. 2011), characterised by their disadvantaged social and family background, low intellectual functioning and poor educational achievement, high frequency of physical and mental health problems and engagement in risk behaviours (Kenny et al. 2006).

Triseliotis et al. (1996) examined the process, content and outcome of youth justice supervision as perceived by social workers, young people and their families. The researchers reported that a fifth of the social workers stated that they raised issues around the young person's offending, drug use or other antisocial behaviours. A typical comment was that the worker 'challenged his offending' or 'confronted him with his school behaviour'. Young people reported they could generally not remember what they talked about with their social worker and typically confirmed the social worker's comment. It is difficult

to draw any firm conclusions from this study, as retrospective data was collected, with a significant proportion of the young people not able to recall the content of their supervision.

Summary

This section has highlighted the diverse group of individuals with whom probation services work. Juvenile justice clients are not a homogeneous group and consideration needs to be given to their individual differences and collective disadvantage.

PART FOUR

THE RESEARCH PROBLEM

Significant issues

A review of the literature has revealed a range of methodologies employed to examine how workers use confrontation in practice with different client groups. Each of these studies has contributed to the current evidence base and has established that workers do challenge clients in practice, finding it a necessary and useful skill. However, how challenging is used in practice and how clients respond to the methods used is largely unknown.

Research gaps

The research clearly states that addressing pro-criminal attitudes and beliefs is a significant factor in reducing re-offending. However, much of the research that has occurred has been concerned about implementing models and not looking at how workers respond to pro-criminal comments and if the method engages, fail to engage or disengages young people.

In the context of a supervision relationship, juvenile justice workers may be presented with young people either verbally or physically expressing their support for criminal activity and other antisocial behaviour. Given that pro-criminal beliefs and attitudes are so closely linked with re-offending, this study is concerned with how workers respond to these comments and behaviours.

It was noted earlier that this thesis draws on data collected for a study funded by the Criminology Research Council for which the author was a key researcher. Included in Appendix 15 for the reader's interest are copies of articles published from this study. These articles are not referred to in the literature review as the thesis discusses the methodology and outcomes of the study in considerable detail.

CHAPTER THREE

METHODOLOGY

Introduction to the chapter

Chapter one discussed the background and the rationale for undertaking this study. Chapter two examined a wide body of literature and research detailing the theory and research relevant to models and the practice of challenging pro-criminal attitudes and behaviour. This analysis highlighted the use and importance of challenging as a skill, critiquing key literature and research undertaken in various practice domains. This examination highlights the lack of empirical research examining both workers use of challenging and the client's response when challenging is used.

Chapter three outlines the methodological framework used to examine the central research question. The study's theoretical foundation is based on an exploratory, qualitative methodology. This chapter comprises of five parts. Part one outlines the study's aims, the research question and sub-questions. Part one goes on to describe the study's utility and feasibility and describes the key definitions used throughout the analysis.

Part two describes the research approach, detailing the exploratory, qualitative research design employed and summarising the key theoretical underpinnings of grounded theory and its influence on the research. The sampling approach is described and the generalisability, reliability, validity and trustworthiness of the methods employed are discussed.

Part three outlines the research procedures and their implementation, which includes an overview, initial discussions with the organisation, the recruitment process and the ethics applications. Part four then details the methods employed to collect the data, providing details regarding the analysis of the data collected.

Part five describes the strengths and limitations of the study and concludes with a summary of the chapter.

PART ONE

Overview of the study

Section one

Study aims

This study examines the nature and frequency of pro-criminal comments made by young people and how workers respond to these comments in the context of an offender-worker supervision relationship. Analysis regarding the extent to which young people are engaged or disengaged by the worker's use of challenging is also undertaken to ascertain if there are more successful methods of challenging, and if so, what this looks like in practice.

The study seeks to explore if specific forms of challenging can further engage young people to examine pro-criminal belief and behaviours. It is hoped to find answers to the questions: 'Do particular forms of challenging engage young people? And if so, what are they?' From this study new knowledge in terms of the nature and frequency of pro-criminal comments made by young people may emerge and could provide directions to workers about how to successfully address these comments, whilst maintaining client engagement.

In order to increase knowledge about the use of challenging pro-criminal comments an exploratory qualitative research methodology was used. Observation of 20 workers and young people on community supervision was employed. With this information, rich data about workers' use of challenging was collected. The data was then analysed and guided by the framework of grounded theory developed by the work of Strauss and Corbin (1990). This ensures patterns and themes can emerge from the data and theory can be developed.

Research question

The key research question underlying this thesis is:

"What is the nature and frequency of pro-criminal comments made by young people, how do workers challenge young people in relation to their pro-criminal and antisocial comments and beliefs and to what extent are clients engaged or disengaged by different types of challenging by their worker?"

Study's Utility

This project examines the specific methods workers employ to challenge pro-criminal attitudes in the context of a one-to-one supervisory relationship with their clients. This research further explores if particular styles of challenging are more engaging than others.

Pro-criminal attitudes have been established as one of the key risk factors for re-offending (Andrews & Bonta 2010). This study develops general propositions in relation to challenging that engages, fails to engage or disengages young people under youth justice supervision. This can confirm the reliability of earlier results and where findings are consistent with previous research. It also provides some detail about the more effective use of challenging which has not been provided in earlier studies, particularly within the youth justice context.

Feasibility of the study

The feasibility of any study needs to be considered, specifically in relation to its purpose, its aims and the likelihood of producing meaningful results. Practical issues such as time, costs and participant recruitment should be considered as part of the research design. Each of these factors was considered in the development of this study.

This research project was undertaken in conjunction with a research project funded by the Criminology Research Council (CRC) led by Professor Christopher Trotter, with Monash faculty of Medicine, Nursing and Health Sciences providing initial funding via a strategic grant. Each participant was asked to consent to the data collected being utilised for post-graduate research. The NSW Department of Juvenile Justice supported the research, allowing data collection to proceed. The researcher was the

research fellow managing this project and was active in the recruitment of participants and the collection of data. This study was deemed feasible and proceeded as outlined in this chapter.

Key Definitions

NSW division of Juvenile Justice

Participants for this study were drawn from New South Wales (NSW) division of Juvenile Justice (JJ). NSW Juvenile Justice is responsible for supervising young people who receive community-based orders or custodial sentences from the courts (DJJ Annual report 2010-2011). To be eligible to participate in this study, participants had to be either employed by NSW Juvenile Justice or have a current community-based supervision order.

Client/ young person

A client is a young person who is currently supervised by NSW Juvenile Justice and has consented to participate in this study. Young people supervised by NSW Juvenile Justice are aged between 10 years and 18 years. The terms client and young person are utilised interchangeably throughout this thesis. Clients are subject to legal sanctions administered by the court requiring them to accept supervision of NSW Juvenile Justice for a specified period of time.

Juvenile Justice Officer

Juvenile Justice Officers (JJO) are community-based employees of NSW Juvenile Justice. They are responsible for the supervision and case management of young people who have been placed on supervised community-based orders. Tertiary qualifications are not a requirement when employed in this position, however, some JJO's do hold TAFE based and tertiary qualifications such as social welfare diplomas.

Juvenile Justice Counsellor

Juvenile Justice Counsellors (JJC) are community-based employees of NSW Juvenile Justice. They are responsible for the supervision and counselling of young people that have been placed on a supervised community-based order. JJC's are required to have a tertiary qualification, primarily a social work or psychology degree.

Juvenile justice worker

Juvenile justice worker is a generic term that will be utilised throughout the thesis to refer to both a JJO and a JJC. A juvenile justice worker is employed by NSW Juvenile Justice and is responsible for supervising young people on court mandated community-based orders.

Supervision

Supervision refers to the contact between a juvenile justice worker and their client to fulfil the requirements of the young person's court order. Supervision is undertaken in various locations including, but not limited to, the local juvenile justice office, cars, parks, cafes and clients' homes.

Confrontation

Confrontation is defined for the purposes of this study as the action or response employed by the worker to respond when a pro-criminal sentiment has been voiced by the young person. Confrontation may be used in the absence of pro-criminal comments, notably when the worker initiates conversation about the young person's offending behaviour or pro-criminal attitude.

Challenging

Chapter two highlighted that the terms confrontation and challenging are often used interchangeably in research and literature. Challenging is defined for the purpose of this study as the worker suggesting alternatives to the young persons' response to a pro-criminal attitude and/or behaviour.

Pro-criminal behaviours

Pro-criminal behaviour refers to "Any criminal act or omission by a person, persons, organisation or organisations for which a penalty could be imposed by the Australian legal system or the New Zealand legal system" (Australian Bureau of Statistics 2011, para 13).

Pro-criminal comment

A pro-criminal comment describes offence-supportive attitudes, the cognitive processing during an offence sequence, as well as excuses for offending (Maruna & Mann 2006). Andrews & Bonta (2006, p.352) includes five indices constituting a pro-criminal expression:

- Negative attitudes towards the law, courts and police
- Tolerance for rule violation
- Identification with offenders
- Endorsement of exonerating mechanisms
- Continuing to seek out high risk situations

Antisocial

'Antisocial' is an encompassing term incorporating a range of behaviours, attitudes and beliefs on a continuum ranging from inappropriate or immoral behaviour through to criminal behaviour. Antisocial is defined as "Opposed, damaging, or motivated by antagonism to social order, or to the principles on which society is constituted" (Macquarie Dictionary 2016, para 2). For the purpose of this thesis, an antisocial comment or behaviour is one which would generally be perceived as undesirable but which is not illegal or criminal, for example, shouting at people.

Engagement

Engagement is defined as the relationship or alliance between the worker and client (Horvath & Greenburg 1994). The observable features of engagement for the purpose of this thesis include co-operation between the worker and client (McCroskey & Meezan 1997), client involvement (Dore & Doris 1997; Dumas & Albin 1986; Thoburn, Lewis & Shemmings 1995), collaboration (Littell & Tajima 2000), and client participation (McKay et al. 1998; MiKim et al. 1999).

PART TWO

Research design

This section provides an outline of the research design employed, incorporating a detailed discussion and rationale for the exploratory method used and the theory which informed the process of analysing the data.

The research approach

This study aims to enhance understanding regarding the way juvenile justice workers respond to pro-criminal comments made by young people in the context of a one-to-one supervisory relationship. This study has employed a qualitative research design drawing upon grounded theory for the analysis of the data. This study aims to understand the nature of challenging to provide information on how and when challenging is most engaging, and potentially influential upon the clients' attitudes and behaviours.

When deciding what methodology to employ, consideration was given to Grinnell, Unrau and Williams' (2005) categorisation of the knowledge continuum. Here, the research approaches are categorised into three distinct typologies: exploratory, descriptive and explanatory. A brief description of the categories is useful to clearly justify and position this study's research design.

Exploratory research is conducted and considered beneficial when the identified research area is essentially new (Grinnell, Unrau & Williams 2005). By undertaking exploratory research, major themes central to the research area can be identified and described through the process. Exploratory studies are typically qualitative in nature providing the foundation for descriptive research studies. Descriptive research studies are generally undertaken when some information has been gleaned by way of an exploratory research design, enabling more specific relationships to be further explored. Descriptive research allows more concrete hypotheses to be tested. Descriptive research studies can employ either qualitative or quantitative research design. Lastly, explanatory research is typically used to establish the accuracy of a theory or principle (Grinnell, Unrau & Williams 2005). Explanatory research is generally chosen when substantial research has previously been undertaken on the research topic allowing more complex or specific research questions to be asked or a specific hypothesis to be tested (Grinnell, Unrau

& Williams 2005). Explanatory research is predominately quantitative in nature, though some mixed methods studies can also use an exploratory approach (Creswell & Clark 2007).

Despite challenging and confrontation being commonly discussed both within the social work and criminal justice literature, there is a lack of empirical research examining how this skill has been translated into practice. It is therefore important to understand the methods that are currently being used by workers, what challenging techniques clients respond well to, and what challenging techniques may be disengaging to the client-worker relationship. Exploratory research can reveal contingent relationships amongst observed variables, with these variables becoming the basis for more descriptive research in the future (Strauss & Corbin 1990). Although an exploratory research design cannot establish a general proposition (Graziano & Ravlin 1993), it does provide a foundation for a hypothesis to be developed and more rigorously tested at a later point in time. Based on this rationale, this study employed an exploratory research design.

Qualitative approach

Debate regarding the merits of employing a quantitative or qualitative approach to research has been well documented in the literature (Grinnell, Unrau & Williams 2005; Marlow 2011; Neuman 2012). Qualitative research is primarily concerned with "cases and contexts" (Neuman 2012, p. 3), helping us to understand people's experiences and perspectives in the context of their settings (Spencer et al 2003). In contrast, quantitative research is more concerned with the precise measuring of variables and hypothesis testing (Neuman 2012). Traditionally, there has been a stark division between each of these approaches (Brannan 1992) however, with methods such as triangulation emerging (Neuman 2012), the distinction is not always as clear and researchers have found that these approaches can complement rather than contrast with one another.

When considering which approach would assist in a more comprehensive understanding of the research question, the attributes of a qualitative research approach appear to resonate best with this project as it is a new area of research, with minimal empirical information available to provide a working hypothesis. Qualitative research employs a variety of methods to explore meanings and behaviours in depth, to capture diverse perspectives, and to understand processes and contexts (Spencer et al. 2003). It is an indicative process and seeks to "… discover, not test, explanatory theories" (Padgett 1988, p. 2). Hence,

qualitative reporting is richly descriptive and is characterised by a concern with exploring phenomena from the perspectives of participants (Merriam 2002).

Theoretical underpinnings

Data analysis was informed and guided by grounded theory. Grounded theory is widely used in qualitative social research (Strauss & Corbin 1998). As Neuman (2004) notes "…a researcher creates grounded theory out of a process of trying to explain, interpret, and render meaning from data" (p. 30). Grounded theory is "…an inductive, theory discovery methodology that allows the researcher to develop a theoretical account of the general features of a topic while simultaneously grounding the account in empirical observations or data" (Glaser & Strauss 1968, p 45).

This study is concerned with how workers respond to young people when they make a pro-criminal comment and how young people respond to different worker methods. The use of challenging methods workers use has been documented in a variety of contexts including the area of drug and alcohol counselling, psychotherapy and domestic violence interventions. However, how these methods are used in practice, and the client's response to being challenged in the context of a one-to-one supervision relationship is largely unexplored. Thus, the analysis is not intended to provide support for a pre-existing hypothesis. The data analysis adopted is similar to grounded theory examining audio-transcripts of the worker-client interaction, moving toward the identification of themes, patterns or common categories (Rubin & Babbie 2008) emerging from the data.

PART THREE

Sampling and the research approach

This section describes the sampling approach utilised and the sampling context. The sampling procedure undertaken, the sample size, and key issues relating to saturation are outlined. The generalisability, validity and trustworthiness of the sampling methods employed are also discussed.

Sampling approach

The sampling approach utilised in this research is best described as non-probability, purposive sampling. Participants for this research have been drawn from a broader sample within a research project undertaken with funding from the Criminology Research Council (CRC) council led by Professor Christopher Trotter.

Non-probability sampling is commonly employed in exploratory research and by qualitative researchers. It does not make any claims to be representative of the population under study and therefore is not generalisable. This however, as noted by Alston and Bowles (2003) "…is not the point of the research" (p. 87). As Mays and Pope (1995) argue, this approach to sampling allows the researcher to deliberately select key informants with access to important sources of knowledge.

Through a variety of recruitment methods, workers volunteered to participate in the study. Young people serving the first three months of their legal order, supervised by participating workers, were then invited to partake in the research. A detailed description of the sample demographics is provided in the results chapter.

Sampling context

The sample for this study was drawn from NSW Juvenile Justice. NSW Juvenile Justice is the statutory body responsible for administering youth justice conferences and supervising young people who receive community-based orders or custodial sentences from the courts in NSW. There are 36 Juvenile Justice Community Service (JJCS) Offices located in metropolitan, regional and remote NSW. Juvenile Justice

Officers (JJO) and Juvenile Justice Counsellors (JJC) are employed in each community office. Each office undertakes court report assessments to assist the court in sentencing and maintains routine supervision of adolescent offenders. Juvenile justice also facilitates a number of programs including intensive case-management, alcohol and drug programs, violent offender and sex offender programs (DJJ Annual report 2011). In 2010-2011, 4458 community-based supervision orders were commenced state-wide (DJJ Annual report 2011), with a daily average of 1947 young people being supervised by the NSW division of Juvenile Justice (AIHW 2012). Of this population, 82% of the young people were male and 40% identified as Aboriginal or Torres Strait Islander (AIHW 2014).

Sampling procedure

To be eligible for this study, workers and young people volunteered to participate in the larger study. Emails were sent to each juvenile justice worker across NSW Juvenile Justice inviting them to participate in the research project (see Appendix 3). Posters were displayed at each Juvenile Justice Community Office (JJCS) (see Appendix 4) and presentations inviting workers to participate in the research project were made at staff meetings (see Appendix 5). From the observations undertaken for the larger project, a selection of 20 transcripts from 20 different workers was selected for further analysis for this thesis. The first 20 workers who volunteered to participate in the project were selected. The first client-worker observation for each worker was chosen for detailed analysis to examine the central research question underpinning this thesis.

Sample size

There is significant conjecture regarding appropriate sample size when undertaking qualitative research (Grinnell & Unrau 2008) and a clear rationale of this study's sample size needs to be provided. Patton (2002) asserts that there are no specific rules for sample size in qualitative enquiry, however, goes on to emphasise that sample size depends on what the researcher wants to find out, what will be useful, and what can be done with available time and resources to complete the study. Neuman (2012) acknowledges that for most qualitative researchers rarely is a sample size determined prior to data collection as there is a tendency to employ non-probability or non-random sampling methods.

The sample size for this study was primarily informed by the process of saturation, further outlined below.

Saturation

The concept of saturation inevitably informs sample size. As Bowen (2008) states:

> Theoretical saturation, in effect, is the point at which no new insights are obtained, no new themes are identified, and no issues arise regarding a category of data. In other words, saturation is reached when the researcher gathers data to the point of diminishing returns, when nothing new is being added (p. 140).

Saturation is often present in qualitative research and in effect is the measure by which data collection ends and by which the sample size is established. This occurs when the researcher is confident that they are learning little that is new from further interviews or observations (Bowen 2008). Strauss and Corbin (1990) elaborate on this point, adding that saturation must occur within each category being examined, ensuring relationships between each of the categories are well established and validated. Strauss and Corbin (1990) highlight the importance of theoretical saturation, arguing that unless the researcher "…strives for saturation, your theory will be conceptually inadequate" (p. 189).

As mentioned earlier, 20 transcripts were initially selected from twenty different worker-client observations for a detailed content analysis. A detailed, thematic analysis of each transcript was undertaken and repeated a number of times. As no new themes were emerging from the data as analysis progressed no further transcripts were examined. Saturation was achieved.

Generalisability

The concept of generalisation is a core feature of quantitative research, with researchers aiming to maximise the generalisability allowing findings to be representative and applied to the wider population. Conversely, qualitative research is interested in capturing in-depth information about a particular occurrence (Grinnell & Unrau 2008) and considering the results with theory, logic and further exploration (Alston & Bowles 2012).

Brewer (2003) further attests to the generalisability of qualitative data, arguing that the generalisations and theoretical statements are created by the data, without preconceptions, allowing the subjects perceptions, ideas and social meanings to speak for themselves without contamination.

Although findings from this study cannot be generalised to the broader population, this study has the capacity to provide valuable information regarding different methods juvenile justice workers use to respond to pro-criminal comments. This study provides a platform to develop an appropriate hypothesis for further examination.

Validity and reliability

Whilst the terms validity and reliability are different concepts, they are related (Alston & Bowles 2012) and for the purpose of this discussion will be considered together. Both terms are commonly used in quantitative research, and it is just as essential to establish both validity and reliably when undertaking qualitative research. Reliability and validity are of fundamental concern in all measurement. Both are significant in establishing the credibility and truthfulness of the findings. However, how these concepts are operationalised in qualitative and quantitative research differs (Alston & Bowles 2012).

Within the qualitative research paradigm, validity refers to results or findings and the extent to which they are authentic, genuine and sound (Salkind 2006). Fox, Martin and Green (2007) describe three considerations of validity for qualitative research. These considerations include descriptive validity, ensuring that the data has been accurately collected for analysis, interpretative validity by safeguarding that the data is not distorted by the researcher's pre-set framework and theoretical validity to make sure the data can be explained by appropriate theory.

This project has collected data directly from the source via observation, thus the interpretative validity is central to this project. To ensure the validity of the analysis, a peer reviewer was employed. The peer reviewer was provided with the established coding framework and examples to assist with consistency (Clavarino, Najman & Silverman 1995). As Clararino, Najman and Silverman (1995) note, disagreement between the researcher and secondary coder can reflect both inconsistencies and differences in interpretation of either the data or the coding instructions. It is very unlikely that there will be complete consistency across coders when coding a number of interviews across multiple categories so some level of random error is to be expected. For this study, the peer reviewer was provided with five transcripts

and the research question. The peer reviewer was asked to note the themes and concepts emerging from the transcripts pertaining to confrontation which assisted with the reliability of the coding, highlighting any biases or inconsistencies that may have been present.

Reliability, meaning "dependability or consistency" (Neuman 2004 p. 112), is a measurement process designed to detect unstable, inconsistent or erratic results. The measure is reliable if the same trial is repeated under very similar or identical conditions and produces the same results (Neuman 2004).

> Most qualitative researchers resist the quantitative approach to reliability which they see as a cold, fixed mechanical instrument that one repeatedly injects into or applies to some static, lifeless material … In qualitative research data is seen as an interactive process in which particular researchers operate in an evolving setting and the setting's context dictates using a unique mix of measures that cannot be repeated. (Neuman 2004, p. 116).

The reliability in this research project is limited. Interactions between workers and young people were observed and these might not be stable when repeated. The research question was clear and stable. Exploring the interactions between the workers and young people and gaining new insights into these exchanges was central to this research. Thus, the test re-test reliability is a limitation of this study, with an emphasis being placed on eliciting depth rather than replicating the findings.

Trustworthiness

Quantitative methodology has clearly established concepts and procedures that allow the researcher to deal with the issue of objectivity (Creswell 1998; 2003; Rubin & Babbie 2005). The concept of 'trustworthiness', introduced by Lincoln and Guba (1985), highlights the different evaluation terminology required when evaluating qualitative research. Trustworthiness is established when the findings reflect the meanings embedded in the data provided by participants. It is important that the methodology in qualitative research is rigorously examined to enable an accurate reflection of the results.

As Gambrill (1995) notes, rigor in qualitative inquiry does not have to be an inflexible set of standards and procedures as is imposed in quantitative inquiry. Instead it involves engaging in efforts that increases confidence that findings represent the meanings as presented by the participants. Specifically what participants communicated about the issue, topic or phenomenon under investigation or being explored.

In order to ensure trustworthiness, qualitative researchers engage in a variety of strategies to present research findings in a way that authentically represents the meanings as described by the participants (Creswell 1998; 2003; Li 2004; Horsburgh 2003; Lincoln & Guba 1985; Padgett 1998). Creswell (2007) identifies eight key strategies for establishing rigour and recommends that any research study should employ at least two of these procedures. The following subsection outlines how trustworthiness was established for this study.

Prolonged engagement and persistent observation

Prolonged engagement requires the researcher to spend sufficient time in the field to learn or understand the culture, social setting, or phenomenon of interest (Creswell 2007). This involves spending adequate time observing various aspects of a setting, speaking with a range of people, and developing relationships and rapport with members of the culture. This process is complemented by the process of persistent observation, as Lincoln and Guba (1985) state:

> If the purpose of prolonged engagement is to render the inquirer open to the multiple influences - the mutual shapers and contextual factors - that impinge upon the phenomenon being studied, the purpose of persistent observation is to identify those characteristics and elements in the situation that are most relevant to the problem or issue being pursued and focusing on them in detail. If prolonged engagement provides scope, persistent observation provides depth. (p. 304).

This study involved both prolonged engagement and persistent observation with the research participants. The researcher collected data over a two-year period. This required spending lengthy periods of time with both workers and young people during both the recruitment and the observation of supervision sessions.

Peer review or debriefing

Peer debriefing refers to the process of engaging in dialogue with colleagues outside of a research project who have experience with the topic, population or methods being utilised (Creswell 1998; 2003; Li 2004; Lincoln & Guba 1985; Padgett 1998). Lengthy discussions were undertaken with the researcher's primary supervisor and other researchers who assisted in the secondary coding of the material collected. Having two coders analyse the qualitative data allowed for detailed discussion about the observations as well as promoting discussion around the commonalities and differences arising during coding.

Negative case analysis

Negative case analysis requires examination of the cases or exceptions that do not fit the pattern (Marlow 2011). Bernard (1994) notes that:

> If cases don't fit, don't be too quick to throw them out. It is always easier to throw out cases than it is to re-examine one's ideas, and the easy way is hardly ever the right way in research. (p. 321).

Negative case analysis was employed during the analysis of the material with re-examination and analysis of the cases that did not adhere to the propositions being developed.

Reflexivity

Reflexivity involves the researcher attending systematically to the context of how knowledge is constructed at each step of the research process (Creswell 2007). As Malterud (2001) states:

> A researcher's background and position will affect what they choose to investigate, the angle of investigation, the methods judged most adequate for this purpose, the findings considered most appropriate, and the framing and communication of conclusions (p. 483-484).

Reflexivity is a process that occurs throughout the research (Guillemin & Gillam 2004). Being aware of reflexivity, and the specific predispositions that may affect the analysis of the data, is central to the trustworthiness, analysis and presentation of qualitative data. The researcher has worked for a number of years in youth justice, which may shape the approach and analysis of the data. For this reason, the researcher was diligent in detailing the decisions that were made during the research design and analysis and the rationale for these decisions. Decisions were documented in NViVO-10, where the data was analysed. In addition, having a peer reviewer examine the data and the analysis ensured that the researchers preconceived ideas and beliefs were exposed and challenged during this process (Lietz, Langer & Furman 2006).

Thick description

Thick description is described by Lincoln and Guba (1985) as a way of achieving a type of external validity. By describing a phenomenon in sufficient detail, analysis regarding the extent to which the conclusions drawn are transferable to other times, settings, situations and people can be made. Comprehensive documentation of field experiences whereby the researcher describes the patterns of

cultural and social relationships puts the data collected in context (Holloway 1997). Each observation undertaken was transcribed verbatim and accompanied with a non-verbal transcript of the interaction. This allows for the reader to reconstruct the analysis and the validity of the conclusions (Krathwohl 1991).

PART FOUR

Research procedures

The following section describes the specific procedures undertaken for this research project including the ethics application, the recruitment criteria and the processes employed.

To address the research question and gain an increased understanding about how workers respond to pro-criminal attitudes, an exploratory qualitative research methodology was employed. Direct observations of supervision sessions between 20 juvenile justice workers and their clients were undertaken. Each supervision session included in the analysis was observed and audio-taped by the researcher. Non-verbal cues displayed by both the young person and the worker were manually recorded. The use of direct observation allowed the skills that the workers utilised with their intended recipient to be captured in its natural environment. A content analysis of the data was undertaken, guided by the framework of grounded theory developed by Strauss and Corbin (1990). This allowed each of the data sources to be thematically categorised and analysed together, allowing key themes to emerge.

Ethics

This project required the consent of two ethics boards, Monash University Human Research Ethics Committee (MUHREC) and the NSW Department of Juvenile Justice ethics committees. An ethics application was submitted to the MUHREC and was subsequently approved on the 16th March 2009 (Project Number: CF09/0683: 2009000287) (see Appendix 1). Ethics approval was also granted by the NSW Department of Juvenile Justice ethics committee on the 4th of June 2009 (see Appendix 2). Data collection for the research project commenced after confirmation of these approvals.

As outlined in the ethics application, participation in this study was voluntary. Consent from both the worker and the young person was obtained prior to observation. Prior to consenting, each participant was provided with a written description of the project, what participation involved, issues surrounding confidentiality and dissemination of research findings. This was clearly outlined in the explanatory statement (see Appendix 6 and 8). Participants consent was obtained in writing (see Appendix 7 and 9).

Due to the vulnerabilities of the client participants, a verbal explanatory statement was also used (see Appendix 10). Explanatory statements and consent forms were also required from parents and carers for young people 16 years and younger (see Appendix 11 and 12). It was made clear to the participants by the researcher that they had the right at any time to cease their participation. They had the right to withdraw from the study without providing reasons for doing so, both at the time of the observation and in the four weeks following the observation.

Permission was sought from each participant to audio record the supervision session. In one instance, a young person declined the use of the audio recorder, therefore a hand written transcript was taken verbatim by the researcher and typed within one day of the supervision session to ensure accuracy of the record.

Recruitment

Commencement of the recruitment process

As discussed earlier, recruitment for this project was undertaken as part of the larger project entitled, 'An analysis of supervision skills used by juvenile justice workers' led by Professor Christopher Trotter. The sample for this study was selected from the data gathered from the larger study.

Recruitment criteria

The recruitment criterion for workers was:

- Participants must be employed by NSW division of Juvenile Justice;
- Participants must be employed in the capacity of either a Juvenile Justice Officer (JJO) or Juvenile Justice Counsellor (JJC);
- Participants must have volunteered to participate in the above cited project, 'An analysis of supervision skills used by juvenile justice workers'.

Participating workers informed their clients of the research and sought permission for the researcher to talk to them about the research. The recruitment criterion for clients was:

- Participants must be under a current legal order, within three months of being issued by the court, supervised by NSW Division of Juvenile Justice;
- Participants must have a worker who has consented to participate in the project;
- Participants must be above 12 years of age;
- The young people must be willing to sign an informed consent form.

Incentives

Incentives were used to reimburse both workers and young people for their time and participation. Workers received a copy of Professor Trotters book 'Working with involuntary clients' (2006) and young people received a $20 Coles/Myer gift card. The use of incentives was approved by both the MUHREC and the NSW Juvenile Justice ethics committee.

Recruitment procedure

Juvenile justice workers were invited to participate in the research via an email that was disseminated to all staff, explaining the study and what participation involved (see Appendix 3). Posters were placed in offices inviting juvenile justice workers to participate (see Appendix 4). The researcher also made short presentations at staff meetings inviting workers to participate (see Appendix 5).

Recruitment for the research utilised the method of availability sampling. Once the worker had responded to the advertisements and volunteered to participate in the research project they were provided with an information package, which included an explanatory statement (see Appendix 6) and consent form (see Appendix 7). These forms provided detail about the research project, inviting workers to participate. The signed consent form was collected from the worker prior to the observation being undertaken. Each new client allocated to the juvenile justice worker from that point onwards was invited to participate in the research. An explanatory form was given to the client (see Appendix 8) and a consent form (see Appendix 9) was signed by the client prior to the observation being undertaken.
The consent forms provided to both workers and their clients ensured that the participant was aware and agreed to the data being used for postgraduate research. The first 20 observations between workers and their clients were then selected for analysis.

Data collection

This section describes the specific procedures undertaken for this research project, including the process of observation and the non-verbal cue observation schedule.

Overview of procedures

After consent had been obtained from both the worker and the young person, demographic information was collected from both participants. Information collected from the worker included:

- Position in the organisation
- Office location
- Gender
- Years working in welfare

The information collected from the client included:

- Date of birth
- Aboriginal or Torres Strait Islander status
- Gender
- Commencement of legal order

This information allowed for comparison of the sample with the general demographics of the population. The researcher then observed a supervision session between the young person and the worker, capturing both the verbal and non-verbal responses of young people and workers (see Appendix 13 and 14).

Observation

As a qualitative piece of research, this project employed unobtrusive observation as the primary data collection technique. Grinnell and Unrau (2008) suggest that qualitative research emphasises the use of observations, interviews, narrative dialogue or stories and existing documents as primary data collection methods. Patton (1990) asserts "…to fully understand the complexities of situations, observation of the

phenomena of interest may be the best research method" (p. 25). A distinct advantage of the observational method is that it captures naturally occurring data, rather than the data being filtered through other means. When designing this project, the researcher felt that direct observation would provide a clear and accurate account of how workers responded to pro-criminal comment as opposed to obtaining retrospective accounts through the use of interviews or questionnaires. It was also important to observe how young people responded to the methods used, which may have been difficult for the young people to articulate if providing retrospective accounts in an interview.

The use of unstructured observation allowed the researcher to record the interaction that occurred between a worker and client in their natural environment. An audio recorder was used in addition to direct observation. A nonverbal cue check list was developed to capture the nonverbal interactions elicited by both parties in a systematic way (see Appendix 13 and Appendix 14). This checklist was designed and used in the larger study (Trotter 2012; Trotter & Evans 2012; Trotter, Evans & Baidawi 2015). Patton (1990) emphasises that the purpose of collecting observational data is to accurately describe the setting, what took place, the participants, and to analyse what was observed. Thus a structured observation technique was employed to allow non-verbal data to be captured in a routine, consistent manner. This allowed the researcher to operationally define and categorise critical variables in the person-environment relationship (Allen-Meares and Lane 1990).

Although both the client and worker were aware of being observed and that their conversation was being tape recorded, every attempt was made for the researchers' presence to be as unobtrusive as possible. The researcher took a neutral stance and was seated, where possible, in a position out of the line of eye contact from either party. It is acknowledged that participants' reactivity needs to be considered, as there may be an issue of participants changing their behaviour as a result of being observed (Marlow 2011). The intention behind this method was to capture the supervision session as close as possible to how it would naturally occur. This is a rare but valuable technique providing a "…powerful method of assessing supervisory processes" (Andrews & Kiessling 1979, p. 42). The researcher was not involved in the interaction and remained as unobtrusive as possible. In one instance, the supervision session occurred in a car, as the worker transported the young person to a meeting. In this instant, the researcher sat in the back seat. This has been described by Neuman (2012) as 'non-reactive research', as the researcher is expected to observe and not to react to the behaviour, in order to avoid unnatural reactions from participants.

Detailed field notes of each supervision session were taken by the researcher in a written format, detailing salient points of the interaction that were formally documented post observation (Morse & Field, 1995). As noted by Morse and Field (1995):

> Field notes are the written account of the things that the researcher hears, sees, experiences and thinks in the course of collecting or reflecting on the data in a qualitative study. (p. 112).

The field notes in this research project were used to supplement the audio-taped recordings, noting the non-verbal cues by each party as well as any informal conversations occurring prior to or post the audio-recorder commencing. Key aspects of the interactions included detailing the location of the interview, the duration and seating arrangements of the worker and young person.

Measuring engagement

The researcher assessed and scored the young person's response to being challenged. The researcher would score this as high if the client appeared to be engaged when challenged by the worker. Following a pro-criminal or antisocial comment the researcher scored the clients response using the following 5-point scale:

1. Client non-responsive, looking away, monosyllabic responses;
2. Client partially engaged in conversation, occasional eye contact but responses still limited;
3. Client is occasionally engaged in the conversation and is responsive to a proportion of what the worker is saying;
4. Client appears engaged in session although may appear distracted or disinterested at times;
5. Client is taking notice, listening, responding to the worker, actively learning.

This rating of engagement is consistent with the larger study (Trotter 2012; Trotter, Evans & Baidawi 2015).

Data analysis overview

Twenty observations between juvenile justice workers and their clients were audio recorded and analysed resulting in 15 hours and 38 minutes of audio tape. Each transcript was then typed verbatim.

Non-verbal cues of both the workers and clients were recorded by the researcher in a consistent manner via a check list (see Appendix 13 and Appendix 14). This allowed for the tone of voice, participants' posture and facial expressions to be recorded to obtain an accurate representation of what occurred in the supervision session between the worker and the young person.

Grounded Theory

This study contains many of the elements of grounded theory. This study commenced without a preconceived hypothesis, with the aim to develop the hypotheses from the examination of the material. The analysis of the data was concerned with searching for patterns arising from the interactions without a pre-conceived notion of what was going to occur. As Mays and Pope (1995) note:

> Under the strictures of grounded theory, the findings of the research must be assessed through a systematic account of a setting that would be clearly recognisable to the people in the setting while at the same time being more structured and self-consciously explanatory that anything that the participants themselves would produce. (p. 111).

Thus, a phenomenon that arises in one case is the impetus to explore other cases for the same phenomena. This study is concerned with how workers respond to pro-criminal comments made by their clients and to identify recurrent patterns present in the data and, second, to explore the meanings and processes associated with the observed categories of behaviour (Clavarino, Najman & Silverman 1995).

The process of coding and categorising the data occurred on two levels. The first level of coding identified the themes, fitting them into categories and then assigning codes to these categories. The second level of coding, as described by Marlow (2011) was more 'abstract', requiring the categories to be compared and contrasted, integrating them back into central themes.

To further support the analysis of this material, content analysis was identified as a practical, complementary framework. Content analysis is an objective measure to systematically count and record variables to reproduce a quantitative record of the content (Neuman 2012). This type of qualitative data analysis involves researcher-constructed categories (Marlow 2011). The content of the research is compiled into researcher-constructed categories, and then inferences are made from these codes (Marlow 2011).

Marlow (2011, p. 222) refers to six steps for content analysis:

1. Select the constructs of interest and define them clearly
2. Select the units of analysis to be coded
3. Define the categories
4. Test the classification scheme on the document
5. Revise if reliability is low
6. Code the text of interest and do a category count

Employing this analysis of the transcribed observations allowed an in-depth look at each instance of confrontation, the times when this occurred and the nature and frequency of the clients' response.

Processing the data

The process of coding and categorising the data was undertaken by utilising a qualitative software package NViVO-10 which is designed to assist in the computerised analysis of the transcripts in a uniformed and consistent manner. The written transcriptions of each observed supervision session and semi-structured interview was entered into NViVO-10 as raw, unstructured data sources. Both the researcher and peer reviewer utilised this software to elicit themes and confirm the analysis of material.

Peer review

A key advantage of utilising direct observation and audio recordings is that a second researcher can examine and analyse the data to assist in the trustworthiness of the study. As noted by Mays and Pope (1995) the reliability of the analysis of qualitative data can be enhanced by an independent assessment of the transcripts by an additional skilled qualitative researcher and comparing agreement between the raters.

As discussed earlier a second person, who was not part of the research, was provided with the research question and was asked to independently code five worker-client transcripts. Given the nature of the interaction, with the clients being involuntary, the peer reviewer had experience in the criminal justice field and was familiar with the literature pertaining to working with involuntary clients. The transcripts were reviewed and analysed by the peer reviewer. The researcher and peer reviewer then met to discuss

the consistencies and discrepancies in the analysis (Lietz, Langer & Furman 2006). This discussion was documented and discussed with the researcher's supervisor.

The coding method

As outlined earlier in this chapter, grounded theory has strongly influenced the analysis of the data for this research project. Strauss and Corbin (1998) detail the process for analysing data collected via 'grounded theory' by outlining three phases: data reduction, organisation and interpretation. They emphasise, however, that this process is nonlinear with induction, deduction and verification of the themes occurring continually through this process.

Data reduction was the first phase of coding the material collected, allowing the transcripts to be coded, summarised and categorised in order to identify important aspects of the issue being researched (Alston & Bowles 2012). Each audio recording was transcribed by the researcher. This allowed for an accurate record of interview to be detailed allowing greater recognition of poor audio quality and enhanced with the researchers field notes and non-verbal cue check list. The transcripts were then entered into NViVO-10, along with the demographic information of each participant, where the researcher re-read each transcript in its entirety numerous times. The initial phase of coding adopted what Corbin and Strauss (2008) coin 'open coding', referring to the unrestricted coding of data that aims to provide provisional concepts that fit the data. Themes and common threads began to emerge from the data (Morse & Field 1995). The process of 'constant comparison' (Glaser & Strauss 1968) was employed, with detailed examination of each transcript and developing phenomena to ascertain if it fits within a developing theme. Comparisons were made across each transcript, accounting for the different demographics of the participants (Morse & Field 1995).

When no new concepts were being found in the data, 'axial' (or second level) coding was undertaken, which required coding more intensively around the concepts that had been identified in the initial phase (Alston & Bowles 2012). Axial coding allowed the researcher to look at the relationship between codes and themes. Alston and Bowles (2012) note that this phase of analysis can be quite abstract, requiring interpretation by the researcher at times. Subsequently, the use of memos and clear documentation regarding links and coding decisions were central to this phase of the project.

When axial coding was exhausted, selective coding was undertaken. This required systematically coding each transcript for all of the core codes that had been identified, with Glaser (1978) arguing that core category must be proven over and over again.

Clear documentation of each phase of the data analysis process was kept to ensure credibility of the findings. In addition, a peer reviewer was given five transcripts to analyse to ascertain if similar themes were emerging. The peer reviewer was familiar with grounded theory and had experience of working with NViVO-10 so was able to utilise the same analytical tools.

PART FIVE

Strengths and limitations of the study

Strengths of the study

The research design employed is intended to address the research question underpinning this thesis. The methodology employed produced an immense amount of data, capturing practice skills as they occur. This methodology has gone beyond the typical methods previously employed to examine confrontation and challenging, which has typically employed retrospective data collection methods, as described in the literature review chapter. As Silverman (2001) notes, there are a number of limitations to studies that capture participants' retrospective accounts, including that participants are likely to be influenced by a desire to justify their actions or portray themselves in a positive light.

Peer review was used to enhance the trustworthiness of the observations. These measures allowed for a true reflection of the key themes emerging from the analysis of the observations.

Limitations of the study

It is important to note that this thesis has several limitations that should be taken into consideration when reviewing the results. It has been acknowledged in the body of the thesis that qualitative studies provide results which are not generalisable in the same way as results based on standardised measurements in a quantitative study (Rubin & Babbie 2008), however the richness of the data collected and the lack of empirical evidence on this topic supports the argument that this is still the most appropriate methodology to address the research question.

Sample size

Due to the small sample size and the requirement of each participant to volunteer there are limits as to how generalisable the results from this project are. Again, a key feature of qualitative research is to gain a deeper understanding of the subject area. As discussed earlier, this number was sufficient to reach saturation (Strauss & Corbin 1998) as no new themes were being generated.

Random selection of participants

Consideration was given to the random selection of participants. Due to ethical constraints, this was not possible. A random selection of participants would have required access to the whole population of NSW Juvenile Justice workers and young people. Given that workers had to initially volunteer it is difficult to ascertain if the skills shown are representative of the general skills of juvenile justice workers. However, this is not the aim of this study. This study is concerned with what is occurring in practice to enable hypothesis and theories to be developed and tested in future research.

Observation

Although there was a conscious effort by the researcher to be as unobtrusive as possible, it is acknowledged that observation may have inhibited the true interaction between the worker and client. The participants may have, for example, become reactive and behaved differently as a result of being observed or behaved in a way that they perceived was expected of them (Marlow 2011). Observation was the most appropriate method to collect the data due to the complexity of the behaviours being measured.

Time of observation

Observations were undertaken in the first three months of a young person receiving their community supervision order. Only conducting one observation in the first three months of a young person's order may inhibit what was observed. As the relationship between the worker and young person develops they may become more familiar with one another. This may mean that the nature and frequency of challenging and the young persons response may change revealing different methods that engage and disengage. However, some of the orders young people are placed on are short in duration and there was concern about excluding this cohort (Trotter & Evans 2012). It was also anticipated that more high-risk young people may breach their orders, so again this group would have been excluded from the sample if observation occurred post three months of receiving their order (Trotter and Evans 2012).

Summary

This study aims to examine the extent to which workers respond to young peoples' pro-criminal statements in the context of an offender-worker supervision relationship and which of these responses either engage, fail to engage or disengage the young person. Due to the lack of previous empirical research in this area, a qualitative approach was employed, allowing for a rich data source to be collected. This further informed the explorative research design chosen, allowing major themes to be identified and refined through the research process. Observations allowed methods workers use to respond to pro-criminal comments to be captured in practice. The trustworthiness of this study was established via a number of methods including prolonged engagement, persistent observation, peer review, negative case analysis, reflexivity and thick description. The analysis of this data was informed by grounded theory and was undertaken via a process of content analysis. There are several limitations to this study discussed including the small sample size, selection of participants, the timing of the observation. These limitations have been compensated by the richness and uniqueness of the data collected.

CHAPTER 4

RESULTS

Introduction to the chapter

The results presented in chapter four are the findings from the analysis of twenty worker-client observations.

This chapter is divided into three parts. Part one begins by recalling definitions central to the examination of this material and how these definitions have been interpreted and informed the analysis of the data. Part one then provides the context to the project, describing the general characteristics of the population from which the sample was drawn. Demographic details of both workers and young people are presented. The participants' demographic details are compared to the NSW and Australian trends of young people supervised on community based orders. As highlighted in chapter three, whilst it is not necessary to have representative samples in qualitative research, a good description of the sample and how it compares to the general population helps to understand its nature and general characteristics (Alston & Bowles 2003). Part one also discusses the process and outcome of the peer review, highlighting the similarities and differences between the researcher and peer reviewer.

Part two is presented in four sections. Section one presents the frequency and nature of pro-criminal comments made by clients during the observed supervision session. A distinction is made between comments which are pro-criminal and those which are better described as antisocial. Section two presents the nature and frequency of workers' responses to pro-criminal and antisocial comments, including the specific responses workers employ to challenge clients. Section three and four then identify which worker responses or skills either engaged or disengaged the clients. This includes instances of unprovoked challenging, where the worker challenged the young person about criminal attitudes or behaviour, in the absence of his or her pro-criminal or antisocial comment.

Part three comprehensively summarises the chapter.

PART ONE

SETTING THE CONTEXT

Section one

Operational definitions

Chapter two reviewed and defined the concepts, 'pro-criminal' and 'antisocial'. This examination revealed that these terms are often used interchangeably in research and in the literature. It is important to clarify the operational definition of each concept, as well as how each concept has been interpreted and coded during the data analysis phase. For the purposes of this study, the following concepts have been operationally defined in the following way:

Pro-criminal

Pro-criminal refers to supporting or condoning either one's own or another person's criminal behaviour. Pro-criminal is defined by Andrews and Bonta (2007) as the "…specific attitude, value, belief, rationalisation and techniques of neutralisation that imply criminal conduct is acceptable" (p. 352).

When identifying pro-criminal comments or actions expressed by young people, comments or reference to actions of the young person or others were coded as pro-criminal if the researcher judged that they complied with this definition. For example, if the young person articulates that crime is a good way to earn money, it was coded as a pro-criminal comment. Other examples include comments such as the victim of the crime was not harmed or that you must fight people you don't like even if people get hurt.

Antisocial

In examining the use of challenging and in gaining a picture of the way workers use challenging, it is important to define antisocial for the purposes of this study – particularly given that the meanings of pro-criminal and antisocial often overlap. Given the links between antisocial behaviour and attitudes and

offending (Andrews & Bonta 2010), the analysis included how workers respond to clients' antisocial attitudes and behaviour, in addition to clients' pro-criminal comments and behaviour.

Broadly, antisocial is defined as being "… opposed to the principles on which society is constituted…. [*Being*] antagonistic to normal social instincts or practices" (The Oxford English Dictionary 2014, para 1). Whilst antisocial behaviours and attitudes are not illegal, they are typically socially undesirable. For example, it may be antisocial to not wash or to dismiss the value of work. It is not, however, pro-criminal. To take another example, if a young person made a negative comment about the police or other law enforcement officers or if a young person talks positively about associating with a pro-criminal peer this was coded in the study as an antisocial comment. On the other hand, if a young person talked positively about criminal acts such as stealing a car, or rationalised the impact of criminal acts such as saying it was fine to steal because owners get insurance, then this was classified as pro-criminal.

The distinction between pro-criminal and antisocial is important because the rationale or mandate for justice workers challenging antisocial comments or behaviour is less clear than the rationale for challenging pro-criminal behaviour. Workers have a mandate to challenge young people about pro-criminal behaviour and comments, however, this mandate may not extend to those comments which are antisocial. While it may not be appropriate for workers to challenge antisocial, as opposed to pro-criminal comments and actions, in practice workers who participated in this research often did this. This raises some ethical issues that are further explored in chapter five.

Engagement

Central to the research question is how young people respond to their pro-criminal or antisocial comments being challenged, specifically if the comment either engages fails to engage or disengages the young person. Engage, as defined by the Macquarie Dictionary (2016, para 1) is to "Occupy the attention or efforts of a person" and to "… attract and hold fast" (para 2). Consistent with this definition, engagement is defined as the young person actively responding and taking notice of what the worker has said. For example, if the young person appeared to be listening or responded positively to the worker, it was coded as the young person being engaged. As discussed in chapter two, client engagement is an important outcome measure being linked to increases in program completion rates in correctional research (Dowden & Serin 2001; Howells & Day 2006; Kevin 2011).

Disengaged

Disengaged is simply defined by the Oxford dictionary (2016, para 1) "…not engaged". Disengagement has been operationalised, for the purpose of this study, as the young person not being responsive to what the worker has said. For example, if the young person looked away or gave no response or a monosyllabic response it was coded as the young person being disengaged.

Challenging

'Challenging' is broadly referred to as the constructively critical response from a worker following a pro-criminal or antisocial comment from the young person. As noted in the literature review, challenging and confrontation are terms used somewhat interchangeably; however, for the purpose of this study the term 'challenging' is being used.

Section two

The setting

Youth justice is the statutory body for managing children and young people who have committed, or allegedly committed, an offence (AIWH 2015). While each state and territory in Australia has its own youth justice legislation, policies and practices, the general processes by which children and young people are charged and sentenced, and the types of legal orders available to the courts, are similar across jurisdictions (AIWH 2015).

The sample and the data obtained for this research project was drawn from NSW Juvenile Justice. Juvenile Justice is responsible for the operation of the six remand and custodial centres across NSW. There are 36 community-based centres across the state, with eight of the services being located within the Sydney metropolitan area. At the time of data collections, each office was staffed with Juvenile Justice Officers (JJO) and Juvenile Justice Counsellors (JJC). There are 164 JJO positions across the state and 46 JJC positions (Internal NSW Juvenile Justice report 2014). JJOs and JJCs are co-located at most Juvenile Justice Community Service (JJCS) offices across the state. In 2015, the division of Juvenile Justice was restructured and JJO and JJC positions were amalgamated into a generic caseworker position (NSW Juvenile Justice Internal Report 2015).

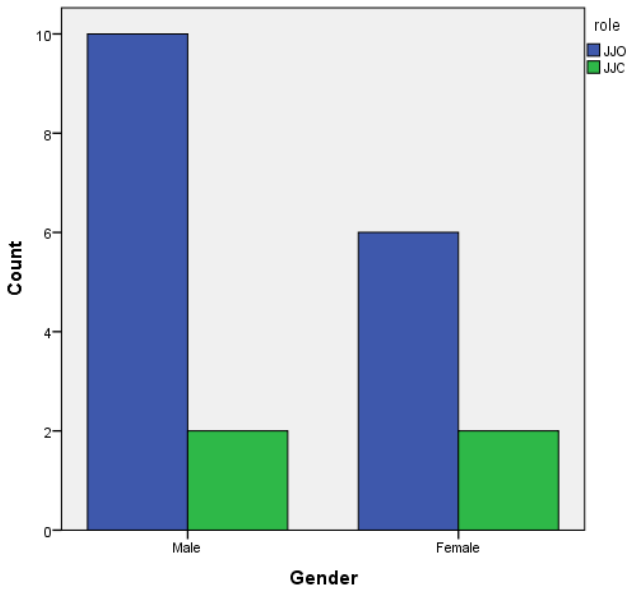
NSW Juvenile Justice provides supervision to children and young people aged between 10 and 18 years to reduce their risk of reoffending (NSW Juvenile Justice Annual Report 2016). Daily averages of 1584 young people across NSW are under juvenile justice supervision. Eighty-one percent of these young people are on community-based orders and with 19% in a detention facility (AIHW 2015). Of the 1271 young people on community-based supervision, 81% are male and 19% are female (AIWH 2015). Thirty-eight percent of the young men under community supervision identify as Aboriginal or Torres Strait Islander, and 42% of the young women on community-based orders identify as Aboriginal or Torres Strait Islander (AIHW 2015).

Sample demographics

Workers

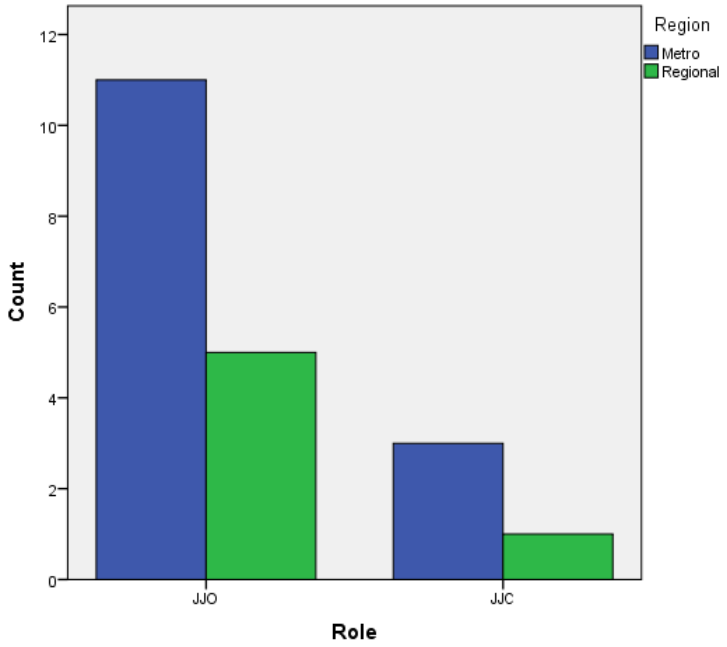
Twenty workers employed by NSW Juvenile Justice participated in this study. Twelve of the participants were male and eight female. The gender and role of workers is presented in graph two, identifying the majority of worker participants as male, employed in the capacity of a JJO. This sample constitutes an overrepresentation of male participants, as females make up the majority of community staff in NSW Juvenile Justice (NSW Juvenile Justice Internal Document 2015).

Graph 2: Worker gender



Fourteen workers were based in the metropolitan region and six workers were from several different locations in regional NSW. Graph three represents the distribution of roles between the regions, with both of the male JJC's based in the metropolitan region.

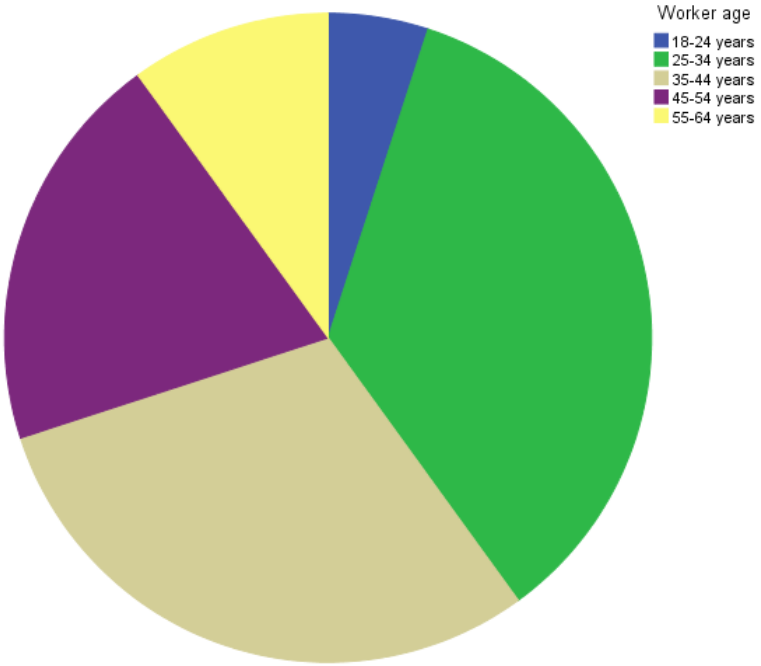
Graph 3: Worker role



Chapter two highlights the over-representation of Aboriginal and Torres Strait Islander (ATSI) young people under juvenile justice supervision in NSW. Recruitment and retention of ATSI staff is part of the division's strategic planning policy (NSW Attorney General and Justice 2013) in response to this over-representation. Three of the workers who participated in the study identified as being ATSI. All Aboriginal workers were male, and employed as JJO's. Two of the three Aboriginal workers were from regional NSW.

Graph 4 presents the age range of workers. The majority of workers (65%) were between 25 and 44 years. Workers reported a range of experience in social services, reporting between one and 25 years of service, with a mean of 8.5 years and a mode of one year.

Graph 4: Worker age

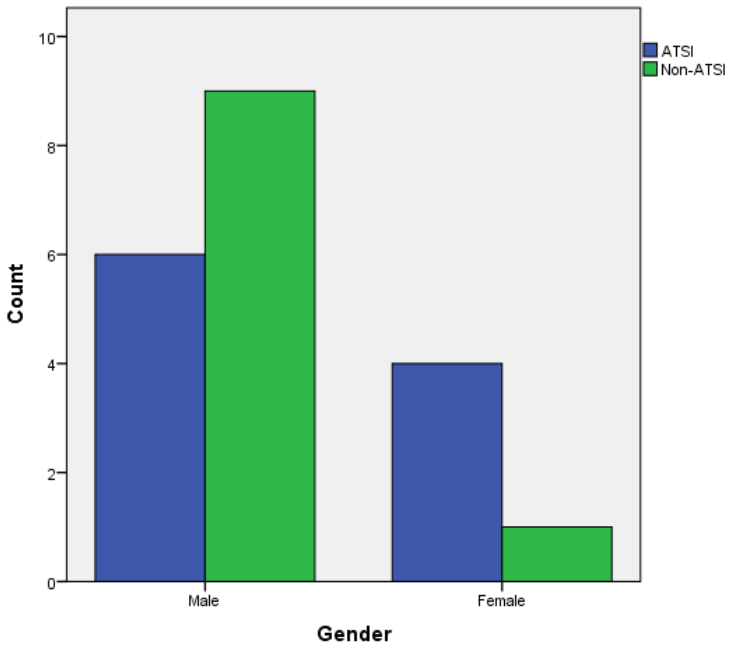


Clients

Twenty young people under the community supervision of NSW Juvenile Justice agreed to participate in this research. Fifteen participants were male (75%) and five were female (25%). This sample is fairly consistent with the current gender ratio under juvenile justice supervision across Australia (AIWH 2015).

Ten of the young people identified as being Aboriginal or Torres Strait Islander. Six of these participants were male (30%) and four were female (20%) (Graph 5). This is slightly below the number of ATSI young people on community-based orders across Australia (AIWH 2015).

Graph 5: Client gender



The age of young people that participated in the study ranged from 13 years to 18 years, with a mean age of 15.4 and a median age of 16 years. The sample's average age is similar to the national average, where on average 79% of young people under supervision are aged between 14–17 years (AIHW 2015).

Section three

Peer review

Overview

The analysis of qualitative data requires interpreting the study's findings (Burnard et al. 2008). As outlined in section eight of the methodology chapter, this process is arguably more subjective than the processes associated with quantitative data analysis. To ensure the rigor of the analysis and reduce researcher bias, the analysis was independently verified by another qualitative researcher through the process of peer review (sometimes referred to as peer debriefing). Working in a research team, as suggested by Russell and Kelly (2002), allowed multiple perspectives to be considered during the analysis of the data in addition to confirming that the themes identified by the researcher come from the data rather than pre-conceptions of the researcher.

Peer review involved another suitably qualified qualitative researcher independently reviewing and exploring the observation transcripts and coding them using NViVO-10. The peer reviewer contributing to this study was a PhD student also undertaking a qualitative research study. The peer reviewer has significant experience working with NSW Juvenile Justice as a Juvenile Justice Counsellor (JJC).

The researcher and peer reviewer met on three separate occasions over a six month period. Each meeting was approximately one hour in length. The initial meeting involved the researcher providing an overview of the research question and the methodology used to collect the data. After each meeting, the researcher took detailed notes about the discussion and any changes to the coding that had been made. The second and third meeting comprised of discussions regarding the coding and the themes identified.

Both the researcher and peer reviewer undertook open coding (Corbin & Strauss 2008), discussing the similarities and differences once clear themes had emerged (axial coding) (Alston & Bowles 2012). There was a high degree of consistency between the researcher and the peer reviewer. The peer reviewer and the researcher were able to consider questions related to the worker's responses to pro-

criminal comments and the complex nature of observing interactions, thereby enhancing the quality of the data analysis.

This process showed some clear consistencies in the analysis, suggesting that similar results would be found by another researcher. For example, both the peer reviewer and the researcher identified the workers' use of open questions following a pro-criminal comment elicited a positive response from young people. Both the peer reviewer and researcher identified the high levels of engagement displayed by young people when workers were persuasive in an attempt to identify an alternative perspective in response to a pro-criminal comment made by the young person. Both the peer reviewer and the researcher agreed that when workers used hostile confrontation, including general lecturing and closed questions this typically disengaged young people from the conversation.

Figure one provides an example of how key themes were identified and agreement found between the researcher and peer reviewer.

Figure 1: Agreement in identifying themes between researcher and peer reviewer

Interview transcript	**Coding framework (researcher)**	**Coding (peer reviewer)**
Client "*Know what I did at my old school? I smashed a CD player*" **Worker** "*Not very nice"* **Client** *"I don't give a fuck"* **Worker** "*Let's get back to the Order*"	- Pro-criminal comment acknowledged by worker - Worker changes subject - Young person not engaged	- Comment acknowledged - Worker not responding to young person - Young person not engaged

The example in figure 1 illustrates agreement between the researcher and peer reviewer. Both the researcher and peer reviewer agreed that the worker acknowledged the pro-criminal comment; however this comment appeared in isolation. The worker then changed the subject. The young person showed a low level of engagement after this response.

To ensure a systematic and rigorous analysis is undertaken, the identification of themes that are different or contrary to the main findings, are important to both identify and understand (Burnard et al. 2008). Although the researcher and peer reviewer identified a number of similar themes in the transcripts, several key differences were identified and discussed.

During the analysis it became apparent that workers would often initiate or prompt a discussion about criminal motivations or activities.

Worker: *"What sort of things like are pulling on you to get you into more trouble? Would it be any sort of friends that you're hanging out with?"*

These worker statements often generated a pro-criminal or antisocial response from the young person. After lengthy discussions, both the researcher and peer reviewer agreed that the young persons' responses to instances of unprovoked challenging initiated by the worker were important to include in the analysis.

Peer debriefing allowed both consistencies and differences in interpretation to surface (Lietz, Langer & Furman 2006) and to be discussed. These discussions led to further reflexivity and questioning about the themes that were established.

Summary

Part one provided the context to the study. Section one outlined the operational definitions that guided the thematic analysis of the observational data, highlighting considerations in the application of key concepts. Part two provided demographic information about the setting and participants, including a brief comparison between the sample and the general population. The method and outcomes of the peer review process were presented in part three, highlighting the additional measures undertaken to ensure the trustworthiness of the data analysis.

PART TWO

FINDINGS FROM THE OBSERVATIONS

Section one

Nature and frequency of pro-criminal and antisocial comments made by clients

This section presents the themes from the analysis detailing the frequency and nature of the pro-criminal comments made by young people in the supervision sessions. The distinction is made between a young person's comments which are pro-criminal, and comments or behaviour which are better described as antisocial. A description of the theme is provided, followed by an example illustrating how the comment appeared in the worker-client supervision session.

Pro-criminal comments and behaviour

From the analysis, 67 individual pro-criminal comments and/ or behaviours made by young people were identified and coded. Of these 67 individual comments, 11 of these comments described pro-criminal behaviour the young person intended to engage in and 23 of these comments described a pro-criminal behaviour in which the young person had previously engaged in. Thirteen pro-criminal comments described rationalisations for criminal behaviour, and twenty of these comments related to a young person's pro-criminal associates.

Of the 20 transcripts analysed, 18 contained at least one pro-criminal comment made by the young person.

<u>Pro-criminal comments- intending to engage in criminal activity</u>

Description of the theme:

Eleven comments comprised of the young person stating that they intended to engage in criminal activity. These comments sometimes included rationalisations or justification for the intended criminal activity.

Examples

The first example is from a 26 minute supervision session between Corey, a male Juvenile Justice Counsellor and Sienna, a 16 year old female client. The client has been involved in a violent relationship with her boyfriend and the worker has informed her that her boyfriend has recently been incarcerated for further offending.

Sienna *"I'll go break him out"*
[worker laughs]
Corey (JJC) *"That's probably not a…*" [young person interrupts]
Sienna *"Well, where is he at?"*
Corey (JJC) [worker states juvenile detention facility]
Sienna *"I'm going to break him out"*
Corey (JJC) *"That's probably not a real good idea"*
Sienna"*I don't care, he shouldn't have got locked up. He didn't do nothing".*

The worker initially appears unsure if the young person was serious in her statement to break her boyfriend out of prison however, as the interview progresses, she made several further references to breaking her boyfriend out of custody. This constitutes a pro-criminal comment, as the young person is stating her intention to engage in criminal activity.

The second example is from a 55 minute supervision session between Sophie, a female Juvenile Justice Officer and Amy, a 14 year old female client. The worker has been attempting to engage the young person in a pro-social recreational activity; however, the young person responds with a pro-criminal statement.

Sophie (JJO) *"You could get involved in arty stuff, like a graffiti art workshop"*

Amy *"No, I'll probably end up tagging"* [illegal graffiti]

The young person responds to the worker's suggestion by stating that it is likely she would engage in criminal behaviour if enrolled in the suggested recreational activity. This was coded as a pro-criminal comment, with the young person voicing her intention to engage in criminal activity.

Previous criminal behaviour

Description of the theme

Of the 67 references to pro-criminal behaviour, 23 of these comments refer to the young person's previous offending behaviour that constitutes a criminal offence. Of these comments, 39% explicitly referred to the young person's use of illicit drugs and/ or alcohol.

Examples

The first example is from a 27 minute supervision session between Remmy, a 14 year old male client and Nikki, a female Juvenile Justice Officer. The supervision session was undertaken in a car as the worker was transporting the young person to a meeting with his school principal. The worker had attended Court with the young person the previous week and had observed him engaging in criminal behaviour.

Nikki (JJO) "*All right, so I saw a few things ok. Remember that stuff we talked about… that there's that fine line between being young, being cheeky, having fun, all right, and then where it just crosses that line?"*

Remmy "*Yeah"*

Nikki (JJO) "*Yeah, to where it can become aggressive, slightly off putting for the other people, you know, right? Do you reckon you could tell yesterday when that line was being crossed?"*

Remmy "*Um I dunno. Where there were arguments between the boys and there was almost a fight. Is that what you're talking about?"*

Nikki (JJO) "*Is this* [pause] *when you guys were sparring* [boxing]"

Remmy "*Nah, it was the time when they were taking his jumper. Well, we were all playing at snatching this kids Nautica jumper"*

Nikki (JJO) "*When was this, Remmy?"*

Remmy "*When you were there. I dunno. You might not have been paying attention"*

The young person recalls participating in pro-criminal behaviour by stealing another young person's jumper. This comment was coded as a pro-criminal comment, whereby the young person described his participation in criminal behaviour.

The second example is from a 40 minute supervision session between Narelle, a female JJO and Sarah, a 17 year old female client. Sarah discloses that she had recently resumed smoking marijuana.

Sarah "*But I stopped for a while* [smoking marijuana], *but today I just couldn't stop*"

Narelle (JJO) "*How long has it been since you have stopped smoking pot* [marijuana]*?"*

Sarah "*I had one yesterday but…* [Worker interrupts]"

Narelle (JJO) "*Oh, ok"*

Sarah "*Cause I used to smoke when I went to court. Just before I went to court, that's when I started slowing down.* [And] *I used to chop up every 5 minutes and* [smoke] *at TAFE. I used to go* [smoke] *within TAFE and have session but now I don't."*

Sarah clearly discloses her recent illegal drug use to her worker. Given the young person clearly articulates her previous drug use, this comment was coded as previous criminal behaviour.

Pro-criminal rationalisation

Description of the theme

The analysis revealed 13 pro-criminal rationalisations made by young people for criminal behaviour. This was present in several of the supervision sessions. As noted above, a pro-criminal rationalisation was coded as present when young people justified or defended their pro-criminal behaviour or attitude. Of the 13 pro-criminal rationalisations identified, young people were generally justifying their previous or ongoing criminal behaviour.

Examples

In the following example we revisit the supervision session between Nikki (JJO) and Remmy. Nikki (JJO) continued her conversation with Remmy, after observing him steal another young person's jumper.

Nikki (JJO) *"Would you do it to a stranger?"*

Remmy *"Probably, yeah".*

Nikki (JJO) *"Remmy, do you reckon that's right?"*

Remmy *"No, but that's….* [Worker interrupts]"

Nikki (JJO) "*I am just a bit worried about that mate. It's not only our mates that we don't do slack stuff to, you know. Like say for example, Remmy, you don't know me, right, so I am no-one to you. Does that mean that if I'm walking down the street carrying my bag and you didn't know me, you'd think it was all right to rob me?"*

Remmy: "*Not really. It's never right to rob someone but you just do it, 'cause, I don't know. You mean nothing to me, so I just do it".*

Remmy admits to stealing the young person's jumper and justifies his criminal behaviour by condoning crime perpetrated against people who mean nothing to him. This is an example of a pro-criminal comment, illustrating the young person rationalising his criminal behaviour.

<u>Pro-criminal associates</u>

Description of the theme

Of the 67 pro-criminal comments identified, 20 consist of the young person describing a peer or family member's criminal behaviour. This theme was present in six transcripts, with 20 specific comments detailing the criminal behaviour of the young person's associate and/ or family member. The young person typically normalised the criminal behaviour or attitude.

Examples

The first example is from the 25 minute supervision session between Josh, a 13 year old male and Cristen, a female Juvenile Justice Counsellor. The young person discloses he was recently detained by police as a result of his friend's criminal behaviour:

Josh "*I also got into trouble with the police. My friend lit a fire down near the park at McDonalds and the police pulled us over and told us to turn out our pockets. They thought it was me but I told them who it was. Then the boy confessed to it. Then the police officer came around the next day and said you shouldn't be doing this stuff. But I didn't do anything wrong, so what's the problem?"*

The young person clearly states details regarding his friend's recent criminal behaviour, which was coded as a pro-criminal comment.

The second example is again taken from the interview with Sienna and Corey (JJC). Sienna is recounting a recent incident with her boyfriend.

Sienna "*That night, when the coppers arrested him"*

Corey (JJO) "*Yeah"*

Sienna *"He come over to my house at 1.30 in the morning and goes, you know, I'm drunk, and he had a full goon* [wine]. *He was telling me that he took an ecstasy pill and he was violent. Then, he was so violent"*

Corey (JJO) "*Yeah, that's scary"*

The young person recalls a recent offence perpetrated by her boyfriend. This comment was coded as the young person describing the criminal behaviour of her boyfriend.

Antisocial comments and behaviour

Of the 20 transcripts analysed, 62 antisocial comments and/ or behaviours made by young people were identified and coded. Of these 62 comments, 16 were coded as antisocial comments about persons in authority and 22 comments were coded as antisocial behaviour the young person has either undertaken or intends to undertake. Fourteen antisocial comments related to antisocial peers and 10 comments were coded as generic antisocial attitudes. Overall, antisocial comments were made by 90% of young people during the observed supervision sessions.

Antisocial comments about authority figures

Description of the theme

Sixteen of the 62 antisocial comments made by young people described an antisocial belief or value specifically about persons in authority, such as parents, teachers, child protection workers and the police.

Example

The first example is from a 40 minute supervision session between Narelle, a female Juvenile Justice Officer and Sarah, a 17 year old female client. Four antisocial comments against persons in authority were identified in this transcript, specifically about school teachers and the police. The young person's behaviour at school had been noted as problematic by the worker during the interview.

Sarah *"It is good. I get a few compliments off the Humanities teacher"*
Narelle (JJO) "*Who is that? So, the Maths teacher is all right, and the Humanities teacher is all right"*
Sarah *"The science* [teacher] *is a spastic"*

The young person makes an insulting comment about a particular teacher at the school. This comment was identified as an antisocial comment about a person in authority.

In the second example taken from the supervision session between Sophie (JJO) and Amy, the young person makes five disparaging remarks about her child protection worker during the interview.

Sophie (JJO) "*Let's talk about TAFE and school, things like that*"
Amy "*I asked my caseworker, but she wouldn't get off her fat ass and help"*
Sophie (JJO) *"DoCs or Centrecare"*
Amy *"DoCs. She's a bitch"*

The young person is clear in her hostility towards her current child protection worker. This comment was coded as antisocial, with the young person making derogatory remarks about her child protection caseworker.

Antisocial behaviour

Description of the theme

Twenty-two of the 62 antisocial comments comprise of young people describing antisocial activities, such as refusal or ceasing to attend school or employment agencies.

Example

The following example is from a 15 minute supervision session between Andrew, a male Juvenile Justice Officer and Steve, a 16 year old male client. Andrew (JJO) raises Steve's non-attendance at school last year.

Andrew (JJO) "*You weren't going to school on a regular basis last year?"*
Steve: *"I'm not going back"*
Andrew (JJO) *"You're not. Why not?"*
Steve: *"I signed myself out of school. School sucks"*
Andrew (JJO) "*Ok. And why did you do that?"*
Steve: *"I don't want to go back there"*

The young person's comment was coded as antisocial. Failure to attend school or employment is considered antisocial and has been highlighted as an indicator for risk of offending, as identified by the YLSI-R (Hoge & Andrews 2002).

Antisocial associate

Description of the theme

The thematic analysis revealed young people describing engaging in antisocial behaviour with peers or a peer being influential in their antisocial behaviour. This was coded 14 times in six of the transcripts. These conversations typically comprised of the young person describing a peer being intoxicated by drugs or alcohol or encouraging the young person to use drugs or alcohol.

Examples

The first example is from a 42 minute supervision session between Cassandra, a 17 year old female client and a Tony, a male Juvenile Justice Officer. Cassandra had been drinking alcohol and had missed curfew. Given her age, alcohol consumption is illegal in NSW under the NSW Liquor Act 2007. Cassandra was in the company of a peer, who she states, encouraged her to drink.

Cassandra: *"It's not hard. Like, I mean, no one can make you do anything, but, I wouldn't have been drinking if she* [friend] *hadn't come along".*

The young person attributes her recent alcohol use to the influence of her friend. This comment was coded as antisocial behaviour influenced by a peer.

The second example is taken from the supervision session between Pete, a 17 year old male client and Troy, a Juvenile Justice Officer. The worker prompts the young person to speak about peers who were engaged in drinking and attending licenced premises under the age of 18 years (which is prohibited in NSW under the Liquor Act 2007).

Troy (JJO) *"Oh right, are you drinking* [alcohol] *a lot?"*

Pete "*Nah"*

Troy (JJO) *"Was it just last night? Was it a party?"*

Pete *"Nah, just me and the boys was having a drink 'cause I couldn't get into the pub and I am not 18. He* [friend] *was at the pub, so we had to look after his stuff until he rang me up this morning"*

The young person acknowledges his recent under age alcohol use which he attributes to the influence of his friends. This was coded as antisocial behaviour, influenced by peers.

Generic antisocial attitude comments

Description of theme

Ten of the 62 antisocial comments made by young people were coded as generic antisocial comments. These comments were typically isolated comments regarding either school or employment. These comments were distinct from antisocial behaviour, typically comprising comments illustrating an antisocial attitude.

Example

The following example is from a 12 minute supervision session between Albert, a 14 year old male client and Phil, a male Juvenile Justice Officer. The young person voices his reluctance to attend school a number of times during the supervision session.

Albert *"Fuck these schools"*

The young person is clearly hostile towards society's expectation that he attend school. This comment was coded as antisocial, with the young person displaying a generic antisocial attitude.

Summary

Section one describes the frequency and nature of antisocial and pro-criminal comments made by young people in supervision sessions with their juvenile justice worker. The analysis revealed that young people frequently make pro-criminal and antisocial comments during their supervision sessions. Sixty-seven specific pro-criminal comments were identified and coded, along with 62 antisocial comments.

Categories regarding the nature of pro-criminal and antisocial comments were established. Four discreet categories regarding pro-criminal comments made by young people were presented. Pro-criminal comments regarding the young person's criminal behaviour and criminal behaviour by peers/ family members were most commonly expressed by young people. Examples of pro-criminal actions and comments which were identified included reports of previous, or providing rationalisations for, offending. Four categories of antisocial comments were also established, with comments describing antisocial behaviour such as school refusal most commonly expressed by young people. Examples of

antisocial actions and comments identified included devaluing pro-social activities, meeting societal expectations by attending school, seeking work. These issues were at times raised by the client or in other cases the worker raised an issue, such as risky situations for offending, for discussion with the client.

Section one presented the frequency and nature of pro-criminal comments made in supervision by young people. Section two describes the workers' responses to these comments.

Section two

Workers responses to pro-criminal and antisocial comments made by young people

Section two describes examples of how workers respond to pro-criminal and antisocial comments made by young people and the frequency of specific responses. As outlined in section one, pro-criminal comments were identified in 18 of the 20 transcripts and antisocial comments were also identified in 18 of the 20 transcripts. The workers' responses to these comments were collated and analysed. The analysis identified 12 worker responses to pro-criminal and antisocial comments. Descriptions of these responses are presented along with examples of how the response appeared in the transcripts.

1. Disapproval

Description of the response

Workers would express immediate disapproval of the pro-criminal comment or behaviour made by the young person, emphasising that they did not support or condone the comment or described behaviour.

Worker disapproval for a pro-criminal comment/behaviour was present in six transcripts and coded 10 times.

Some workers appeared to use disapproval to shame the young person and other workers appeared to use this method to assist young people to develop greater insight into the impacts of their criminal attitude or behaviour.

Example:

In this example we return to the interview between Nikki (JJO) and Remmy, where Remmy's comment was coded as a pro-criminal rationalisation. Remmy, a 14 year old male client is being supervised on a nine month Probation order. The observed session was 17 minutes in duration.

Nikki (JJO) *"Would you do it to a stranger?"*

Remmy *"Probably, yeah"*

Nikki (JJO) "*Remmy, do you reckon that's right?"*

Remmy *"No, but that's* [worker interrupts]"

Nikki (JJO) *"I am just a bit worried about that mate. It's not only our mates that we don't do slack stuff to you know. Like say for example, Remmy right, you don't know me, so I am no one to you. Does that mean that if I'm walking down the street carrying my bag and you didn't know me you'd think it was all right to rob me?"*

Remmy *"Not really. It's never right to rob someone but you just do it 'cause I don't know you and you mean nothing to me, so just do it"*

Nikki (JJO) *"But see, if you did know me, you'd know who I was"*

Remmy *"A nice person and that you don't deserve something like that to happen to you"*

The worker's response to the young person's pro-criminal comment in the following example was coded as expressing disapproval about the young person's pro-criminal attitude.

2. Concern

Description of the response

Workers would express concern in response to a young person's pro-criminal or antisocial comment or behaviour. Concern was expressed for a variety of reasons including the safety and legal implications for the young person.

This response was present in five transcripts and coded nine times.

Example

In the following example we return to the supervision session between Josh and Cristen (JJC). Josh has disclosed his friend's recent criminal activity:

Josh "*I also got into trouble with the police. My friend lit a fire down near the park at McDonalds and the police pulled us over and told us to turn out our pockets. They thought it was me but I told them who it was. Then the boy confessed to it. Then the*

police officer came around the next day and said you shouldn't be doing this stuff. But I didn't do anything wrong, so what's the problem?"

Cristen (JJC) *"You have got to be careful. When you are present and when an offence is being committed, you can be charged with 'in company'"*

Josh *"In company, I wasn't with him. I was with my friends at the chemist and he was down the road"*

Cristen (JJC) "*Ok, just be careful"*

Josh "*Then I said did you put it out and he said I thought I put it out but a fire engine flew past us and it was up in flames and they were spraying it out"*

Cristen (JJC) "*Ok, well I am glad you were not present. How are we going with all the fire stuff?"*

Cristen (JJC) expresses concern regarding Josh being charged with a criminal offence as a result of his friend's behaviour. She informs him of the potential charges he could incur and appeals for him to be careful.

3. Consequences

Description of the response

In response to a pro-criminal comment, workers would encourage the young person to understand the consequences of their attitude or behaviour. Workers would often highlight the consequences of offending, including legal sanctions such as custody or additional restrictions as a result of bail conditions. Workers also used the impact of the young person's offending behaviour on their family or friends and asking the young person to reflect on this.

This theme was coded in 12 transcripts, with 22 specific examples of workers assisting the client to understand the consequences of offending.

Workers used a variety of strategies to assist the client to understand the consequences of pro-criminal attitudes or behaviour.

Example

In the following example we return to the supervision session between Cristen (JJC) and Josh. Cristen (JJC) is supervising Josh**,** a 13 year old male client, on an 18-month Bond. Supervision was conducted in a juvenile justice office in metropolitan NSW and was 50 minutes in duration.

Cristen (JJC) *"So, how are we going to avoid situations like today where you got in trouble at school?"*

Josh *"I don't know. If he takes my lighter off me, I will take something of his"*

Cristen (JJC) *"Do you need to take it with you to school? Can you leave it in your bag? Can you leave it in your pocket and not get it out in school time?"*

Josh *"I need to have a smoke. They* [teachers] *let us smoke in the back"*

Cristen (JJC) *"There are legitimate uses where it is ok to use a lighter or a match"*

Josh *"For starting a BBQ, or lighting a candle, or something"*

Cristen (JJC) *"Yep, and obviously you need it to light a cigarette"*

Josh *"Or light a bush fire"*

Cristen (JJC) *"But how can you keep it in your pocket in class time, where you are likely to get in trouble?"*

Josh *"Nah, I just like the flame"*

Cristen (JJC) *"What are the consequences going to be if you keep doing that stuff at school?"*

Josh *"Suspension"*

Cristen (JJC) *"And what's going to happen if you keep getting suspended?"*

Josh *"I will just have the biggest holiday of my life"*

Cristen (JJC) *"What would the consequence be in terms of your education goals?"*

Josh *"I will learn how to do bad stuff and I don't want to do good stuff"*

Cristen (JJC) *"Ok, and if you're learning how to do the bad stuff, what's the risk involved with that, that I know you want to avoid?"*

Josh *"Dunno. Getting caught by the police"*

Cristen (JJC) *"Where are you going to get sent?"*

Josh "[Identifies detention facility]"

Cristen (JJC) *"And how much do you want that to happen?"*

Josh *"I don't know. Never"*

The young person makes several pro-criminal and antisocial comments. Cristen (JJC) assists the young person to understand the consequences of offending and the likely outcomes of that behaviour. The worker's response to the young person's pro-criminal comments in the example was coded as encouraging the young person to examine the consequences of pro-criminal behaviour.

4. Referring to the conditions of the legal order

Description of the response

Workers frequently explained to clients, or referred to the conditions of the legal order, either in response to a new offence or as a reminder to maintain compliance with supervision. Comments regarding the young person's legal orders were made in 50% of the observations, with 31 references to legal orders in these transcripts. Referring to the conditions of the legal order is conducted as routine practice (Trotter 2015), however, how this was facilitated by the workers differed. Analysis of the transcripts revealed that some workers explained the orders as a response to a pro-criminal comment made by the client. Other workers used these conditions as a warning or a threat, and some workers helped the client to understand the conditions to facilitate their compliance with the legal order.

Example

In the following example Steve, a 16 year old male client, is being supervised by Andrew (JJO). Steve is on a 12-month Bond. The interview occurred at the young person's home in metropolitan NSW and was 15 minutes long. The young person's mother was present for the duration of the interview. This is the first supervision session undertaken with the young person since receiving his court order.

Steve	*"I'm not going to see her* [counsellor]*"*
Andrew (JJO)	*"Make sure you still follow through on it with her* [counsellor] *because, you know, this Order can be breached if you think 'Shove this treatment plan up your clacker, I'm not going to do it'"*
Mother	*"It's a* [mental health] *treatment plan"*
Andrew (JJO)	*"This Order can be breached. That's why the Magistrate didn't put you on another Mental Health Act Order. He's put you on this instead and this can be breached and bring you back to court. To avoid doing that, and the way you can do that, is stick to the treatment plan and go along with the conditions of it. All right?"*

Steve "*All right*"

Andrew (JJO) "*If you don't comply with it, you probably will go to court. That's what I'm saying about a breach of the order. What about if you take it for the first month and then you have to meet up with that doctor fellow anyway?"*

The worker is directive, referring to the conditions of the legal order if the young person is not compliant. This example was coded as the worker referring to the conditions of the order.

5. Alternative options for the young person

Description of the response

When responding to a pro-criminal comment, workers would present the young person with alternative options. These options included the worker prompting the young person to identify pro-social options or the worker providing alternative options for the young person. Workers use of alternative options in response to a pro-criminal comment was present in 12 of the transcripts and coded 15 times.

Example

In the following example Pete, a 17 year old male client on a 12-month Bond, is being supervised by Troy, a Juvenile Justice Officer. The supervision session occurred at the juvenile justice office in metropolitan NSW and was eight minutes long. The young person explains he has recently seen an acquaintance on the train with whom he has been directed not to associate with. He was subsequently arrested.

Pete *"Yeah about that… getting arrested. That Blake dude jumped on the train with me. I was coming in to report and I didn't even know he was in the train and I was in the carriage and we met up in another carriage 'cause there was cops on the train."*

Troy (JJO) *" 'cause the cops were questioning a particular female when they saw you, hey?"*

Pete "*Yeah*"

Troy (JJO) "*And that's how you got caught up, hey*?"

Pete "*Yeah*"

Troy (JJO) "*But at the same time you need to say just a quick hello and move on, 'cause you can't be with this guy, hey. Just from a distance. Don't go near him. Don't associate with him. That's the order. Don't associate with Blake. That means don't hang out with him. Don't*

go do things with him. That means a breach of your bail and your inside. But when I did talk to the officers, they were happy with you. Just do what you're doing"

The worker offers another response the young person could use if he encounters a similar situation. This response was coded as the worker offering an alternative option.

6. No direct response to the pro-criminal/ antisocial comment

Description of the response

There were a number of times where a young person would make a pro-criminal or antisocial comment and there was no direct response provided by the worker in relation to that comment. This was present in 11 of the transcripts and coded 36 times.

Example

In the following example Shaun, an 18 year old male client, is being supervised by Kerry (JJO) on a 9 month Suspended Sentence. The interview occurred at the juvenile justice office in metropolitan NSW and was five minutes long. Kerry (JJO) is attempting to ascertain what employment activities Shaun is currently involved in:

Shaun "*I am working. Kinda"*
Kerry (JJO) "*Huh*"
Shaun "*I am kinda working on the side. Weekend drug dealing and that. Only joking*"
Kerry (JJO) "*Drug dealing. Great. Maybe working in* [Location], *as what?"*
Shaun "*Dunno, building and that"*

The young person makes a pro-criminal comment and the worker does not respond directly to the comment. This response was coded as the worker providing no direct response to the pro-criminal comment.

7. Empathy

Description of the response

Empathy was coded as present when the worker acknowledged or empathised with the young person regarding difficult situations that the young person experienced as a result of criminal behaviour. This theme emerged when the young person described difficult pro-criminal choices and the worker acknowledged these difficulties, without condoning them. This theme was present in over half of the observations and was coded 35 times.

Example

In the following example Jeremy, a 14 year old male client is attending supervision with Eric (JJC) as a result of a 12-month Bond. The interview was held at the local juvenile justice office in metropolitan NSW and was 28 minutes in duration.

Eric (JJC)	"*You talked a while ago about when you were getting angry with your cousin"*
Jeremy	"*Yeah"*
Eric (JJC)	"*And you wanted to hit him"*
Jeremy	*"Yeah"*
Eric	"*What was your self-talk telling you?"*
Jeremy	"*I don't want to hang around him* [cousin] *anymore"*
Eric (JJC)	"*Yeah, yeah. So, you think the consequences of punching him and long term consequences and that so how do you think self-talk affect what you did?"*
Jeremy	*"I didn't do it"*
Jeremy	"*Yeah so you didn't punch him. That's good. Sometimes that's the hardest bit. It can be really difficult sometimes. Do you think that's going to be hard to do to do that self-talk thing?"*
Jeremy	"*Sometimes*"

The worker raises a pro-criminal behaviour that the young person has been previously discussed in supervision. The worker recognises the difficult situation described by the young person, highlighting the strategies the young person has used to avoid this situation. The worker acknowledges the difficulties employing these strategies. The worker's response to the young person was coded as being

empathetic.

8. Providing advice and/or information

Description of the response

Workers would provide advice or information to the young person in response to a pro-criminal comment. This response was present in nine transcripts occurring 15 times.

Example:

In the following example we return to the supervision session between Steve, a 16 year old male client, and Andrew (JJO) where Andrew is trying to ascertain what educational activities Steve is interested in.

Andrew (JJO) *" Ok. All right. So you're not keen on any sort of training course?"*

Steve *"No way"*

Andrew (JJO) *"What do you mean no way?"*

Steve *"I'm not doing it"*

Andrew (JJO) *"Ok, fair enough. All right, so what about the other conditions of the* [Mental Health] *treatment plan. Medication, you have started that, which is probably a good step. You have a Course on Tuesday. You were adamant you were not going to do that, but fair enough, ok. What other things are in the* [Mental Health] *treatment plan you are going to follow up on? You were seeing Kelly at one stage, so you will still be in contact?"*

Steve *"I have nearly finished that"*

Andrew (JJO) *"Yeah, I know. You have this thing to go on now"*

Steve *"I have nearly finished counselling with her"*

Andrew (JJO) *"Yeah. Ok, fine. Make sure you still follow through on it with her, ok, because you know this order can be breached. If you start the [Mental Health] treatment plan and say 'Shove it up your clacker, I'm not going to do it'. This order can be breached. That's why the Magistrate didn't put you on another Mental Health Act Order. He's put you on this instead and this can be breached and bring you back to court. To avoid doing that, and the way you can do that is stick to the treatment plan, is to go along with the conditions of it all right?"*

Steve *"All right"*

The worker responds to the young person's refusal to attend training or work by instigating a conversation about compliance with the legal order. This example was coded as providing information, specifically about what would occur if the young person breaches his legal order.

9. Eliciting further information

Description of the response

Workers would respond to pro-criminal comments by attempting to elicit more information from the young person. This occurred in 12 of the transcripts, occurring 22 times. Workers would use a number of techniques to find out more information about the pro-criminal comment. Different techniques used by the workers would elicit different responses from the young person.

Example

Donald, a 16 year old male client, is supervised by Kate, a female Juvenile Justice Counsellor. Donald is on a 7 month Suspended Sentence. This supervision session occurred at the young person's home in regional NSW and was 17 minutes long.

Kate (JJO) *"What's happening drug and alcohol wise, darl?"*

Donald *"Not much. I haven't been out really since I left custody. I need to be home"*

Kate (JJO) "*Is that easy, being home?"*

Donald "*Yeah, like on my own nothing happens"*

Kate (JJO) *"I am sure mum likes having you home so she doesn't have to worry about you. I think last time I spoke with you, said you had been out once, I think, is that right?"*

Donald "*Yeah*"

Kate (JJC) *"Is that the last time you've been out?*"

Donald "*Yeah*"

Kate (JJC) "*That's good darling. Do you have any cravings for drink?"*

Donald "*Nah"*

Kate (JJC) *"What about dope?"*

Donald "*Nah"*

Kate (JJC) *"That's good. So from a drug and alcohol perspective do you reckon you have any issues?"*

Donald "*Not really. No, 'cause I am not out there looking for it. Not how it used to be"*

The worker asks a number of questions to ascertain the young person's current alcohol and drug use. This example was coded as the worker trying to elicit further information.

10. Generic comment

Description of the response

Workers would offer what was coded as a generic comment in response to a pro-criminal comment. The nature of the generic comment varied. These comments typically included the impact criminal behaviour could have on the individual client or a generic statement for the young person to behave themselves. This response was coded eight times in four of the transcripts.

Example

In the following example Sheree, a 17 year old female client, is being supervised on a 12 month Suspended Sentence by Geoff (JJO). The interview occurred at the young person's home in regional NSW and was nine minutes in duration. The young person's mother was present for the interview.

Geoff (JJO) *"And you need to sign it* [the court order]. *One of the things that I was concerned about in the court report was your alcohol intake. Whether or not you're drinking all the time. But these offences were committed when you were involved with that, right? So I'm going to refer you to our AOD* [Alcohol and Other Drug] *counsellor"*

Sheree "*Mmm*"

Geoff (JJO) "*What about contact with other various people*?"

Sheree "*Yeah*"

Geoff (JJO) "*And do the right thing*"

Sheree "*Mmm*"

Geoff (JJO) "*Really*"

Sheree "*Mmm*"

This extract provides an example of unprovoked challenging where the worker instigates a conversation regarding the young person's recent illicit substance use. He then goes on to make a generic comment

for the young person to 'do the right thing', without further explanation of what this entails. This example was coded as the worker making a generic comment about criminal behaviour.

11. Constructive reinforcement

Description of the response

In response to a pro-criminal comment, workers would provide some sort of pro-social or reinforcing comment. This reinforcing comment was either directly in relation to the pro-criminal comment, or other aspects of a young person's life. Workers would also use reinforcement to seek the support of a third party.

Constructive reinforcement was present in six transcripts and coded 11 times.

Example

In the following example Sienna, a 17 year old female client, is being supervised by Corey (JJO). Sienna is on a 12 month Suspended Sentence. The session was undertaken at the juvenile justice office in regional NSW and was 26 minutes in duration.

Corey (JJC) "*So, say over the last week or two, you sound like you spent a fair bit of time with Jack* [boyfriend], *even though that's against your AVO* [Apprehended Violence Order]. *You know, that makes it possible for you to get in lots of trouble. How are you guys getting on?"*

Sienna "*Good*"

Corey (JJC) "*No fights?"*

Sienna "*Nah"*

Corey (JJC) *"None at all? Do you get angry with him? Does anything come up that comes close to being fight?"*

Sienna "*Nah*"

Corey (JJC) "*That's pretty good. That's a bit of an improvement on how things were"*

The worker raises the young person recent criminal behaviour (breach of the AVO), however provides reinforcement for the positive change in circumstances. This example was coded under the category of constructive reinforcement.

12. Prompting for pro-criminal/ antisocial attitudes or behaviour

Description of the response

Workers prompted young people to reflect on situations that would increase their risk of re-offending. When this occurred, the client would often make a pro-criminal or antisocial comment to justify their actions. Workers prompting young people for disclosures regarding pro-criminal/ antisocial attitudes and behaviours were identified 62 times in 85% of transcripts.

Example

In the following example, Amy, a 14 year old female client has been supervised by Sophie (JJO) for approximately two months at the time of observation. The interview was undertaken in a local office in metropolitan NSW and was 55 minutes in duration.

Sophie (JJO) *"...back to the* [legal] *order, it is pretty important to get involved in something. You need education, it is pretty important. It is there in your order. Want to talk about what happened Friday?"*

Amy *"Nah"*

Sophie (JJO) *"Tell you what I heard. First, I heard that you were at police station and had assaulted someone and broke stuff. I heard that you were charged with assault and malicious damage. So what happened?"*

Amy *"Don't what to tell"*

Sophie (JJO) *"I tell you what I heard. There were different points of view. I can't believe what I was told. I was told you broke plates, it was escalating, things happened all day. Do you know what escalate means?"*

Amy *"Fire up"*

Sophie (JJO) *"Yeah, then you slammed the door on someone's wrist. Is that what happened?"*

Amy *"Nah"*

Sophie (JJO) *"Then what happened?"*

Amy *"I don't care"*

Sophie (JJO) *"I guess I am worried that the same thing happened before and you got put on a Bond…* [legal order]*"*

The worker does not disclose from where she obtained the information. The worker then attempts to gather more specific information about what had occurred. However, the young person does not provide any additional information.

Summary

Section two presented how workers respond to pro-criminal and antisocial comments made by young people. These responses were coded and analysed until saturation occurred. Twelve broad categories detailing worker responses to client pro-criminal and antisocial comments were established. These categories provide a broad framework detailing how workers respond to pro-criminal comments. The analysis revealed that there was not a distinct difference in how workers respond to pro-criminal versus antisocial comments.

Following the worker's response to the pro-criminal comment, the client's response was analysed to understand how they respond to different forms of challenging. It appears that how workers' use a particular skill impacts on the client's response. Sections three and four present the challenging skills that emerged from the data that appeared to engage young people, and the challenging skills that appeared to disengage them.

Section three

Challenging skills that engaged young people

This section presents the challenging skills that appeared to engage young people. This material follows on from the responses described in part two, describing the skills that the workers used when responding to or addressing a client's pro-criminal comment. The skill has been assessed based on the young person's immediate reaction, including their verbal and non-verbal response. The level of client engagement was measured on a 5 point scale, as outlined in the methodology chapter. Distinct from part two, where the themes presented involved a description of the workers' responses to a pro-criminal comment, this section examines the workers' use of a particular skill and then assessed the level of engagement of the young person following the use of this skill.

Eleven worker skills that gained a client response rated above 3 on the engagement scale were identified. A description of the skill and how it appeared in practice is given. The workers' responses to pro-criminal comments are multifaceted and some responses contain elements of several skills. To illustrate this, three case studies are presented, exemplifying the use of multiple skills in practice by the workers and the young people's responses. To avoid repetition, the case studies are set out in tables, individually identifying each skill.

1. Disapproval in a non-judgemental manner

Description of the skill

Young people were observed to be engaged when workers used *disapproval in a non-judgemental manner*. The worker voices immediate disapproval for the young person's pro-criminal actions or comment in a clear manner, however maintains a non-judgemental stance.

There were four examples of *disapproval in a non-judgemental manner* identified in three individual transcripts.

Example:

In the following example we re-visit the supervision session between Sarah, a 17 year old female client, and Narelle, a female Juvenile Justice Officer with 10 years' welfare experience. Sarah was on a 12 month Suspended Sentence at the time of observation and had been under supervision for one month prior to the observation occurring.

The following example of disapproval in a non-judgemental manner continues on from the discussion between Sarah and Narelle (JJO) following a pro-criminal comment made by Sarah.

Sarah *"And, the way she carries on and stuff. Like, she bashed one of my mates the other day for owing her money and, at the same time, I'm sitting there saying you owe me money so I should bash you"*

Narelle (JJO) "*Yeah"*

Sarah *"I thought I should hit her, hey?"*

Narelle (JJO) "*You can't do that. You definitely can't do that"*

Sarah "*Yeah, I know*"

Narelle (JJO) "*So, have you been going to TAFE?"*

Sarah "Yeah"

Narelle (JJO) "*That's unreal. Good, when did you go*?"

Sarah "*Monday, Tuesday, Wednesday and also going Thursday*"

The worker expresses immediate disapproval about the pro-criminal comment made by the young person, however continues to reinforce the positive behaviours the young person is currently engaged in. The young person's response to the worker's use of disapproval was assessed as engaged, demonstrated by both her verbal response and non-verbal body language.

2. Encouraging reflection on the consequences of criminal/ antisocial behaviour or attitudes

Description of the skill

Young people were rated by the researcher as engaged when workers *encouraged reflection on the consequences of their criminal behaviour or attitudes*.

- Asking what the young person thought of their criminal behaviour;
- Asking the young person to speculate on the worker's opinion of a criminal behaviour;
- Asking the young person to speculate what a third party might think of their criminal behaviour or attitude.

Encouraging the reflection of criminal behaviours and/ or attitudes allowed the worker to explore the young person's pro-criminal behaviours and attitudes in a non-confrontational manner. When workers used this skill it was typically accompanied with open questions. Open questions are said to facilitate conversations as they require more than a single word response (O'Hara 2006) and frequently begin with 'what', 'how', 'why or 'could'. The question may seek information, invite the client's perspective, or encourage self-exploration. This skill was typically accompanied by positive reinforcement by the worker.

There were 13 examples of workers *encouraging reflection on the consequences of criminal/antisocial behaviour or attitudes* identified in four individual transcripts.

Example:

Sam is a 14 year old male client, being supervised by Dave, a male Juvenile Justice Officer with 1 year of welfare experience. Sam was on a 12 month Probation, however, due to a recent offence, was in custody at the time of observation. Sam had been under supervision in the community for three weeks prior to the observation occurring.

Dave (JJO) raises the young person's recent offending behaviour and admission into custody:

Sam *"I like stuffed up. I don't have any thoughts of getting out right now. I just want to go to rehab or something. Just try and go to rehab or at least go the drug court 'cause I heard there's a lot of things they can help me in rehab and stuff. You know, help me get back on track and stuff. Even if I do get out, I still want to get on a program or into rehab"*

Dave (JJO) *"Those are good ideas and the thing that I have always been impressed with you is your ability to understand what the issues are, where you have gone wrong and what needs to be done about it. The problem is following through with things. Remember at the time we talked about how you say all the right things and that's great you are obviously an intelligent young man, very intelligent very good with people, very good at engaging in a conversation and identifying what the problems are. But when it comes time to follow through, nothing happens. So, what did you think in your mind? What did you think about our conversation today? What did you think I was going to say to you?"*

Sam *"I thought you would be disappointed in me. The first day I got out and come and see you I was like going good. You know, went home and the like thinking of everything till I got to Blacktown. You would have been disappointed in me. I had only been out for 4 days. I had plans and stuffed it all again"*

Dave (JJO) "*Ok. What were some of the reasons you thought I would be disappointed in you?"*

Sam "*You helped me out helped me out. I had a chance and you helped me out and I still got locked up anyway. You know, it didn't only affect me, it affected everyone else around me. You know I was only out for 4 days. I only slept at home for one of those nights. You know I stuffed it up*

Dave (JJO) "*Any other reasons, any other reasons you think that I would be disappointed?"*

Sam *"We made a deal"*

Dave (JJO) "*What was the deal? Remind me"*

Sam "*If I went home in a month I would get a reward"*

The worker encourages the client to speculate on what he might be thinking and encourages the young person to think about what the worker might say to him as a result of his recent offending behaviour.

The young person is responsive during this conversation, maintaining eye contact and nodding his head as the worker speaks. Dave (JJO) maintained a calm, passive tone of voice and appears relaxed during the conversation.

3. Paraphrasing a pro-criminal/ antisocial comment

Description of the skill

Paraphrasing a pro-criminal or antisocial comment to confirm what was said typically engaged the young person. When paraphrasing a pro-criminal statement, workers would identify or encourage young people to identify any accompanying feelings they may experience.

There were eight examples of workers *paraphrasing a pro-criminal/ antisocial comment* identified in four individual transcripts.

Example:

In this example we return to the supervision session between Sienna and Corey (JJC). Sienna, a 16 year old female client, informs Corey (JJC) that she has broken property at the refuge where she is currently staying:

Corey (JJC) *"So from your point of view it seems they* [the refuge] *know your routine and they know you make a phone call every night and 'cause they weren't allowing you to do that it was ok for you to smash the phone"*

Sienna *"Nah"*

Corey (JJC) *"Nah it wasn't ok. Why wasn't it ok?"*

Sienna *"I shouldn't of done it. They might not have a phone to use".*

Corey (JJC) paraphrases Sienna's account of the offending behaviour. The accurate summation appears to further engage the young person in the conversation, evidenced by her ongoing participation in the interview and engaged body language.

4. Pointing out the consequence of pro-criminal behaviour in a non-judgemental manner

Description of the skill

When workers *pointed out the consequences of pro-criminal behaviour in a non-judgemental manner*, the young person appeared to be engaged to examine the possible consequences of their offending behaviour.

There were four examples of workers *pointing out consequence of pro-criminal behaviour in a non-judgemental manner* identified in three individual transcripts.

Example:

Following on from the previous example, Corey (JJO) continues the conversation with Sienna about the recent damage to the phone:

Corey (JJC) *"Ok. How do you think you should have handled it?"*
Sienna *"She* [the worker] *knows I call my Aunty 7.30 every night"*
Corey (JJC) *"All right"*
Sienna *"Even all the workers know"*
Corey (JJC) *"Ok. Could you use the phone after that?"*
Sienna "*Yeah"*
Corey (JJC) *"Or was it a different phone?"*
Sienna *"It was a different phone"*
Corey (JJC) *"Ok, so that one doesn't work anymore?"*
Sienna *"It does now 'cause they fixed it. It was a cordless one"*
Corey (JJC) *"So from your point of view it seems they know your routine and they know you make a phone call every night and 'cause they weren't allowing you to do that it was ok for you to smash the phone?"*
Sienna "*Nah*"
Corey (JJC) "*Nah it wasn't ok. Why wasn't it ok?"*
Sienna "*I shouldn't of done it. They might not have a phone to use*"

Corey (JJC) "*Yeah that's it what if that was the only phone to use for the house might have made things a bit difficult"*

Sienna "*I would cry"*

Corey (JJC) questions Sienna about the incident in a non-judgemental manner. Corey (JJC) points out the potential consequences of her behaviour (i.e. no phone to use) and Sienna is able to reflect on the possible consequences in an engaged manner.

5. Being persuasive towards an alternative perspective

Description of the skill

Clients responded positively when workers were *persuasive about an alternative perspective* in response to a pro-criminal comment. Workers successfully engaged young people when they used this skill without judgement or blame. As a result, limited defensiveness or resistance was displayed by young people and they were engaged in the conversation when this skill was used.

There were six examples of workers *being persuasive toward an alternative perspective* identified in four individual transcripts.

Example:

In the following example, we return to the supervision session between Remmy and Nikki (JJO). Nikki (JJO) is encouraging Remmy to attend an Alcohol and Drug Service to assist him with his drug and alcohol use. This segment of the supervision session occurred in the worker's car.

Remmy *"It's still like an ongoing thing* [drug use]. *I know that, but I know any time I want to quit I can, and, I'm sort of not ready to quit yet, and, then if I'm not ready to quit then, therefore, I'm not ready to go back into any sort of rehab"*

Nikki (JJO) *"You're saying at the moment the want isn't really there. You've got it at the level that you can manage?"*

Remmy "*I know I can* [stop] *but it's not really what I want to do"*

Nikki (JJO) *"Look, I do sort of understand where you're coming from, and I can see you have made a lot of progress since we started out. I don't want to force you into something prematurely*

all right but it is important for you to know darling that there's someone there to talk to. There's a service there for you to chat to, get information, you might want to ask a question one day you might want to stop

[Worker breaks conversation to get directions from young person]

"*Now look Remmy, I do understand where you're coming from mate, but I think you know there's always a risk in us saying I can do it on my own. You know, we are always going to need a little of support. A little bit of positive word in our ears to keep us on track, yeah?"*

Remmy *"Yeah, all right"*

The worker was gentle and persuasive in both her language and tone of voice. The young person was rated as being engaged in the conversation and accepted the alternative perspective offered by the worker.

6. Deliberately ignoring pro-criminal comment

Description of the skill

The thematic analysis revealed that *deliberately ignoring a pro-criminal comment* engaged the young person, maintaining the flow of the conversation. When using this skill, the worker would typically address the overall pro-criminal attitude rather than challenging the individual comment.

The thematic analysis revealed four examples of workers *deliberately ignoring pro-criminal comment*.

Example:

Josh is a 13 year old male client, being supervised by Cristen, a female Juvenile Justice Counsellor. Josh was on an 18 month Bond at the time of observation and had been under supervision for three months prior to the observation occurring. This supervision session occurred at the local juvenile justice office, located in metropolitan NSW. The observed session was 50 minutes in duration. Josh has a history of arson related offences. In this example, he refers to lighting a bush fire:

Cristen (JJC) *"There are legitimate uses where it is ok to use a lighter or a match"*

Josh *"For starting a BBQ, or lighting a candle or something"*

Cristen (JJC) *"Yep, and obviously you need it to light a cigarette"*

Josh *"Or light a bush fire"*

Cristen (JJC) *"But how can you keep it in your pocket in class time where you are likely to get in trouble?"*

Josh *"Nah, I just like the flame like that it's there"*

Cristen (JJC) *"What are the consequences going to be if you keep doing that stuff at school?"*

Josh *"Suspension"*

Cristen (JJC) ignores the pro-criminal comment and focuses the conversation around possible educational consequences if Josh is suspended. Josh maintains his attention and engagement in the interview, evidenced by his ongoing verbal and non-verbal response.

7. Expressing empathy by acknowledging difficulties in avoiding criminal and/or antisocial behaviour

Description of the skill

Engagement was assessed as high when workers *expressed empathy by acknowledging difficult situations and choices* young people had to make to avoid criminal or antisocial behaviour. When workers used this skill, they were careful to acknowledge, (but not condone), the difficult situations and choices faced by the young person.

There were 3 examples of workers *expressing empathy by acknowledging difficulties in avoiding criminal and/or antisocial behaviour*. This skill was present in two of the transcripts.

Example:

Robin, a 16 year old male, is being supervised on a 12 month Probation order by Sally (JJO). The supervision session occurred at the young person's home. Robin has recently been arrested due to failure to comply with restrictions on his bail (to not enter specified premises):

Sally (JJO *"…..let's just finish this. So, we've got a resist arrest. Because it's not gone through the legal system, I'm not sort of concentrating on it. From a legal perspective, I'm more concerned that you weren't aware that you shouldn't have been there."*

Robin *"I wasn't, otherwise I wouldn't of gone there would I? I wouldn't go there every three days if I knew I was banned you know?"*

Sally (JJO) *"You got another resist arrest"*

Robin "*Yeah"*

Sally (JJO) *"That's what I'm concerned about. Best to talk to your legal aid* [solicitor]. *I went across to the Court to see if there was anything about you not being allowed there but they weren't able to help me. You're not allowed to go there now. You have got bail conditions"*

Robin "*Yeah 3. I got to stay 300 hundred meters away from them, away from the* [shopping centre] *at all times*"

Sally (JJO) "*So what about me dropping you there today?"*

Robin "*What do you mean?"*

Sally (JJO) "*You said you wanted to be dropped near* [the shopping centre]"

Robin "*Yeah, it's not near* [the shopping centre]"

Sally (JJO) "*Oh, ok*"

Robin *"Its 300 metres away"*

Sally (JJO) "*Oh ok"*

Robin "*Probably about 500 metres away"*

Sally (JJO) "*Ok, all right. You must be really upset because you didn't know about those conditions. It is tough for you"*

Robin *"I just had the shits and I was angry because I'm sick of them* [police] *always doing this shit to me and this time I didn't do fuck all"*

Sally (JJO) *"I know"*

Sally (JJO) acknowledges the difficulties imposed on the young person as a result of his restricted movements, however, does not condone or minimise his actions. Robin continues to engage in the supervision session, evidenced by his verbal response and positive non-verbal body language including ongoing eye contact and relaxed posture.

8. Providing educational information following pro-criminal/ antisocial comment

When workers responded to a young person's pro-criminal/ antisocial comment by *providing educational information* relevant to the comment, young people were assessed as being engaged. Workers who successfully engaged young people using this skill provided information in a clear, succinct manner, allowing young people to respond to the information provided.

There were two examples of workers *providing educational information following pro-criminal comment.* This skill was present in two transcripts.

Example:

In the following illustration we return to the example of Jeremy. Jeremy has recently assaulted his cousin. Eric (JJO) provides Jeremy with some educational information about his thought processes:

Eric (JJC) *"So, that was your internal thing that was going on. 'I'm right, he's wrong. He shouldn't be doing this to me'. So, that's an example of what they call self-talk and everyone's got that. Some people think if people mention it to them, they think must be crazy to have a voice in your head, but everyone has voices in their head, mate. It's just your thoughts that you can hear. A good way to kind of prevent getting really angry and losing control of your anger is being aware of those self-talk things going on inside your head. Another example you talked about a while ago was when you were getting angry with your cousin"*

Jeremy *"Yeah"*

Eric (JJC) *"And you wanted to hit him, but you didn't. So, can you think about what was going on inside your head then? What was your self-talk telling you then?"*

Jeremy *"I don't want to hang around him anymore"*

Eric (JJC) *"Yeah, so you think about the consequences of punching him and long term consequences and that. How do you think self-talk affected what you did?"*

Jeremy "*I don't want to hang around him anymore 'cause I would get in trouble and get locked up*"

Eric (JJC) "*Yeah, so you think the consequences of punching him and long term consequences. How do you think self-talk affected what you did?"*

Jeremy "*I didn't do it"*

Eric (JJC) provides clear, concise information relevant to Jeremy's recent offending behaviour. Eric draws on past information to consolidate the information being provided and check with the young person to ensure he understands. Jeremy maintained good eye contact and appeared to understand the information being provided.

9. Non-judgemental enquiry to elicit more information about criminal/ antisocial comment or behaviour

Description of the skill

Young people responded positively when workers used a *non-judgemental enquiry to elicit additional information about a pro-criminal/ antisocial comment or behaviour*. This skill was used in response to a pro-criminal comment to allow the worker to understand the young person's perspective about a criminal or antisocial event.

There were six examples of workers making *non-judgemental enquiries to elicit more information about criminal/ antisocial comment or behaviour*. This skill was present in six of the transcripts.

Example:

Josh, a 14 year old client, is being supervised by Cristen (JJC). Josh is on a 6 month Bond. Josh discloses that he recently started smoking cigarettes, which is illegal given his age. Josh is reluctant to disclose from where he is obtaining the cigarettes.

Josh *"I started smoking"*

Cristen (JJC) "*You started smoking? Getting the dregs* [left over cigarettes] *off your brother still?"*

Josh "I *took this packet off him last night and he didn't even notice"*

Cristen (JJC) "*What brought this about*?"

Josh "*I don't know. I just felt like doing it again"*

Cristen (JJC) "*How much are you smoking?"*

Josh "*50 pack a week"*

Cristen (JJC) "*Is someone giving them to you?"*

Josh "*Can't say"*

Cristen (JJC) "*Ok, I don't want to know. Are you getting them through legitimate means?"*

Josh "*What's that mean?"*

Cristen (JJC) "*Ways that you won't get in trouble from mum"*

Josh "*Someone buying them for me or someone selling them to me"*

Cristen (JJC) "*Or through theft or…*"

Josh "*Nah*"

Cristen (JJC) "*Or ways that you shouldn't get them"*

Josh *"I do it the easy way. I look old enough to be 18*"

Cristen (JJC) "*I guess the risk there is that the shops could get in trouble for that*"

Josh "*I know*"

Cristen (JJC) "*You're not worried about that*?"

Josh "*Police told me where you buying your smokes, then I dobbed in a different shop where I used to get my smokes but I don't get them anymore"*

Cristen (JJC) "*What do you think the consequences would be for that shop?"*

Josh "*Lose their licence*"

Cristen (JJC) "*And is that fair if they are not the ones selling to you at the moment*?"

Cristen (JJC) asks a series of questions to ascertain from where Josh is obtaining the cigarettes. Josh is engaged and is responsive to the questions.

10. Challenging whilst reinforcing positive attributes and behaviour

Description of the skill

Workers used positive reinforcement when young people identified negative impacts of their criminal behaviour or when they had made a positive choice about not engaging in criminal behaviour. Positive reinforcement was generally coupled with positive non-verbal cues presented by the worker including smiling and nodding their head.

There were five examples of workers *challenging young people whilst reinforcing positive attributes and behaviour*. This skill was present in three of the transcripts.

Example:

Sarah, a 17 year old female client, is currently being supervised by Narelle (JJO). Sarah has previously smoked marijuana at school. She is discussing with Narelle (JJO) a recent incident in which her boyfriend was encouraging her to use illicit substances.

Sarah *"He* [boyfriend] *comes and expects me to be all happy about him going out and smoking pot* [marijuana]. *I said "What, be all happy, you been going out smoking and I am trying to learn a manual" and he turned around and said "Yeah slut" in front of everyone"*

Narelle (JJO) *"Oh ok, so not having a good day really"*

Sarah *"Not with any of them"*

Narelle (JJO) *"Well, I think that's really great that you rang me up to check the* [supervision] *appointment and it's really good that you still went to TAFE and that you have been keeping your head on your shoulders and working in with everybody. It is hard, I know"*

Sarah *"Nah, going to TAFE, like fully, I will go to it and do it, cause I'd rather do it than sit around and get locked up…"*

Narelle acknowledges Sarah's positive decision and reinforces her pro-social behaviour. Sarah is engaged by this response, continuing to discuss other pro-social behaviour she is engaged in.

11. Prompting young people to talk about criminal behaviour using open ended, non-blaming questions

Description of the skill

As outlined in part two, workers would frequently prompt young people to discuss either pro-criminal attitudes or behaviours. This was assessed as engaging the young person when workers used this skill to set goals or motivate them to engage in pro-social activities.

There were 15 examples of workers *prompting young people to talk about criminal behaviour, specifically using open ended, non-blaming questions.* This skill was present in six of the transcripts.

Example:

In the following example, Donald, a 16 year old male client is being supervised by Kate (JJC). Donald is on a 7 month Parole order. Donald has been supervised by Juvenile Justice for approximately 3 months at the time of observation. The interview was 17 minutes in duration and undertaken at the client's home in regional NSW.

Kate (JJC) *"So, if we are going to talk about a situation, what's something we can talk about? What's a situation where the consequences have been negative for you?"*

Donald *"Going out and drinking too much"*

Kate (JJC) *"So that's the situation. What was happening there? Who were you with?"*

Donald *"Just mates"*

Kate (JJC) *"So, drinking with mates, yeah?"*

Donald "*Yeah*"

Kate (JJC) *"Can you remember what you were thinking at that time?"*

Donald *"Nah"*

Kate (JJC) *"Hang on, that's got to change. Going out with mates. That's the situation. At the time you were probably thinking something like "We're going to go get drunk". Can you think of anything else you would be thinking?"*

Donald *"Oh nah. Just, "I will just wait until dark""*

Kate (JJC) *"Ok, so wait until dark. Thinking about drinking. So then, your action. What did you actually do? Did you go out when it was dark and drink?"*

Donald *"Yeah, yeah, sort of. We've got nothing to do. We might go do something stupid for something to do"*

Kate (JJC) *"So drink, do something stupid, and what's the consequence?"*

Donald "*Get locked up or police looking for you"*

Kate (JJC) "*So the consequences are; get locked up or the police are looking for you. So that's a negative situation is it? That's not a very good situation. So, if we have to change that to what you're doing now, we have another situation. So instead of going out, you're staying home?*

Donald "*Yeah*"

Kate initiated a conversation about Donald's current high risk situations. By using open questions and reflective listening Kate was able to identify some current high risk situations for Donald.

Case studies

The following three case studies are presented to exemplify the worker skills that engaged the young person following a pro-criminal or antisocial comment. The purpose of these case studies is to illustrate the multiple skills workers use when challenging pro-criminal and antisocial comments. To avoid repetition, the case studies are set out in tables, identifying each skill individually.

Case study 1: Sienna

Sienna, a 16 year old female client, is being supervised by Corey, a male Juvenile Justice Counsellor with 8 years welfare experience. Sienna was on a 12 month Suspended Sentence at the time of observation. Sienna had been under supervision in the community for two months prior to the observation occurring.

This supervision session was undertaken at the local Juvenile Justice office in regional NSW. The observed session was 26 minutes in duration. The following segment of interview was taken at the beginning of the supervision session. Sienna and Corey are seated across from each other on lounge chairs.

Speaker	Narrative	Type of response
Sienna	*"Oh, a few weeks ago I smashed a phone"*	
Corey (JJC)	*"Was that at the refuge? What was happening there?"*	Non-judgemental enquiry to elicit more information about criminal/ antisocial comment or behaviour
Sienna	*"Lisa, one of the workers, was on night shift and I ring my Aunty Kay every night at 7.30 on the dot. That's my routine, every night, without fail. Lisa's on the phone at 7.30, speaking to some chick Shelley or something, and I said*	

	'C'mon, c'mon, its 7.30, I've got to ring her'. And Lisa came out to the lounge room and goes, 'What was that'? And I said 'It's 7.30, you know, I've got to ring my Aunty' and all that crap. And she goes, 'Sit down for 10 minutes and you can wait', and I said, 'Nah, I'm not waiting', and the phone was sitting on the coffee table and I threw it and I smashed it. Threw it at the TV and it smashed."	
Corey (JJC)	*"And what happened then? Did you get any consequence?"*	Non-judgemental enquiry to elicit more information about criminal/ antisocial comment or behaviour; Disapproval in a non-judgemental manner
Sienna	*"I just went into my room, didn't say anything and I didn't talk to her"*	
Corey (JJC)	*"So, there was not like follow-up, or punishment 'cause of that?"*	Non-judgemental enquiry to elicit more information about criminal/ antisocial comment or behaviour
Sienna	*"Nah"*	
Corey (JJC)	*"Ok. How do you think you should have handled it?"*	Encouraging reflection of the consequences of criminal/ antisocial behaviours or attitudes
Sienna	*"She knows I call my aunty 7.30 every night"*	
Corey (JJC)	*"Alright"*	
Sienna	*"Even all the workers know"*	
Corey (JJC)	*"Ok, could you use the phone after that?"*	Encouraging

		reflection of the consequences of criminal/antisocial behaviours or attitudes
Sienna	*"Yeah"*	
Corey (JJC)	*"Or was it a different phone?"*	
Sienna	*"Different one"*	
Corey (JJC)	*"Ok, so that one doesn't work anymore"*	Pointing out consequence of pro-criminal behaviour in a non-judgemental manner
Sienna	*"It does now 'cause they fixed it. It was a cordless one."*	
Corey (JJC)	*"So, from your point of view, it seems they know your routine and they know you make a phone call every night and 'cause they weren't allowing you to do that, it was ok for you to smash the phone?"*	Paraphrasing a pro-criminal/ antisocial comment
Sienna	*"Nah"*	
Corey (JJC)	*"Nah, it wasn't ok. Why wasn't it ok?"*	Encouraging reflection of the consequences of criminal/ antisocial behaviours or attitudes
Sienna	*"I shouldn't of done it. They might not have a phone to use"*	
Corey (JJC)	*"Yeah, that's it. What if that was the only phone to use for the house? Might have made things a bit difficult."*	Pointing out consequence of pro-criminal behaviour in a non-judgemental manner
Sienna	*"I would cry"*	
Corey (JJC)	*"Yeah, so if you could have thought about that when you lose*	Encouraging

	your temper, like that might calm you down a bit if you think about it afterwards. When you think back to that, even though from your point of view they were in the wrong, how could you have maybe shown you weren't very happy without throwing the phone and smashing it up?"	reflection of the consequences of criminal/antisocial behaviours and/or attitudes
Sienna	*"Told her"*	
Corey (JJC)	*"Yeah, what could you have said?"*	Encouraging reflection of the consequences of criminal/antisocial behaviours or attitudes
Sienna	*"Excuse me, I'm supposed to ring my Aunty at 7.30"*	
Corey (JJC)	*"Yeah, you could even, I suppose, indicate that you were angry and raise your voice a bit and stuff. Were you doing that at the same time or did you just pick up the phone and throw it? Or did you have like words first?"*	Being persuasive toward an alternate perspective
Sienna	*"Words first"*	

The young person describes destroying property at her residence. The worker uses a number of skills to engage the client and generate further conversation. The worker asks a series of open ended questions to get further clarity of the offence from the young person's perspective. The worker challenges the client with an open question which engages the client to reflect upon the incident and come up with alternate ways of handling similar situations in the future. The young person was engaged during this dialogue, evidenced by ongoing eye contact, relaxed body language and clear tone of voice.

Case study 2: Remmy

Remmy, a 14 year old male client is being supervised by Nikki, a female Juvenile Justice Officer, with 4 years' welfare experience. Remmy was on a nine month Probation order at the time of observation. Remmy had been under supervision in the community for one week prior to the observation occurring.

The supervision session was undertaken in a car as the worker transported the young person to a meeting with his school Principal. Remmy sat in the front passenger seat. The observed session was 17 minutes in duration. The following excerpt was undertaken at the beginning of the supervision session.

The conversation commences with the worker referring to positive behaviour exhibited by young person at school earlier that week, the young person discloses he has been suspended later in the same week.

Speaker	**Narrative**	**Type of response**
Nikki (JJO)	*"That's it honey. It shows you know you can do anything if you put your mind to it, hey. I want us to sort of address this nice and early, right, to say that the first day back we had a lot of positives, but we also had a bit of negative come in there at the end, right? Now, from what I'm gathering, you acknowledge both sides, yeah? Can you tell me a little bit about how you feel about what happened with the other kid?"*	Disapproval in a non-judgemental manner; Encouraging reflection of the consequences of criminal/antisocial behaviours or attitudes
Remmy	*"I didn't really think about it. I should have thought about it more than what I did. I dunno, I guess. I got to go to school and just ignore him if I don't get along with him. I'm not always going to get along with people in life. I have just got to deal with it I guess. I just go to school, grin and bear with it"*	

The worker acknowledges the young person's recent antisocial behaviour at school however also recognises positive behaviours. The young person is engaged in this conversation, reflecting on his actions. The worker details why she was concerned by his recent behaviour. The use of positive reinforcement by the worker appears to make the young person provide further detail in relation to his cognitions about his offending behaviour.

As the conversation progresses, the worker raises with the young person the option of attending a drug rehabilitation program to address his substance use issues:

Speaker	Narrative	Type of response
Remmy	*"It's still like an ongoing thing* [drug use]. *I know that, but I know any time I want to quit I can, and, I'm sort of not ready to quit yet, and, then if I'm not ready to quit then, therefore, I'm not ready to go back into any sort of rehab"*	
Nikki (JJO)	*"Your saying at the moment the want isn't really there. We've got it at the level that you can manage?"*	Paraphrasing a pro-criminal/ antisocial comment
Remmy	"*I know I can* [stop] *but it's not really what I want to do"*	
Nikki (JJO)	*"Look I do sort of understand where you're coming from and I can see you have made a lot of progress since we started out. I don't want to force you into something prematurely all right but it is important for you to know, darling, that there's someone there to talk to. There's a service there for you to chat to get information. You might want to ask a question, one day you might want to stop"* [Worker breaks conversation to get directions from young person] "*Now look Remmy, I do understand where you're coming from, mate, but I think you know there's always a risk in us saying 'I can do it on my own'. You know, we are always going to need a little of support, a little bit of positive word in our ears to keep us on track, yeah?*"	Being persuasive towards an alternative perspective
Remmy	"*Yeah, all right"*	
Nikki (JJO)	*"It is generalist counselling, where you can access information on AOD* [Alcohol and Other Drug] *stuff. Speak to counsellors if you feel the need to. You can*	Being persuasive towards an alternative

	see a doctor, you can see a dentist, you can go to drop in. It has a whole range of services. So, in a way honey, it is sort of still giving you that support but not that full on AOD focus stuff that you're saying you might want to ease up at bit on for a little bit"	perspective
Remmy	"*Yeah*"	
Nikki (JJO)	"*So do you reckon maybe we give it a shot?"*	
Remmy	"*Yeah*"	
Nikki (JJO)	*"Cause I mean there's a few young people from the area that I noticed you with at court yesterday that I think would probably be good in it to. So maybe if we did it as a little bit of a group, you know. Would you like that?*"	Being persuasive towards an alternative perspective
Remmy	*"Guess so. I don't know. Like I said I don't want to be forced into doing anything, like right now, that I don't want to do um but I will consider it I guess.*"	
Nikki (JJO)	*"That's it, Remmy, and that's all I expect you to do mate. Alright, maybe what we'll do is we will pop out one day we will go for a cruise we'll check out youth block, have a game of table tennis. Reckon you're a bit of a champion"*	Challenging whilst reinforcing positive attributes and behaviour

The young person was reluctant to accept a referral to a drug and alcohol program. The worker explored with the young person why he did not want to attend and used examples of his behaviours that indicated that he would benefit from drug and alcohol counselling. This conversation engaged the young person and allowed him to think and reflect on his current and previous drug and alcohol use in a non-judgemental manner, without evoking resistance. The young person moved from being resistant at the start of the conversation to being contemplative at the end, and ready to consider the referral.

Case study 3: Josh

Josh, a 13 year old male client, is being supervised by Cristen, a female Juvenile Justice Counsellor with 5 years' welfare experience. Josh was on an 18-month Bond at the time of observation and had been under supervision for three months prior to the observation occurring.

This supervision session occurred at the local Juvenile Justice office, located in metropolitan NSW. The observed session was 50 minutes in duration. The following excerpt occurred at the beginning of the supervision session. The worker asked Josh how things had been going and he stated that he had been in trouble that day at school.

Speaker	Narrative	Type of response
Cristen (JJC)	*"So, how are we going to avoid situations like today where you got in trouble at school?"*	Encouraging reflection of the consequences of criminal/antisocial behaviours and/ or attitudes
Josh	*"I don't know. If he takes my lighter off me, I will take something of his."*	
Cristen (JJC)	*"Do you need to take it with you to school? Can you leave it in your bag? Can you leave it in your pocket and not get it out in school time?"*	Deliberately ignoring pro-criminal comment; Non-judgemental enquiry to elicit more information about criminal/antisocial comment and/ or behaviour
Josh	*"I need to have a smoke. They let us smoke in the back."*	
Cristen (JJC)	*"There are legitimate uses where it is ok to use a lighter or a match."*	Disapproval in a non-judgemental manner
Josh	*"For starting a BBQ or lighting a candle or*	

	something."	
Cristen (JJC)	*"Yep, and obviously you need it to light a cigarette."*	
Josh	*"Or light a bush fire."*	
Cristen (JJC)	*"But how can you can you keep it in your pocket in class time where you are likely to get in trouble?"*	Deliberately ignoring pro-criminal comment; Encouraging reflection of the consequences of criminal/antisocial behaviours and/ or attitudes.
Josh	*"Nah, I just like the flame, I like that it's there."*	
Cristen (JJC)	*"What are the consequences going to be if you keep doing that stuff at school?"*	Encouraging reflection of the consequences of criminal/antisocial behaviour and/ or attitude
Josh	*"Suspension."*	
Cristen (JJC)	*"And what's going to happen if you keep getting suspended?"*	Encouraging reflection of the consequences of criminal/antisocial behaviour and/ or attitudes;
Josh	*"I will just have the biggest holiday of my life"*	
Cristen (JJC)	*"What would the consequence be in terms of your education goals?"*	Encouraging reflection of the

		consequences of criminal/antisocial behaviour and/ or attitudes
Josh	*"Learn how to do bad stuff and I don't want to do good stuff."*	
Cristen (JJC)	*"Ok, and if you're learning how to do the bad stuff, what's the risk involved with that? That I know you want to avoid?"*	Encouraging reflection of the consequences of criminal/antisocial behaviour and/ or attitudes
Josh	*"Dunno, getting caught by the police?"*	

The young person voices a number of pro-criminal and antisocial comments during this segment of his supervision session. The worker is patient and considers which comments to challenge and which comments to explore further. This worker explores some of the central pro-criminal statements with the young person and provides a framework to enable the young person to reflect on his comments and generate possible consequences for these behaviours. The young person maintains his engagement and is responsive to the worker's questions.

Summary

Eleven challenging skills were identified to which young people responded positively and appeared to engage them further in the conversation. These 11 skills have been described and examples of how they appear in practice have been provided. This study found that workers rarely used challenging skills in isolation. These skills were often used in conjunction with other effective skills. The young people engaged with the worker in response to these skills either through their verbal response or the non-verbal cues that were observed by the researcher. The non-verbal clues included the young person nodding their head in agreement, smiling or maintaining consistent eye contact with the worker.

Section four

Challenging skills that disengage young people

Section four presents the challenging skills workers used that either failed to engage or disengaged young people. The material presented in this section illustrates the skills that the workers used when responding to or addressing a client's pro-criminal comments. The skill has been assessed as failing to engage or disengaging the client based on his or her immediate reaction, including his or her verbal and non-verbal response.

Definitions describing the challenging skills that emerged as disengaging the client are presented along with examples of how they appeared in practice. These skills were rated under 3 on the engagement scale. Following this, three case studies are presented, identifying the skills in practice and the young person's response.

1. Pessimistic expression about the future as a result of criminal/ antisocial attitude or behaviour

Description of the skill

In the previous section it was pointed out that disapproval could engage young people however, young people responded poorly when disapproval was used as a *pessimistic expression about the young person's future as a result of criminal/ antisocial attitude or behaviour*. Workers would use this skill when talking to the young person about the restrictions of the legal order and the limitations it imposes. There were six examples of workers making *pessimistic expressions about the young person's future as a result of criminal/ antisocial attitude or behaviour.* This skill was present in three of the transcripts.

Example

Sheree, a 17 year old female client, is being supervised by Geoff, a male Juvenile Justice Officer with 18 years' experience. Sheree was on a 12 month Suspended Sentence at the time of observation and had been under supervision for 2 weeks prior to the observation occurring. Geoff (JJO) is going through the conditions of the legal order with her:

Geoff (JJO) *"Did you have a think about the childcare course or the direction you wanna go in relation to this? Did you think about that at all? You've ended up with a criminal record. You know that don't you?"*

Sheree "*Yeah"*

Geoff (JJO) *"You just need to regret it. People are reluctant to give jobs to people who don't do the right thing like you"*

Sheree *"Mmm*"

Geoff (JJO) "*Whether there's been a range of various offences. And you know yourself, if you ran a business, you'd wanna have somebody in there that's not a criminal. So is there anything you wanted to ask me?"*

Geoff (JJO) *"Anything?"*

Sheree *"No"*

Geoff is pessimistic about the young person's future as a consequence of the legal order. Sheree provides minimal response during this conversation, keeping her eyes averted and head down. Sheree was assessed as not being engaged.

2. The use of concern when responding to pro-criminal/ antisocial comments or behaviour

When workers used *concern to respond to a criminal/antisocial behaviour or comment*, the young person appeared to be disengaged. The use of concern expressed by the worker appeared to shame the young person, impacting on their verbal and non-verbal response.

There were six examples of workers using *concern to respond to pro-criminal/ antisocial behaviour or comment.* This skill was present in four of the transcripts.

Description of the theme

In the following example, Cassandra, a 17 year old female client, is being supervised on a 7 month Parole order by Tony (JJO). The interview was 42 minutes and occurred at the young person's home in regional NSW. The young person just informed the worker that she had spent the last five days with her Aunty, which is in breach of her current court mandate.

Tony (JJO) *"You know, that caught me a bit by surprise. I wasn't really expecting that and combined with the fact that you didn't tell me, you also drank alcohol. I got a little concerned at that point, and that's why I talked to you. You know, honestly, about you know just the risks associated with drinking alcohol?"*

Cassandra "*Mm mm"*

Tony (JJO) *"You know, particularly for you, with what we know about, you know, in the past"*

Cassandra *"Yeah"*

Tony (JJO) *"What's happened? Again, you were upfront and honest about it. You told me how much you drank on the two different occasions and that you told me some of your strategies for not doing that again, like you weren't going to drink with friends who were likely to get into trouble"*

Cassandra *"Yeah"*

The worker expresses concern about the young person's recent alcohol use and expresses concern for her personal safety. The young person appears disengaged by the worker's expression of concern, with minimal verbal response. The young person also averted eye contact during this segment of the supervision session.

3. Hostile confrontation

Description of the skill

Clients responded poorly when workers used *hostile confrontation* by challenging the young person about a pro-criminal statements or behaviour, without providing an opportunity for the young person to explain. The worker typically informed the young person that they are in the wrong, pointing out the impact of their criminal behaviour. When workers used this skill, the young person's response was minimal.

There were 12 examples of workers using *hostile confrontation.* This skill was present in eight of the transcripts.

Example:

Steve, a 16 year old male, is being supervised by Andrew (JJO). Steve is on a 12 month Bond. Andrew (JJO) is explaining the conditions of Steve's recent court order to him. One of the conditions stipulates that Steve must attend school:

Steve "*Yeah, but I can sign myself out."*
Andrew (JJO)"*Ok. When you say you can sign yourself out, how do you know that? Why?"*
Steve *"I'm old enough.*"
Andrew (JJO)*"Ok, alright.*" [sarcastic tone]
Steve *"I'm signing myself out."*
Andrew (JJO)"*Ok, well that's something we need to talk about. What are you going to do otherwise if you're not at school? It's no good just running around the bloody area. You need to do something else."*

Andrew (JJO) does not provide Steve with an opportunity to explain why he does not want to attend school. Andrew (JJO) challenges the young person's comment in a judgemental manner. Steve's response is hostile.

4. Informed of legal consequences

Description of the skill

Young people appeared disengaged when workers *informed them of the legal consequences* in response to a pro-criminal statement or behaviour. Workers would emphasise threats with legal sanctions when referring to the legal order to the young person, with minimal opportunity provided for the young person to respond. The worker would often describe the process of breaching the legal order. The young person's verbal and non-verbal response was observed to be poor, appearing disengaged when workers used this skill.

There were 18 examples of workers *informing young people of legal consequences.* This skill was present in eight of the transcripts.

Example:

The following example is taken from the five minute supervision session between Geoff (JJO) and Sheree. Geoff (JJO) is going through the conditions of Sheree's legal mandate with her:

Geoff (JJO) "*You aware of that, you aware of that?*"
Sheree "*I don't know.*"
Geoff (JJO) "*That you would get a Suspended Sentence for this*?"
Sheree [Unintelligible]
Geoff (JJO) "*Yeah, look I brought a copy of the order out for you and just remember this is a Suspended Sentence. You've already been given a 12 month custodial sentence and what he* [Magistrate] *is saying is that if you muck up once there's no appeal. You go straight to the police station and from there on* [to gaol]. *Do you understand that?"*
Sheree "*Mmm.*"

Geoff (JJO) provides minimal opportunity for Sheree to engage in a discussion or ask questions about the legal order. Geoff's (JJO) tone of voice was accusatory and firm. Sheree's response was verbally minimal, and was observed to have her eyes averted and head down during this discussion.

5. Worker being directive about alternative options

Description of the skill

In response to a pro-criminal comment, workers would be *directive about alternative options* for the young person to employ in similar situations. When workers used this method, young people were typically disengaged.

There were 13 examples of workers *being directive about alternative options.* This method was present in eight of the transcripts.

Example:

In the following example Donald, a 16 year old male client is being supervised by Kate (JJC). Donald is on a seven month Parole order. Donald has been supervised by NSW Juvenile Justice for approximately

three months at the time of observation. The interview was 17 minutes in duration and undertaken at the client's home in regional NSW.

Donald "*I got searched once when I was walking home but other than that, no"*

Kate (JJC) "*So, yeah, I guess the thing is you just need to be polite"*

Donald "*Yeah"*

Kate (JJC) "*And eventually what they* [police] *do is get off your back"*

Donald "*Yeah*"

Kate (JJC) "*Once they realise that you are doing good behaviour and not playing up, they start to see you just walking down the street. Are you on a curfew?"*

Donald "*No, only Parole"*

The worker advises Donald to be polite to police officers if they approach him. There is no further discussion about any alternate responses the young person may use or that may have been successful in his previous encounters with police. The young person provides a minimal response to the alternative suggestions put forward by the worker.

6. General lecturing about pro-criminal/ antisocial behaviours

Description of the skill

When workers used general lecturing, specifically making a lengthy statement regarding the young person's criminal behaviour or the potential consequences of criminal behaviour, client engagement was assessed as low. General lecturing often included the worker noting behaviours that the young person should avoid, or organisational processes that the worker has to adhere to in order to fulfil the legal requirements of their mandate. Although the client would often acknowledge the workers statement, the verbal response was usually minimal. The young person was therefore assessed as disengaged.

There were six examples of workers *lecturing young people in response to a pro-criminal/ antisocial comment.* This skill was present in six of the transcripts.

Example:

Darren, a 15 year old male client, is being supervised by Scott (JJO). Darren is on a 12 month Probation order. Darren has recently moved residence and commenced supervision in a new location with a new worker Scott (JJO). Scott (JJO) had been explaining the requirements of his legal order, when Darren makes a pro-criminal comment:

Darren "*I'm going on the run"* [abscond from supervision]

Scott (JJO) *"Then that just starts the fire again, and you just end up with a longer supervision period. What happens is when someone comes down from another office there is an address check to make sure everything ok. We supervise you as normal, as would anybody else, any other client, for a period of 6 to 8 weeks to make sure everything is stable with accommodation and that you are looking at getting into work, or education. Then, if everything is going ok, then I contact your other office and say 'Darren is going all right' and he will be able to check that out when I enter that on our computer system. I will say 'Everything is going all right, you can send down his file'. Then you are allocated to this office. If you happen to move, then the same thing happens. I send an address check up to the Office and, say 'He left here on the 4th of August', you decide to move back to up there, I send an address check up there. They check the address out and they do the same process. They do the supervision for you for a few weeks, 6 to 8 weeks, until everything is stable. I send your file back up there. Ok? But generally, it's basically the same as a new allocation. You see them weekly for a period of time until there is some stability. Once that's ok, you're going to school or employed or something like that or a program, some structure in your life".*

Darren No verbal response

Scott (JJO) acknowledges Darren's statement, however goes on to provide information regarding internal NSW Juvenile Justice processes, with minimal response or engagement from Darren. The comments from the worker begin with a challenge followed by the provision of information. There is however no attempt to check if the client is following the worker's comments.

7. Hostile questioning

Description of the skill

When workers ask a number of *hostile questions* to the young person in a short, direct manner in response to a young person's pro-criminal or antisocial comment, client engagement was assessed as low. Workers typically used closed questions when using hostile questioning. Closed questions, as defined by O'Hara (2006) elicit specific information in a brief manner. Closed questions typically start with or include "Do", "Did", "Is", Are", "Does" or "Have". The thematic analysis revealed eight examples of *hostile questioning.* This skill was present in six of the transcripts.

Example:

James, a 14 year old male client, is being supervised by Kevin (JJO). James is on a 12 month Probation Order. James has recently truanted school:

Kevin (JJO) *"We are not going to force you? Look, we want you to do your education because you want to do it. You don't want to do it at* [school], *you can't be serious when you say to me that you don't want to do anything. You want to do something don't ya?"*

James *"Yeah, I want to earn money."*

Kevin (JJO) *"How do you earn money?"*

James *"By working"*

Kevin (JJO) "*How do you get work*?"

James "*Write a resume."*

Kevin (JJO) "*How do you get a resume?"*

James "*Learn to work the computer*."

Kevin (JJO) "*Ok, how do you learn to work the computer? I'll keep on asking questions until you give me the right answer and you know that I can see it in your eyes, you know the answer."*

Mother "*Just say school, mate"*

James "*My dad works for computers and he taught me when I was younger*"

Kevin (JJO) "*Excellent what else do they look for in a resume when there looking to employ you?"*

James *"Work experience"*

Kevin (JJO) "*Yep, what else?"*

James "*Age*"

Kevin (JJO) "*Yep, what else? You're not going to say it are you?"*

James "*I don't know what you're talking about"*

Kevin (JJO) *"Stubborn isn't he sometimes* [looking at mother]. *Are you stubborn sometimes? No, we've talked about this before anyway. I know you know the answer. So, what do you have to do between now and Thursday for me?"*

James "*This*"

Kevin (JJO) asks a number of hostile, closed questions to ascertain how James wants to spend his time. James appears disinterested in this conversation, replying in monosyllabic sentences.

8. Personalising confrontation

Description of the skill

The thematic analysis revealed that when a worker responded to a pro-criminal or antisocial comment by personalising the response by describing the personal impact of the behaviour on them, it appeared to disengage or elicit a hostile reaction from the young person.

There were eight examples of workers *personalising confrontation.* This skill was present in four of the transcripts.

Example:

Sophie (JJO) is supervising Amy, a 15 year old female client, on a 12 month Bond. Sophie (JJO) and Amy are seated on the floor of the interview room. Amy is playing with the telephone in the room in an aggressive manner:

Sophie (JJO) "*Seriously, don't break that. I will get in so much trouble*"

Amy "*I will break it so you have to buy a new one"*

Sophie (JJO) *"You'd do that to me*?"

Amy *"I don't give a fuck"*

Sophie (JJO) responds to Amy's behaviour by describing potential consequences for her. This elicits a hostile comment from Amy, who continues to play with the phone in an aggressive manner. Amy appears disengaged by Sophie's (JJO) response to her pro-criminal behaviour and comment.

9. Worker isolated comment

Description of the skill

When workers responded to a pro-criminal or antisocial comment with an *isolated comment* or personal plea to stay out of trouble or 'do the right thing', it appeared to disengage the young person. These comments appeared in isolation and were not supported by any further conversation regarding strategies to assist the young person to desist from offending.

There were eight examples of workers responding to a pro-criminal statement with an *isolated comment.* This skill was present in four of the transcripts.

Example:

Pete, a 17 year old male, is currently being supervised by Troy (JJO). Pete is on a 12 month Bond. Troy (JJO) is assessing Pete's current drug and alcohol use:

Troy (JJO) *"Oh right, are you drinking* [alcohol] *a lot?"*

Pete "*Nah"*

Troy (JJO) *"Was it just last night? Was it a party?"*

Pete *"Nah, just me and the boys was having a drink 'cause I could get into the pub and I am not 18. He* [friend] *was at the pub, so we had to look after his stuff until he rang me up this morning"*

Troy (JJO) *"Just make a good decision"*

Pete "*Yeah, I am not getting in trouble"*

Troy (JJO) "*Well, keep trying. Good on you for trying. Got to keep on trying, otherwise you will be back inside and we don't want that. We need to make sure we take care of this good behaviour Bond. We will help you with school, help you with appointments and get you stable in the community. Any concerns at home?"*

Pete "*Nah*"

Troy (JJO) begins to explore Pete's recent alcohol use. By making an isolated comment, "just make a good decision", the exploration ends and Troy (JJO) changes the subject. Even though the JJO talks about how he can help the young person appears disengaged by the initial suggestion that he is drinking alcohol a lot.

10. Seeking reinforcement from a third person to challenge the young person

Description of the skill

In the presence of a third person, workers would *seek reinforcement from a third person* to oppose the young person's offending behaviour or attitude. Young people were typically disengaged when workers used a third person to confront them about their behaviour.

There were three examples of workers *seeking reinforcement from a third person to challenge the young person.* This skill was present in two of the transcripts.

Example

Sheree has recently received a community based supervision order. Her mother is present for the interview. Geoff (JJO) seeks her mother's response to her recent behaviour:

Geoff (JJO) "*Um, how you feel about how she is going? Ok?"*
Mother "*Yeah*"
Geoff (JJO) "Have you any concerns?"
Mother "No. She's going good after that after she come out of the court, you know"
Geoff (JJO) "So, you think it's a wakeup call?"
Mother "Mmm, it's a wakeup call"
Geoff (JJO) "Given the outcome of the charge could've been more serious"
Mother "Yeah"
Sheree No response

Sheree provides no response and is not engaged in this conversation.

11. Interrogation of young person prompting for pro-criminal attitudes or behaviours

Description of the skill

It was observed that young people were disengaged when workers interrogated or quizzed them about pro-criminal attitudes or behaviours. This is different to eliciting further information, as the worker raises and prompts for the young person's pro-criminal response.

There were four examples of workers *interrogating the young person as a method to prompt for pro-criminal attitudes or behaviours.* This skill was present in four of the transcripts.

Example

In the following example Clive, a 13 year old male client has been supervised by Alice (JJO) for six weeks. The interview was undertaken at the young person's home in regional NSW and was 20 minutes in duration.

Alice (JJO) *"… 'cause that's the aim* [of supervision]. *We want to keep you out of trouble. So, if there's anything we can help you with we will, so you don't get into any more trouble, ok?"*

Clive "*Yep*"

Alice (JJO) *"All right. So, do you think you're likely to be getting into trouble again? That it* [offence] *might happen again?"*

Clive *"Yep"*

Alice (JJO) "*And why is that?"*

Clive *"I don't know"*

Alice (JJO) *"What sort of things are pulling on you to get you into more trouble? Would it be any sort of friends that you're hanging out with?"*

Clive "*Nah*"

Alice (JJO) "O*k*"

Clive *"Just all myself"*

Alice (JJO) *"So, if I am understanding right, you think you may get into trouble again?"*

Clive *"Yep*"

Alice (JJO) *"So, what sort of thing would you do?"*

Clive *"I don't know"*

Alice (JJO) "*Ok*"

In this example, the worker asks a number of questions in an attempt to find out how and when the young person may re-offend.

Case studies

The following three case studies are presented to exemplify the use of multiple skills in practice by the workers and the young person's response. The use of challenging is often used by the worker in conjunction with a number of other skills. These examples provide additional contextual information how challenging looks in practice and how clients respond.

To avoid repetition, the case studies are set out in tables, identifying each skill individually.

Case study 1: Clive

Clive, a 13 year old male client, is supervised by Alice, a female Juvenile Justice Officer with 2 years' experience. Clive was on a 6 month Bond at the time of observation and had been under supervision for 6 weeks prior to the observation occurring.

This supervision session occurred at Clive's home. The observed session was 20 minutes in duration. The following excerpt occurred towards the end of the supervision session. Clive and Alice are in the kitchen, on stools seated beside each other.

Speaker	Narrative	Type of response
Alice (JJC)	*"Yeah ok, so as long as you understand that being on a good behaviour Bond is sort of like being on bail. Well not really. You don't have the curfew to be with*	Hostile confrontation; Interrogation of

	your mum or anything, but you have to stay out of trouble and you can't commit any more offences. Do you think you will be able to do that?"	young person prompting for pro-criminal behaviour/ attitudes
Clive	"*Yeah.*"	
Alice (JJC)	*"I think so. With all those things that are helping you it might be a little bit hard cause you have to stick with your mum and not breach your bail. Just have to try and sit out the next couple of months on your bail and then, and then it will be over and done with. Then, no more offences. Then, you will just be on your Bond and hopefully no more police involvement. Is that what you want?"*	General lecturing about pro-criminal/ antisocial behaviours;
Clive	"*Yep.*"	
Alice (JJC)	*"Get it all over and done with and no more trouble. Alright. Well I think that will do us today, ok? Ron* [worker] *will come and see you next time in about 4 weeks, but you can ring us any time if you have any dramas or want to just ring up ok? So, I will just leave our number for you. I haven't brought a card again so I will just write it on a bit of paper, so stick it on your fridge or something. So that's our number at juvenile justice and we will probably write you a letter and tell you the next appointment date ok? Do you have any questions about your Bond or about what our role is or what we do?"*	Worker isolated comment; General lecturing about pro-criminal/ antisocial behaviours
Clive	"*Nah.*"	
Alice (JJC)	*"Do you understand why we are coming to see you?"*	
Clive	"*Nah.*"	

The worker has provided Clive with a substantial amount of information in response to his recent offence, however, has provided minimal opportunity for the young person to respond. It appeared from

the observation and transcript that the young person has a limited understanding of what the worker is speaking about and that his engagement in the session is limited.

The worker uses a number of skills that were assessed as disengaging the client and none of the skills that were assessed as engaging the client. This appeared to impact on the young person's engagement, as evidenced by the young person's body language and limited verbal response. This is exemplified by the word count. In this excerpt, the worker spoke 261 words in contrast to 4 words spoken by the young person.

Case study 2: Sheree

Sheree, a 17 year old female client, is being supervised by Geoff, a male Juvenile Justice Officer with 18 years' experience. Sheree was on a 12 month Suspended Sentence at the time of observation and had been under supervision for 2 weeks prior to the observation occurring.

This supervision session occurred at Sheree's home and was 9 minutes in duration. The following excerpt occurred within 5 minutes of the commencement of the supervision session. Sheree and Geoff are seated beside each other in the family's lounge room.

Whilst examples from this transcript have been used earlier, the following excerpt illustrates the use of multiple skills used by the worker that were assessed as disengaging the young person.

Speaker	Narrative	Type of response
Geoff (JJO)	*"Did you have a think about the childcare course or the direction you wanna go in relation to this? Did you think about that at all? You've ended up with a criminal record, you know that don't you?"*	Hostile confrontation; Hostile questioning
Sheree	"*Yeah*"	
Geoff (JJO)	*"You just need to regret it. People are reluctant to give jobs to people who don't do the right thing, like you"*	Hostile confrontation; Pessimistic expression about

		the future as a result of criminal attitude or behaviour
Sheree	"*Mmm*"	
Geoff (JJO)	"*Well, there's been a range of various offences. And you know yourself, if you ran a business, you'd wanna have somebody in there that's not a criminal. So is there anything you wanted to ask me?"*	Hostile confrontation; Hostile questioning
Geoff (JJO)	"*Anything?"*	
Sheree:	"*No*"	
Geoff (JJO)	*"And do the right thing"*	Worker isolated comment
Sheree	*"Mmmm"*	
Geoff (JJO)	***"****Really."*	
Sheree	*"Mmm"*	
Geoff (JJO)	*"How you feel about how she is going? Ok?"* [Directed at mother]	
Mother	*"Yeah"*	
Geoff (JJO)	*"Have you any concerns?"*	
Mother	"*No. She going good after that after she come out of the court you know*"	
Geoff (JJO)	"*So you think it's a wakeup call?"*	Seeking reinforcement from a third person to challenge the young person
Mother	"*It's a wakeup call"*	
Geoff (JJO)	"*Given the outcome of the charge, could've been more*	Seeking

	serious"	reinforcement from a third person to challenge the young person
Mother	"*Yeah*"	

The worker directs the young person to do the right thing, with no further explanation about what this means. The worker then re-directs the conversation to the young person's mother and aligns himself with her stating that the young person's recent court appears has been a 'wakeup call'. The young person's participation and engagement in this interview is minimal.

Case study 3: Albert

Albert, a 14 year old male client, is supervised by Phil, a male Juvenile Justice Officer with 6 years' experience. Albert was on a 9 month Parole order at the time of observation and had been under supervision for 1 month prior to the observation occurring.

This supervision session occurred at the young person's home in regional NSW. The observed session was 12 minutes in duration. The following excerpt occurred about 5 minutes into the supervision session. Albert and Phil are seated outside, next to each other.

Speaker	Narrative	Type of response
Phil (JJO)	"*But you are only just getting back into school, so don't think about leaving straight away, cause if you leave school, what are you going to be doing?"*	Hostile questioning
Albert	"*Nothing"*	
Phil (JJO)	**"***That's right. And what happens when you're doing nothing?"*	Hostile questioning
Albert	"*I don't know. Breach or Parole or something"*	
Phil (JJO)	**"***Then what happens then?"*	Hostile questioning

Albert	"*Locked up"*	
Phil (JJO)	"*Yeah, and that's not what we want. We want to try and keep you out* [of custody] *this time, and finish off your Parole, and have nothing to do with Juvenile Justice any more, hey? Well, that's the plan any way."*	General lecturing about pro-criminal/antisocial behaviours; Pessimistic expression about future as a result of criminal attitude and/ or behaviour

Albert is reluctant to re-engage in school, which is a condition of his current court order. Phil (JJO) questions Albert about this decision, however, provides minimal opportunity for Albert to respond. Phil (JJO) points out the impact of this decision and appears pessimistic about the possibility of Albert staying out of trouble.

Summary

Of the 22 challenging skills identified through the thematic analysis, 11 of these skills appeared to disengage young people when workers used them to address pro-criminal or antisocial comments and behaviours. These 11 skills have been described and examples of how they appear in practice have been provided. The young person's response to the use of these skills has been analysed, through both their verbal reply and the non-verbal cues that were observed by the researcher. The non-verbal clues included the young person averting eye contact, disengaged body language or being distracted by other things in the room.

Other Findings

This study focuses on young people's pro-criminal and antisocial comments and workers' responses to these comments. However, during the analysis of this material several other important findings emerged which, although not directly related to the research question, contribute to the context and understanding of how challenging is used in practice.

Worker's role and qualifications

From the analysis it appears that following a pro-criminal comment, Juvenile Justice Counsellors use skills that engage young people more often than Juvenile Justice Officers. These results are consistent with previous research that found that staff with counselling qualifications, and who are designated a counselling role, make better use of good practice skills (Trotter 2012).

Further differences in individual worker characteristics, such as the use of different types of challenging relating to individual worker characteristics, were not identified. This is consistent with results from the Bourgon and Gutierezz (2012) study regarding worker's use of cognitive behavioural techniques. They found that individual worker's demographics, such as gender and age, did not make a difference to their use and frequency of cognitive behavioural techniques.

Worker's choice of language

The analysis revealed that workers used very informal language in their supervision sessions with young people. It appeared that workers adapted to the clients' language. There were many examples of terms such as 'yeah', 'nah' and 'dunno'. It is unclear whether workers were conscious of their use of language. Further to this, it is unclear whether workers adapted their use of language as a mechanism to further engage with the young person or to reinforce some of the young people's behaviours or attitudes.

Youth justice workers use certain challenging skills consistently through the interview

It is clear from the analysis that particular workers used challenging skills that engaged young people more frequently than other workers. In three of the transcripts, examples of challenging that engaged

young people were not evident. Other workers appeared to favour certain types of challenging and would use these methods quite consistently through the interview.

It appears that workers favoured particular methods of responding to pro-criminal comments, using these methods somewhat consistently through the supervision session.

Youth justice workers ignoring pro-criminal or antisocial comment made by the young person

Some workers would often ignore a young person's pro-criminal or antisocial comment without revisiting the comment again in the interview. Typically, the worker changes the subject following the pro-criminal or antisocial comment. It remains unclear, after the analysis, if the worker heard the comment, as it was not acknowledged. It was difficult to assess the young person's engagement, due to the sudden change of topic or lack of acknowledgement of the comment.

Skills absent from the analysis

A number of academics, including Trotter (2004) and Rooney (2009), described identifying 'discrepancies' between a person's thoughts and actions as a successful form of challenging. This technique has some research support, with Berensen, Mitchell and Laney (1968) and Mitchell and Berensen (1970) coining the term 'experiential confrontation' to describe the worker who responds to discrepancies between the client's actions or thoughts and worker's observations from working with the client.

Whilst having some support in the field of psychotherapy, the worker's drawing attention to discrepancies was not present in the analysis. It is acknowledged that there is a difference in the context in which this research was undertaken and the research by Berensen, Mitchell and Laney (1968) and Mitchell and Berensen (1970) which was undertaken with voluntary adult patients.

PART THREE

SUMMARY

Chapter 4 presented the findings in relation to the methods juvenile justice workers use to challenge young offenders about pro-criminal and antisocial behaviours and attitudes, and the client's response to these methods. To explore what methods workers used to challenge their clients pro-criminal comments, 20 supervision sessions were observed. Key methods that appear to engage clients when challenging have been identified as well as methods that appear to fail to engage or disengage young people.

Part one of the results chapter set the context from which the sample was drawn. The context is important in order to understand where the observations are occurring and the population being studied. The sample of young people who volunteered to participate in this study was generally representative of the broader juvenile justice population. For example, this population is predominately male, and Aboriginal and Torres Strait Islander young people are typically over-represented. Fifteen of the 20 participants in this study were male, and 50% identified as Aboriginal and Torres Strait Islanders. When compared to the general juvenile justice worker population, it appears that there was an overrepresentation of male workers in the sample as opposed to female workers. Further comparisons regarding the demographic composition of the worker sample as compared to the general juvenile justice work force were difficult due to limited available population data.

Part one solidified the key definitions outlining how they were operationalised during the data analysis phase. The literature review highlighted that many of the key concepts utilised throughout this analysis, including pro-criminal and antisocial, are often used interchangeably. Clarity around the concepts was provided.

Part one also describes the outcomes of the peer review that was undertaken, highlighting the high degree of consistency between the researcher's and peer reviewer's analysis of the data.

Part two explored the nature and frequency of pro-criminal comments present during supervision sessions. It was clear from this analysis that young people frequently make pro-criminal and antisocial

comments during their supervision sessions, though these comments can be quite subtle at times. The literature highlights that offenders will frequently present with pro-criminal and antisocial attitudes, however how these attitudes are evidenced in practice has been largely unexplored.

Clarity about what constituted both a pro-criminal comment and an antisocial comment was established, with the two clear definitions provided. Sixty-seven pro-criminal comments made by young people were identified in the analysis. These comments were analysed and coded and four distinct categories of pro-criminal comments were established. The categories identified comprise of the young person intending to engage in criminal behaviour, previous criminal behaviour, pro-criminal rationalisations and discussions regarding pro-criminal associates.

Sixty-two antisocial comments made by young people were identified in the analysis. These comments were analysed and coded with four distinct categories of antisocial comments being established. The categories identified including antisocial comments about authority figures, antisocial behaviour, antisocial associates and generic antisocial comments.

This study showed that workers respond in a number of ways to pro-criminal and antisocial comments made by young people. Table 1 presents the twelve worker responses that emerged from the analysis. The number of transcripts each response appeared in is highlighted, along with the number of times the response was coded.

Table 1: Frequency of worker responses to young people's pro-criminal and antisocial comments

	Worker response to pro-criminal or antisocial comment	**Number of transcripts response appeared in**	**Number of times response was coded**
1.	Disapproval	6	10
2.	Concern	5	9
3.	Consequences	12	22
4.	Referring to the conditions of the order	10	31
5.	Alternative options for the young person	12	15
6.	No direct response to the pro-criminal/ antisocial comment	11	36
7.	Empathy	11	35
8.	Providing advice and/or information	9	15
9.	Eliciting further information	12	22
10.	Generic comment	4	8
11.	Reinforcement	6	11
12.	Prompting for pro-criminal/antisocial attitudes or behaviour	17	62

Sections three and four presented the challenging skills that appeared to engage young people, the challenging skills that failed to engage or disengaged them. The material presented in this section described the skills that the worker utilised when responding to a client's pro-criminal comment and examples of how these skills were evidenced in practice.

Table 2 provides an overview of the nature of the workers' responses to young people's pro-criminal and antisocial comments, highlighting the skills that both appeared to engage and failed to engage young people.

Table 2: Nature of worker responses to young people's pro-criminal and antisocial comments

Worker response to pro-criminal comment	Engaging skills	Disengaging skills
Disapproval	Disapproval in a non-judgemental manner	Pessimistic expression about the future as a result of criminal/antisocial attitude or behaviour
Concern		The use of concern when responding to pro-criminal/ antisocial comments or behaviour
Consequences	Encouraging reflection of the consequences of criminal/ antisocial behaviours and/ or attitudes Paraphrasing a pro-criminal/ antisocial comment Pointing out the consequences of pro-criminal behaviour in a non-judgemental manner	Hostile confrontation
Referring to the conditions of the order		Informed of legal consequences
Alternative options for the young person	Being persuasive towards an alternative perspective	Worker being directive about alternative options
No direct response to the pro-criminal/ antisocial comment	Deliberately ignoring pro-criminal comment	
Empathy	Expressing empathy by acknowledging difficulties in avoiding criminal and/or antisocial behaviour	
Providing advice and/or information	Providing educational information following pro-criminal/ antisocial comment	General lecturing about pro-criminal/ antisocial behaviours
Eliciting further information	Non-judgemental enquiry to elicit more information about criminal/ antisocial comment or behaviour	Hostile questioning
Generic comment		Personalising confrontation Worker isolated comment
Reinforcement	Challenging whilst reinforcing positive attributes and behaviour	Seeking reinforcement from a third person to challenge the young person
Prompting for pro-criminal/ antisocial attitudes or behaviour	Prompting young people to talk about criminal behaviour using open ended, non-blaming questions	Interrogation of young person prompting for pro-criminal attitudes or behaviours

When comparing the frequency of methods used, the analysis revealed that workers used challenging skills that engaged young people less frequently than challenging skills that failed to engage young people with workers *being directive about alternatives* and *informing the young person of legal consequences* the most frequently used methods appearing on 31 occasions.

Chapter four presented the results from the thematic analysis. Chapter five concludes the thesis examining the results in contrast to the research canvassed in the literature review.

CHAPTER 5

DISCUSSION AND CONCLUSION

Introduction to the chapter

This study aimed to explore the extent to which juvenile justice workers challenge young people about pro-criminal and antisocial comments and how clients respond to the use of various challenging methods and skills used by workers. To understand the workers' use of challenging, observations of supervision sessions between young people and their juvenile justice workers were undertaken. The findings reveal that young people commonly make pro-criminal and antisocial comments during their supervision sessions and workers challenge these comments in a range of ways that both engage and fail to engage young people.

Chapter five summarises and discusses the results of the study in relation to the use of challenging during supervision, highlighting themes which are consistent with previous research, themes which are inconsistent with previous research and themes which are new. It also addresses the need for further research. Chapter five outlines how this study has addressed gaps in previous research, with some concluding remarks about the success and limitations of the study's design. This chapter is presented in three parts.

Part one reviews the study's key findings discussing the nature and frequency of pro-criminal and antisocial comments made by young people during supervision, highlighting how the concepts of pro-criminal and antisocial have been conceptualised in this study and how workers have distinguished the concepts in practice. Part one concludes with a discussion regarding the worker's use of skills that engage and disengage young people. Part two outlines the challenging skills consistent with previous research, presenting the challenging skills aligned with a theoretical paradigm, the challenging skills that this study has identified as new and the findings that are inconsistent with previous research. Part three concludes the thesis highlighting other key findings from this study, including the limitations of the study, implications for practice and possible directions for further research.

Summary of the findings

Using a qualitative, exploratory research design, this study explored and analysed workers' responses to their clients' pro-criminal and anti-social comments. An exploratory research design provides a foundation for the development of an hypotheses to be more rigorously tested at a later point in time (Graziano & Ravlin 1993). The research question underpinning this thesis is:

"What is the nature and frequency of pro-criminal comments made by young people, how do workers challenge young people in relation to their pro-criminal and antisocial comments and beliefs and to what extent are clients engaged or disengaged by different types of challenging by their worker?"

The study found that:

- Youth justice clients frequently make pro-criminal comments. These comments include their intention to engage in criminal behaviour, pro-criminal rationalisations and discussions regarding pro-criminal associates. They also make comments that might be described as antisocial, for example that school is a waste of time.
- In challenging clients, workers commonly do not appear to distinguish between pro-criminal and antisocial comments, responding to both pro-criminal and antisocial comments in a similar way.
- Responses to pro-criminal and antisocial comments which engage young people are used less frequently than responses which fail to engage young people.
- Some of the methods and responses that engage and disengage young people are consistent with skills described in the research literature. Some of the methods found in this study are new.
- Challenging responses which engage young people include:
    - Disapproval in a non-judgemental manner
    - Paraphrasing a pro-criminal/ antisocial comment
    - Being persuasive towards an alternative perspective
- Challenging responses which disengage young people include:
    - Hostile disapproval
    - Hostile questioning
    - General lecturing about pro-criminal and antisocial behaviour

PART ONE

Section one

Nature and frequency of clients' pro-criminal and antisocial comments

This study found that young people frequently make pro-criminal and antisocial comments during supervision sessions with their worker. The frequency and nature of these comments were analysed and coded. Four distinct themes regarding pro-criminal comments and behaviours emerged along with four themes relating to antisocial comments and behaviours.

The frequency and nature of pro-criminal and antisocial comments made by young people during supervision is virtually unexplored in the literature. As highlighted in the literature review, pro-criminal attitudes have been identified as a key factor in the likelihood of offending and re-offending (Gendreau, Little & Goggin 1996; Andrews & Bonta 2010). Whilst a number of psychometric tests have been developed to assess the presence and severity of an individual's pro-criminal attitudes (Ball 1973; Simourd 1997; Shields & Whitehall 1991), there has been little research that has analysed the extent to which young people make pro-criminal and anti-social comments whilst under juvenile justice supervision. This finding is somewhat consistent with the study by Bonta et al (2008; 2011) where researchers coded 154 audiotapes finding that adult probationers voiced antisocial attitudes and conversations relating to criminal peers in over half of the supervision sessions. Distinctions between pro-criminal and antisocial comments were not made.

The findings from this study suggest that the number of pro-criminal and antisocial comments made by young people outnumbers the number of worker responses to these comments. Again, this finding is consistent with the research cited above by Bonta et al. (2008; 2011) who found that whist adult probationers voiced antisocial attitudes and conversations relating to criminal peers in over half of the supervision sessions, workers only responded to these comments occasionally.

Section two

Conceptualising pro-criminal and antisocial comments

This study defined and made a distinction between pro-criminal and antisocial comments. As discussed in the literature review, the concepts of pro-criminal and antisocial are used somewhat interchangeably. This study found that workers do not appear to distinguish between pro-criminal and antisocial comments in practice, utilising the same challenging responses for both types of comments.

This finding raises a number of ethical issues. Probation workers have a mandate to challenge pro-criminal comments. These comments have been empirically linked to offending and re-offending (Gendreau, Little & Goggin 1996). Antisocial comments on the other hand may be more culturally constructed, entrenched in society's norms and subject to change over, sometimes, short timeframes (Trotter 2006). Challenges to antisocial comments can be more ambiguous and perhaps contingent on a worker's values.

Section three

Workers' responses to pro-criminal and antisocial comments

This study found that workers use challenging skills that engage young people less frequently than responses that fail to engage young people. Studies examining this are virtually non-existent.

As part of their research regarding community supervision of adult offenders, Bourgon and Gutierrez (2012) examined discussions of pro-criminal attitudes between probation officers trained in the Strategic Training Initiative in Community Supervision (STICS) model. This study found that workers trained in the STICS model engaged offenders in more discussions about pro-criminal attitudes, present in 39.1% of sessions, as opposed to the control group (5.2% of sessions). Whilst this study specifically focused on the extent to which probation officers engaged in discussions about pro-criminal attitudes, it did not focus on workers' responses to an offender's pro-criminal comment.

Part two

Part two presents the challenging responses that engaged and disengaged young people. This part is presented in four sections with section one setting out the challenging responses that have support from the research literature, and section two presents responses identified in the study that have theoretical support. Section three presents the challenging responses that emerged from this study as new and section four presents the challenging responses that are inconsistent with previous research.

Section one

Challenging responses consistent with a theoretical paradigm and research

Section one presents the challenging responses identified in the study that are consistent with a theoretical paradigm and empirical research. A distinction is made between the challenging responses that were found to engage young people as opposed to those responses that failed to engage them.

Engaging responses

1. ***Disapproval in a non-judgemental manner***

This method encapsulates the worker expressing disapproval for the pro-criminal comment whilst maintaining a non-judgemental stance. This skill is consistent with the term 'effective disapproval' developed by Andrews and Bonta (2010) where they argue that disapproval delivered in the context of a warm and open worker-client relationship will have less chance of eliciting an aggressive response from the client. Consistent with this theory, when workers successfully used disapproval in a non-judgemental manner, they did so in a way that was strong, emphatic and immediate.

2. ***Paraphrasing a pro-criminal/ antisocial comment***

This study found that young people respond positively to workers paraphrasing their pro-criminal/ antisocial comment.

This finding is consistent with a study undertaken by Berensen, Mitchell and Laney (1968) examining the type of confrontation that therapists employ with patients. This research found that effective

therapists used ‘didactic confrontation’ to clarify or paraphrase a patient’s misinformation. Patients responded positively when therapists used this method as opposed to therapists that focused on the “patient’s liabilities or pathology” (Berensen, Mitchell & Laney 1968, p. 112). Whilst this study was undertaken with adult patients voluntarily seeking treatment, it provides general empirical support for the use of paraphrasing as a method to engage patients.

3. Being persuasive towards an alternative perspective

This study’s results support previous literature in the field pertaining to the use of persuasion. Young people appeared engaged when workers persuaded them to consider an alternate perspective in response to a pro-criminal comment. Rooney (2009) argues that the use of persuasion is useful to assist mandated clients to accept services, arguing it can play an important and complimentary role in enhancing attitudinal change and maintaining behavioural change.

Bourgeon and Gutierrez’s (2012) research trained probation officers to engage probationers in cognitive behavioural therapy and to challenge the probationers pro-criminal attitudes and cognitions. The researchers found that probationers had better outcomes, specifically with regards to reductions in recidivism, when workers used cognitive behavioural techniques, such as persuasion, to discuss pro-criminal attitudes. Although the researchers identified this as a successful method, the level of client engagement in response to the methods used what not discussed.

4. Expressing empathy by acknowledging difficulties in avoiding criminal and/or antisocial behaviour

This study found that clients were engaged when workers responded to pro-criminal comments by acknowledging difficult situations and choices the clients made, or that they need to make, to avoid criminal and/or antisocial behaviour.

Trotter’s (2004) research in child protection provided support for what he described as “appropriate confrontation” (p. 128). Clients responded positively when their negative feelings were acknowledged by the worker. Child protection clients were asked, in semi-structured questionnaires, to report on the skills their workers used. The use of appropriate confrontation positively correlated with positive outcome measures, including case closure. Whilst clients provided retrospective accounts of worker

skills, this study provides support for the use of empathy when responding to difficulties experienced by clients when avoiding criminal or antisocial behaviour.

Forrester et al. (2008) study also lends support to the use of empathy as a skill to engage clients and reduce resistance in involuntary clients. By asking social workers to respond to case vignettes about child protection safety concerns, researchers found that when workers responded empathetically, this response produced less resistance and produced more disclosures by the client. Similarly, the current study found that workers expressing empathy by acknowledging difficult circumstances encouraged greater client engagement.

5. Challenging whilst also reinforcing positive attributes and behaviour

Challenging can occur in a positive context where workers identify the pro-criminal comment or behaviour, whilst noting any positive attributes or behaviours displayed by the young person. As part of their model of 'effective disapproval', Bonta and Andrews (2010) propose a '4 to 1 rule' to address an offenders' pro-criminal behaviours or attitudes. The probation worker aims to express at least four positive supportive statements to the offender for every negative statement addressed. Whilst this study did not find that workers used the '4 to 1' rule, successful engagement was found when challenging was cushioned by positive statements. This included talking about the young person's potential.

Workers' use of reinforcement was identified as an effective method in an exploratory study by Eno Louden et al. (2012). Using observations of worker-client sessions, the researchers found that the mental health workers generally developed a supportive relationship with their clients that predominantly affirmed and supported rather than confronted probationers. Although Eno Louden's research did not specifically examine the presence or response to pro-criminal attitudes, the researchers found that mental health workers used reinforcing skills more frequently, specifically affirming, which was present in 63% of the observed interviews.

6. Providing educational information following pro-criminal/ antisocial comment

Young people were engaged when workers responded to a pro-criminal comment by providing educational information relevant to the comment made. The information provided was relevant to the young person's pro-criminal comment and provided in an engaging manner.

Responding to pro-criminal comments by providing relevant, educational information has not been documented in research or literature. Providing information to offenders about pro-criminal attitudes and the link between thinking and offending is a notable feature of many offender programs. Robinson et al. (2011) evaluation of the STARR program identified the worker skills that influence change, specifically the use of reinforcement and disapproval. It appeared that efforts to influence change were aimed at teaching offenders about the link between thinking and behaviour, rather than responding to pro-criminal comments. Whilst positive outcomes, including reductions in recidivism, were reported from this study workers respond to pro-criminal comments made during the course of supervision was not the focus of this research.

Whilst there appears to be some support in the research for providing information to offenders about pro-criminal thinking patterns, much of this research has been undertaken with group based programs providing offenders with information about attitudes and behavioural regulation. This information is not provided in response to a pro-criminal comment.

7. Encouraging reflection of the consequences of criminal/ antisocial behaviours or attitudes

This study identified that workers assisting or encouraging a young person to reflect on a criminal behaviour or attitude engaged the young person.

While no empirical support for this skill was able to be located, it is consistent with the theoretical position proposed by Hepworth et al. (2010) and Rooney (2009) describing inductive questioning as a form of confrontation that allows clients to explore discrepancies or inconsistencies in their behaviours or attitudes. Hepworth et al. (2010) and Rooney (2009) argue that inductive questioning is unobtrusive and can therefore be used early on in the worker-client relationship. Given that the observations in this study occurred within three months of supervision commencing, it is congruent with this position that workers would use reflection as a successful form of challenging.

8. Pointing out the consequence of pro-criminal behaviour in a non-judgemental manner

This study found that workers pointing out consequences of pro-criminal behaviour in a non-judgemental manner promoted client engagement in the supervision session. This is consistent with

Rooney's (2009) 'self-confrontation' whereby workers encourage clients to consider the consequences of their actions or thoughts to facilitate change.

9. Non-judgemental enquiry to elicit more information about criminal/ antisocial comment or behaviour

Non-judgemental enquiry typically includes open ended questions to assist the workers understanding the young person's perspective of their pro-criminal or antisocial behaviour or belief. Egan (1977) argued that for challenging to be a useful part of the therapeutic process, the worker and client must understand one another. Enquiring to find out more information about a pro-criminal or antisocial behaviour or belief appeared to engage young people.

10. Deliberately ignoring pro-criminal comment

Deliberately ignoring a pro-criminal comment was a challenging skill identified in the thematic analysis. This skill was present when the worker did not immediately respond to the pro-criminal comment, typically addressing the overall pro-criminal attitude rather than challenging the individual comment. There has been some literature regarding planned or purposeful ignoring of problematic behaviours (McCormick, Ratliff & Walls 2016; Trotter 2015), however empirical support for this skill could not be located. It is clear from the observations that young people make a number of pro-criminal and antisocial comments during their supervision sessions. The timing of challenging and being selective about when and how to challenge these comments appeared to further engage the young person.

11. Prompting young people to talk about criminal behaviour using open ended, non-blaming questions

This study found that young people were engaged when workers encouraged them to participate in conversations regarding high risk situations for re-offending. This is somewhat consistent with a CBT framework, whereby offenders are encouraged to reflect on high risk scenarios for further offending. These discussions are typically initiated by the worker.

Landenberger and Lipsey (2005) undertook a meta-analysis examining 58 experimental and quasi-experimental studies to understand the effectiveness of CBT based programs for offenders. This large scale study found that the use of cognitive restructuring or CBT to address an offender's pro-criminal

attitude had an effect on offender's recidivism rates. Although the majority of studies in this meta-analysis evaluated group-based programs, the results highlighted improvements in recidivism when cognitive behavioural therapy was used.

Disengaging responses

1. ***Hostile confrontation***

Young people responded poorly to challenging that was coded as hostile confrontation, comprising blame, hostility, and neglecting to consider the clients' feelings.

This finding is consistent with the research undertaken by Miller, Benefield and Tonigan (1993) who found better client outcomes when counsellors used a motivational interviewing (MI) approach as opposed to a more confrontational approach. The researcher observed that when confrontational statements were used it typically elicited resistance by the client and led to poorer client outcomes.

2. ***General lecturing about pro-criminal/ antisocial behaviours***

Young people appeared disengaged when workers lectured or provided a lot of information to the young person without further exploration following a pro-criminal comment. This finding is largely consistent with the research undertaken by Van Nijatten and Stevens (2012) who found that workers would dominate the interview by both asking questions and lecturing young people during their supervision session. Whilst this research did not examine the use of these skills specifically in relation to addressing pro-criminal attitudes, general lecturing was identified as not engaging young people.

Consistent with this finding, when examining the impact of therapists' behaviour on clients' compliance, Patterson and Forgatch (1985) found that when the therapist 'taught' or 'confronted' family members, significant increases in non-compliance occurred.

3. ***Hostile questioning***

Young people responded poorly to hostile questioning in response to a pro-criminal comment. As discussed in the literature review a detailed study of 'Scared Straight' programs (Lipsey et al. 2010; Petrosino, Turpin-Petrosino & Finckenauer 2000), which typically employ a hostile, confrontational

approach, found that Scared Straight programs are harmful and lead to an increase in criminal activity and delinquency amongst participants.

This finding is somewhat consistent with the research undertaken by Van Nijatten and Stevens (2012) who found probation officers frequently used confrontational styles of questioning, characterised by asking direct questions at a fast rate. By observing 22 client worker interviews in a qualitative study, the researchers concluded that neither the worker nor the young person was satisfied with the communication style demonstrated by the worker.

Young people failed to be engaged when workers used closed, hostile forms of questioning in response to a pro-criminal comment. This type of response mirrors some of the key characteristics of what Rooney (2009) calls 'abusive confrontation' during which the client is subjected to a blaming, uncaring interrogation.

4. ***Pessimistic expression about the future as a result of criminal/ antisocial attitudes or behaviours***

When speaking about the consequences of pro-criminal/ antisocial attitudes or behaviours, young people were disengaged when workers were pessimistic. While it was not possible to locate specific empirical studies on this method there is considerable theoretical support for the concept of hope and optimism as a method of engaging people in therapeutic settings (Seligman et al. 2005). Learning theory suggests that optimism is more likely to have greater positive influence over a person's behaviour (Rotter 1954).

5. ***Informed of legal consequences***

When workers informed the young person of the possible legal consequences for criminal behaviour or breach of conditions of legal mandate following a pro-criminal comment, clients were generally not engaged or disengaged.

This finding is somewhat consistent with Bonta et al.'s (2008) study where, in their analysis of offender-worker supervision sessions, they found the more time that the probation officer spent discussing the conditions of probation, the higher the recidivism rate. Whilst this study focused on the time spent by the worker, not the response of the offender, it supports the finding that informing the young person of the legal consequences in response to a pro-criminal statement is not engaging.

Section two

Challenging responses that are new

Section two presents the challenging responses identified in the study that have not previously been identified in research or literature. Each of the responses identified in this section were found not to engage or to disengage young people.

Disengaging skills

1. ***Worker being directive about alternative options***

When workers were directive about alternative options in response to a pro-criminal comment, young people were disengaged. Whilst there is research support for being persuasive towards alternative options, research regarding workers being directive about alternative options was not found in the literature.

2. ***Personalising confrontation***

Personalising confrontation, where a worker would outline the impact of the young person's pro-criminal behaviour on them, would disengage the client. Whilst there has been some commentary in the literature regarding workers use of self-disclosure (Hepworth et al 2010; Trotter 2015), workers responding to a pro-criminal comment with a personalised comment has not been identified in any other studies.

3. ***Worker isolated comment***

Young people appeared disengaged when the worker responded to a pro-criminal comment using a short, isolated comment, for example "do the right thing". It appeared that these comments stifled any further conversation. The use of this response to pro-criminal comments has not been identified in other studies.

4. ***Seeking reinforcement from a third person to challenge the young person***

Workers using a family member or other significant person to challenge a young person led to poor worker-client engagement.

Section three

Findings inconsistent with previous research

Section three presents the challenging skills identified in the study that appear to be inconsistent with previous research or literature.

<u>Ineffective responses in terms of client engagement</u>

The use of concern when responding to pro-criminal behaviour and/ or attitudes

When workers expressed concern in response to a pro-criminal comment, young people appeared disengaged. This finding contrasts with finding from Trotter's 2004 study in child protection that found when workers expressed concern about the client's welfare, clients reported higher levels of engagement. This difference may be for several different reasons, including the worker's motivation for expressing concern. For example, clients' responses may differ depending on whether the worker is expressing concern over their welfare versus expressing concern regarding the impact of their pro-criminal attitude. In this study when workers expressed concern, young people were typically non-responsive and were assessed as not engaged or disengaged.

Strengths and Limitations of the study

This thesis has examined how workers challenge young people about pro-criminal and antisocial comments and how young people respond to being challenged. Analysis of this material clearly identified that a worker's use of specific challenging skills can further engage or fail to engage the young person from the conversation. This study provided unique insight into how workers respond to pro-criminal comments during supervision and clients' reactions and responses. It is important to reiterate that research regarding the observation of probation worker skills in practice is limited. The researcher did not have a preconceived idea about how effective challenging would appear in practice.

The interpretations, codes and themes emerged from the data. They were not imposed. Previous studies in this area have primarily used worker's retrospective accounts or had asked workers to respond to case scenarios or role plays.

The use of engagement as an outcome measure

The use of client engagement as a measure of successful challenging could be viewed as a limitation to the study. If, for example, the worker agreed or laughed at the young person's pro-criminal comment, it is possible that the young person would have been engaged. Whilst examples of this did not occur in the analysis of the transcripts it is possible it could occur in practice. Another outcome measure could have been used. This has been discussed elsewhere in the study and it has been argued that engagement is an appropriate outcome measurement when examining the successful use of skills in practice (McNeill et al 2010).

Whilst relevant research indicated a correlation between the use of worker skills and successful outcomes for young people (Trotter 2012), a direct association between good use of confrontation and successful completion of a young person's legal mandate cannot be made. Therefore, engagement may not be the best measure to assess this as it may not relate to recidivism. However, there is support in the research that engaged clients have better outcomes (Kevin 2011; Trotter & Evans 2012).

Assessing engagement

A further limitation of this thesis is that it is potentially problematic to define the concept of engagement generally, let alone observe it. To address this, a checklist was developed to capture the worker's and the client's non-verbal cues that have been shown to have high correlations to engagement (Yatchmenoff 2008; Trotter & Evans 2012).

The sample

This study used a selective sample, relying on volunteers to participate. Whilst the sample was largely representative with regard to both the gender and ATS status of young people, this study did not ask participants if they were from a CALD group. As highlighted in the literature review, there may be specific issues that need to be considered when using challenging with this group (Collins 2002).

Implications for practice

This study's primary objective was to explore the skills and methods juvenile justice workers use to challenge young offenders about pro-criminal comments and how clients respond to the use of various challenging skills and methods. Research on the ways workers challenge young people's pro-criminal comments and behaviours remain under-researched, nationally and internationally. Most of the previous research undertaken in this area has relied on retrospective accounts of what has occurred in supervision or anecdotal accounts from practitioners about what works. No other research has examined what type of challenge engages offenders. This lack of knowledge limits workers ability to both understand when and how to challenge young people about pro-criminal sentiments. This qualitative study revealed that young people frequently voice pro-criminal and antisocial comments in the context of supervision. Given that the research has established that pro-criminal attitudes are a dynamic risk factor for re-offending, how workers challenge these comments is important.

This study provides information that can assist practitioners to use effective challenging skills in practice. While the findings of a qualitative study such as this cannot alone be sufficient to be generalised to other situations, many of the findings have both theoretical and empirical support and can be considered general principles of good practice. Training for supervision and opportunities to practice these skills would have potential benefits for clients, youth justice workers and the wider community given the relationship between engaged corrections clients and reductions in recidivism.

This study has also highlighted the lack of clarity surrounding the concepts of pro-criminal and antisocial, in both the literature and in the study's findings. Greater clarification around what constitutes a pro-criminal comment as opposed to an antisocial one could further enhance practitioners' use of challenging in practice. The study raises an ethical issue regarding whether justice workers have a mandate to work with and challenge what can be defined as antisocial but non-criminal behaviour.

Need for additional research

This is a qualitative study, designed to explore a new topic: workers' responses to pro-criminal comments and the clients' responses. The study's findings have provided rich descriptions about the skills and methods workers use when responding to a pro-criminal or antisocial comment. Although this study has provided clear themes and skills relating to challenging skills that engage and fail to engage or disengage clients, there are several areas that have been identified that would benefit from further research:

1. **Research with larger samples**

Although it appears that while some existing literature focuses on effective supervision skills, no research has specifically addressed the use of challenging in response to pro-criminal comments. For example Trotter (2012), Robinson et al. (2011) and Raynor, Ugwudike and Vanstone (2010; 2014) identify key worker skills that are linked to reductions in recidivism. In terms of challenging, most of the literature focuses on the worker's use of the skill, without taking into account the client's response. Specifically, no empirical research could be found regarding the skills workers use responding to a client's pro-criminal comment. Further research into this issue, with larger samples, is warranted.

2. **Timing of confrontation**

There appears to be a consensus in the literature that choosing an optimal time/ moment in the session and establishing a positive relationship with the client are both imperative to success when using challenging. Shulman (1991) and Egan (1977) both discuss when challenging should occur, both within the session and in the worker-client relationship. Examination of the timing of challenging pro-criminal attitudes, and at what stage of the relationship it is most effective, could further inform the success of using challenging in practice.

3. **Individual demographics**

Whilst this study found certain types of challenging engaged or disengage young people, consideration regarding the individual demographics of clients, for example their age or gender, and if that impacts on their response to being challenged has been largely unexplored. Specifically, do particular people

respond more positively to different types of challenging based on their gender or age? Are these results consistent with the adult offender population?

4. **Other indicators of success beyond engagement**

This study focused on challenging skills and methods that engaged and failed to engage or disengaged young people. Future studies could look at the use of these skills/ methods and any impacts they may have on recidivism. Based on this study, it could be proposed that good use of challenging skills leads to better outcomes for young people on a number of measures, including successful completion of legal mandate and reduced recidivism. Previous research, including research undertaken within the domain of family violence (Daly & Pelowski 2000), indicates that high rates of worker confrontation impacted on high participant attrition rates following intervention.

5. **Group vs individual settings**

Group based intervention is a common modality in the criminal justice system. As highlighted in the literature review, many of these groups are structured, and centre on changing pro-criminal attitudes. Little work has been done in relation to how facilitators effectively challenge an offender's pro-criminal comment in the context of group work.

Conclusion

The evidence base regarding the effectiveness of community based supervision is growing. A number of research studies have demonstrated how specific factors, including worker skills, influence reductions in recidivism. The literature reveals that pro-criminal and antisocial beliefs and behaviours are important areas for probation officers to address with offenders to further reduce their risk of re-offending. Few studies can be found and little knowledge exists about how probation workers successfully challenge the pro-criminal and antisocial comments and behaviours.

This study explored how workers challenge young people about pro-criminal and antisocial comments and beliefs and how engaged young people were following the workers use of challenging. This research has used exploratory qualitative research methods to explore in depth the interaction between young people and their juvenile justice worker. This research produces useful insight about frequency of

pro-criminal comments made by young people during supervision and how young people respond to worker's methods. The study acknowledges the limitations as described in this chapter. Some findings confirmed existing knowledge and contributed to support literature regarding the use of challenging and confrontation. As knowledge or research on the use of challenging in practice is sparse, this study provided a basis for further research.

This study found out that despite being conceptually different, workers respond to pro-criminal and antisocial comments in a similar manner.

This study found that certain methods of challenging engaged young people and other methods either disengaged or failed to engage young people. All these findings contribute to the knowledge about how challenging is used in practice. This study assumes challenging skills that engage young people are more effective than those that fail to engage or disengage the young person.

This study is a step in the development of knowledge about how probation officers can challenge young people whilst maintaining the client worker relationship. This finding has practical implications for how workers use effective practice skills. There is a need for more development in what leads to better skills. Continued research will have benefits for workers, young people and the community.

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APPENDIX 1: Monash ethics approval

MONASH University

Standing Committee on Ethics in Research Involving Humans (SCERH)
Research Office

Human Ethics Certificate of Approval

Date:	**16 March 2009**	
Project Number:	**CF09/0683: 2009000287**	
Project Title:	**Effective methods of challenging pro-criminal attitudes and behaviour of juvenile offenders**	
Chief Investigator:	**A/Prof Christopher Trotter**	
Approved:	**From: 16 March 2009**	**To: 16 March 2014**

Terms of approval

1. The Chief investigator is responsible for ensuring that permission letters are obtained and a copy forwarded to SCERH before any data collection can occur at the specified organisation. **Failure to provide permission letters to SCERH before data collection commences is in breach of the National Statement on Ethical Conduct in Human Research and the Australian Code for the Responsible Conduct of Research**.
2. Approval is only valid whilst you hold a position at Monash University.
3. It is the responsibility of the Chief Investigator to ensure that all investigators are aware of the terms of approval and to ensure the project is conducted as approved by SCERH.
4. You should notify SCERH immediately of any serious or unexpected adverse effects on participants or unforeseen events affecting the ethical acceptability of the project.
5. The Explanatory Statement must be on Monash University letterhead and the Monash University complaints clause must contain your project number.
6. **Amendments to the approved project (including changes in personnel):** Requires the submission of a Request for Amendment form to SCERH and must not begin without written approval from SCERH. Substantial variations may require a new application.
7. **Future correspondence:** Please quote the project number and project title above in any further correspondence.
8. **Annual reports:** Continued approval of this project is dependent on the submission of an Annual Report. This is determined by the date of your letter of approval.
9. **Final report:** A Final Report should be provided at the conclusion of the project. SCERH should be notified if the project is discontinued before the expected date of completion.
10. **Monitoring:** Projects may be subject to an audit or any other form of monitoring by SCERH at any time.
11. **Retention and storage of data:** The Chief Investigator is responsible for the storage and retention of original data pertaining to a project for a minimum period of five years.

Professor Ben Canny
Chair, SCERH

cc: Ms Phillipa Evans

Postal – Monash University, Vic 3800, Australia
Building 3E, Room 111, Clayton Campus, Wellington Road, Clayton
Telephone +61 3 9905 5490 Facsimile +61 3 9905 1420
Email scerh@adm.monash.edu.au www.monash.edu/research/ethics/human/index/html
ABN 12 377 614 012 CRICOS Provider #00008C

APPENDIX 2:NSW Juvenile Justice letter of approval

NSW DEPARTMENT OF
juvenile justice

Level 24, 477 Pitt Street
SYDNEY NSW 2000

PO Box K399
HAYMARKET NSW 1240

Telephone: 02 9219 9400
Facsimile: 02 9219 9500
Email: djj@djj.nsw.gov.au
www.djj.nsw.gov.au

Doc Ref: D09/05002
File Ref: 06/05023
Contact Name: Claudia Vecchiato
Telephone: 9219 9458

Ms Phillipa Evans
Research Officer
Department of Social Work
Monash University
PO Box 197
CAULFIELD EAST VIC 3145

Dear ~~Ms Evans~~ Phillipa

RE: RESEARCH PROJECT "EFFECTIVE METHODS OF CHALLENGING PRO-CRIMINAL ATTITUDES AND BEHAVIOUR OF JUVENILE OFFENDERS".

Thank you for your application to conduct research in the NSW Department of Juvenile Justice.

The DJJ Research Steering Committee has approved your application to conduct the research project entitled "*Effective methods of challenging pro-criminal attitudes and behaviour of juvenile offenders.*"

For your records, a signed copy of the DJJ Research Agreement is attached. Please ensure that your project meets the requirements outlined in your application and adheres to the conditions outlined in the attached Research Agreement. Any variations will need to be submitted to the DJJ Research Steering Committee for review.

You may now proceed with the implementation of your research project. Please contact Claudia Vecchiato, Research Psychologist on 9219 9458 or claudia.vecchiato@djj.nsw.gov.au for assistance with this. Congratulations and good luck with your research.

Yours sincerely

Peter Muir
Director General
2 July 2009

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APPENDIX 3: Invitational email

Invitation Email

Project Title
AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

To all Juvenile Justice Officers and Counsellors,

Chris Trotter from Monash University is currently undertaking a research study with Juvenile Justice and is looking for JJO's and JJC's to be involved.

There is evidence that the style of supervision utilised by Juvenile Justice workers can make a difference of up to 50 percent to the likelihood that their clients will not re-offend. The supervision skills that you utilise can foster a young person's compliance with their order and reduce re-offending rates. This research study is trying to see what particular skills are most effective with Juvenile Justice Clients.

This piece of research has strong support from the Director of the Department of Juvenile Justice, and the Department has a commitment to making use of the results.

Participating in the research won't take up much of your time. A Research Officer will come along with you to some of the sessions that you have with your clients.

This research is not about judging or assessing an individual's work. It will focus on which skills seem to work best in terms of client responsiveness, compliance with conditions and further offending and do some skills work better with some clients than others. There are strict measures in place to ensure that your name and personal details are kept confidential.

If you have any questions about the research or you are interested in participating, please don't hesitate to contact the Research Officer Phillipa Evans:

Email: Phillipa.Evans@djj.nsw.gov.au
Phone: 0402 739 687

Kind regards,

Associate Professior Chris Trotter
Monash University

Phillipa Evans
Research Officer

APPENDIX 4: Promotional poster

Do **you** want to help make JJ services **better** for **young people**?

What works with JJ clients?

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

A research project about what JJ workers do that reduces the likelihood that their clients will re-offend

- Monash University is running a research project about how JJ workers work with their clients. We want to find out what skills and styles of supervision you use that are most effective.
- Phillipa Evans works with Monash. If you're a JJO or JJC, she would like to come along to see you working with a few of your clients. It would hardly take up any extra time and Phillipa won't be judging or assessing your work.

If you have any questions or you would like to be involved, please contact

Phillipa Evans

0458 761 861

Phillipa.Evans@djj.nsw.gov.au

Invitation Poster [1].doc May 2008

APPENDIX 5: Outline for promotional presentation

Invitation Presentation Script

To be used at NSW Juvenile Justice staff meetings

Project Title

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

Hi. My name is Phillipa Evans and I am looking for JJO's and JJC's to be involved in a research study that Associate professor Chris Trotter from Monash University is currently undertaking with NSW Department of Juvenile Justice. Thank you for giving me some time to tell you about this research.

I know that sometimes you may not feel like it, but it's clear to me and has been demonstrated in other research studies that the work you do each day has the potential to make significant positive changes in the lives of your clients. There is evidence that the style of supervision you use can make a difference of up to 50 percent to the likelihood that your clients will re-offend. That's good news. But with that good news comes some responsibility.

If we have the chance to make such a difference in our client's lives, we need to make sure that our work uses the most effective skills and techniques. That's what this research is all about. What are the skills and supervision styles that work best with clients and reduce re-offending behaviour? How do clients respond to different styles of supervision?

The Director of the Department of Juvenile Justice is giving us strong support and the department has a commitment to making use of the results. The outcomes of this research have the potential to affect the training that Juvenile Justice workers receive and the policies you work under.

Participating in the research won't take up much of your time. I just want to come along with you to some of the sessions that you have with your clients and take some written notes. If you want to be involved you can just let me know afterwards or to reply to the Email you've already been sent. Then I'll give you some more details. I'll plan to come to one session with each client you see over the next two weeks after you contact me, if your clients agree to being involved.

It's important for you to know that I won't be judging or assessing your work. You really don't need to be concerned about me being there. I won't be talking during the session. We will also take measures to ensure that your name and personal details are kept confidential.

If you have any questions about the research or you are interested in participating, please let me know. I'll hang around after this meeting or you can call me on 0402 739 687.

Thank you again for your time.

APPENDIX 6: Explanatory statement for worker participants

MONASH University

Explanatory Statement for Case Worker Participants

Project Title

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

This research is a Monash University project conducted by Chris Trotter. Chris works at the Social Work Department at Monash University. My name is Phillipa Evans and I will be collecting the data.

The purpose of this study is to find out about what skills used by juvenile justice workers are effective with clients. If we can identify what skills are most helpful for improving client outcomes, we can potentially influence juvenile justice training and policies to provide a better service to clients.

Who will participate?
Juvenile justice workers throughout NSW have been sent an Email inviting them to contact us to participate in this research. We have also put up posters at Juvenile Justice offices and made short presentations at staff meetings. Clients aged 12-21 years will be invited to participate if their worker has volunteered to be involved. Parental/ guardian consent is required for young people under the age of 16 to participate.

What will participation involve?
Participation in the research will involve allowing me to observe one session with approximately 5 of your clients that are in the first **three months** of their **current** Order. The timeframe for this project is over the next 12 months. I plan to spend a short time explaining the project to each client before inviting them to participate. If they agree, I will simply sit in the room and take some notes while you talk with your client. You will be able to proceed with your normal work. There is also the option of having your session audio taped if both yourself and the young person are agreeable. You are able to have a copy of this tape at the completion of the interview.

After your supervision session I will briefly speak with both yourself and your client separately to see what aspects of the interview each of you thought was helpful.

It is possible that you might feel uncomfortable having someone watch you working with your clients. It is important for you to understand that the aim of this research is to identify what skills you use with your clients are most effective. *I will not be judging or assessing your work.*

Participation is voluntary

If you want to, you can withdraw from being involved in the research at any point. Participation is entirely voluntary.

🗣 Confidentiality

There are a number of steps I will take to ensure that the information I collect will remain confidential and secure. When the final research report is written it will not include your name, workplace or other personal details that would allow you to be identified.

The information will be stored at the Monash University Social Work Department in a locked filing cabinet for at least five years. The only people who will be able to access this information are Chris Trotter and Gillian McIvor. If you want to access the information I have collected regarding you, please contact Chris Trotter using the contact details on the back of this page. After five years, the information will be destroyed.

📄 Results

The results of this research will be reported to the NSW Department of Juvenile Justice and may also be published in a journal article or book. If you want Chris to send you a summary of the research once it has been written up, please contact him using the details below.

👂 Any complaints

Should you have any complaint concerning the manner in which this research [project number CF08/1578 – 2008000800] is conducted, please feel free to contact the Monash University Standing Committee on Ethics in Research Involving Humans at the following address:

The Secretary
The Standing Committee on Ethics in Research Involving Humans (SCERH)
Building 3D
Research Grants & Ethics Branch
Monash University VIC 3800

Tel: +61 3 9905 2052
Fax: +61 3 9905 1420
Email: scerh@adm.monash.edu.au

☎ Contact Details

We are happy to answer any questions or concerns or assist you if there is any emergency related to the research.

Phillipa Evans (Research Officer)
Phone: 0458 761 861
Email: Phillipa.Evans@djj.nsw.gov.au

Chris Trotter (Chief Investigator)
Phone: (03) 9903 1135
Email: **christopher.trotter@med.monash.edu.au**

APPENDIX 7: Consent form for worker participants

MONASH University

Consent Form for Case Worker Participants

Project Title

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

- I agree to take part in the above Monash University research project. I have had the project explained to me, and I have read the Case Worker Explanatory Statement, which I have a copy of.
- I understand that agreeing to take part means that I am happy for Phillipa Evans to observe one session with each of the clients I see in the following 6-9 months.
- I understand that identifying information such as my name or specific workplace will not be used in the reporting of any research findings to protect my identity from being known to the public. I am aware and agree that this material may be utilised in further postgraduate research.
- I also understand that my participation is voluntary, that I can choose not to participate in part or all of this research, and that I can withdraw at any stage of the research without being penalised or disadvantaged in any way.

❑ I consent to my supervision session being audio taped

❑ I do not consent to my supervision session being audio taped

Name:…… **Date:** ……..

Signature: ……...

APPENDIX 8: Explanatory statement for client participants

MONASH University

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

This research is a Monash University project conducted by Chris Trotter. Chris works at the Social Work Department at Monash University. My name is Phillipa Evans and I will be collecting the data.

The purpose of this study is to find out about what skills used by Juvenile Justice workers are effective with clients. If we can identify what skills are most helpful for improving client outcomes, we can potentially influence Juvenile Justice training and policies to provide a better service to clients.

Getting involved

Juvenile justice case workers throughout NSW have been invited participate in this research. If a worker has agreed to being involved, I have given them some copies of *Form A* to give to any clients aged 12-21 years who they plan to see in the next two weeks. I've asked your worker to invite you to fill in *Form A* if you want to be involved. Your worker has then returned your form to me and told me when to come along for your next supervision session. The following information will help you decide if you want to say yes and participate in this research.

What will participation involve?

Participation in the research will involve allowing me to observe one session you have with your Juvenile Justice worker. If you agree, I will simply sit in the room and take some notes while you talk with your worker. You will be able to go ahead with your normal session. There is also the option of having your supervision session audio taped if both yourself and your worker are agreeable. You are able to have a copy of this tape at the completion of the interview. After your supervision session I will briefly speak with both yourself and your worker separately to see what aspects of the interview each of you thought was helpful.

Afterwards, I will access your Juvenile Justice client file and get some details about you. These details will cover date of birth, prior convictions, reporting patterns, further offences, accommodation, living situation and drug use.

Approximately 12 months after you have participated in the observation interview we are also seeking you permission to access your file and records kept by the NSW Bureau of Crime Statistics and Research again to find out how you went with your supervised order. You do not have to participate in any more interviews at this time. Remember, you can withdraw from the research at any time. If during this time you do not want your file to be accessed again all you need to do is contact either myself or Chris and you can withdraw from the research with no penalty.

Participation is voluntary

If you want to, you can withdraw from being involved in the research at any point. Participation is entirely voluntary. The success of your parole or supervision has nothing to do with whether or not you agree to be in the research. It is completely a separate matter.

🗣 Confidentiality

There are a number of steps I will take to ensure that the information I collect will remain confidential and secure. When I take notes in your session with your worker, I will not write down your name anywhere. I will only record your juvenile justice client number so that we can later match the information from your interview with the details in your file. Anyone who works with the information after I've collected it will not know your name or any of your personal details. If, however, during the interview you disclose further offences or other high risk behaviours it may be necessary to pass on this information to your Juvenile Justice worker. When the final research report is written it will not include your name or other personal details that would allow you to be identified.

The information will be stored at the Monash University Social Work Department in a locked filing cabinet for at least five years. The only people who will be able to access this information are Chris Trotter and Gillian McIvor. If you want to access the information I have collected regarding you, please contact Chris Trotter using the contact details on the back of this page. After five years, the information will be destroyed.

🗎 Results

The results of this research will be reported to the NSW Department of Juvenile Justice and may also be published in a journal article or book. If you want Chris to send you a summary of the research once it has been written up, please contact him using the details below.

👂 Any complaints

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☎ Contact Details

We are happy to answer any questions or concerns or assist you if there is any emergency related to the research.

Phillipa Evans [Research Officer]
Phone: 0458 761 861
Email: Phillipa.Evans@djj.nsw.gov.au

Chris Trotter (Chief Investigator)
Phone: (03) 9903 1135
Email: christopher.trotter@med.monash.edu.a

APPENDIX 9: Consent form for client participants

MONASH University

Consent Form for Client Participants

Project Title

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

- I agree to take part in the above Monash University research project. I have had the project explained to me, and I have read the Client Explanatory Statement, which I have a copy of.
- I understand that agreeing to take part means that I am happy for Phillipa Evans to observe one session that I have with my juvenile justice worker.
- I also understand that a research officer from Monash University will look at my juvenile justice file and record the following details about me: date of birth, prior convictions, reporting patterns, further offences, accommodation, living situation and drug use. I am also aware that records kept by the NSW Bureau of Statistics will be accessed regarding details surrounding any further offences during the 12 months follow up period
- I understand that identifying information such as names and addresses will not be recorded with the information to protect my identity from being known to anyone except Phillipa. I am aware and agree that this material may be utilised in further postgraduate research.
- I also understand that my participation is voluntary, that I can choose not to participate in part or all of this research, and that I can withdraw at any stage of the research without being penalised or disadvantaged in any way.
- I also understand that the success of my parole or supervision has nothing to do with whether or not I agree to be in the research. It is completely a separate matter.

- ❑ I consent to my supervision session being audio taped
- ❑ I do not consent to my supervision session being audio taped

Name:…… **Date:** ……..

Signature: ……...

APPENDIX 10: Verbal explanatory statement for client participants

Explanation to be read to clients by juvenile justice workers to inform clients of the research project.

Some people from Monash University are doing a study to find out about what skills used by juvenile justice workers are effective with clients. If we can identify what things work best for you this can help to improve what we do.

The success of your parole or supervision has nothing to do with whether or not you agree to be in the research. It is completely a separate matter.

You don't have to agree to be involved at this stage. If you are agreeable to talk to the research officer about it then it would be appreciated if you could tick the boxes on this form. Then the research officer will explain it to you at our next meeting and then you can decide if you wish to be involved.

APPENDIX 11: Explanatory statement for parents/ carers

MONASH University

Explanatory Statement for Parents/ Carers

Project Title

Explanatory Statement for Client Participants

Project Title

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

This research is a Monash University project conducted by Chris Trotter. Chris works at the Social Work Department at Monash University. My name is Phillipa Evans and I will be collecting the data.

The purpose of this study is to find out about what skills used by juvenile justice workers are effective with clients. If we can identify what skills are most helpful for improving client outcomes, we can potentially influence juvenile justice training and policies to provide a better service to clients.

Getting involved

Juvenile Justice workers throughout NSW have been invited participate in this research. As your child is under the age of 14, permission is required from either a parent or carer to enable your child to participate. The Juvenile Justice Officer has spoken with your child and they have expressed an interest in participating. The following information will help you decide if you want your son or daughter to participate in this research.

What will participation involve?

Participation in the research will involve allowing me to observe one session your child will have with his or her juvenile justice worker. If permission is granted, I will simply sit in the room and take some notes during the session. Your child will be able to go ahead with their normal session. With your consent, there is also the option of having your child's session audio taped. After the supervision session I will briefly speak with both your son/ daughter and their worker separately to see what aspects of the interview each thought was helpful.

Afterwards, I would access your child's juvenile justice client file and get some details about them. These details will cover date of birth, prior convictions, reporting patterns, further offences, accommodation, living situation and drug use.

Approximately 12 months after your son/daughter has participated in the observation interview we are also seeking your permission to access their file again and records kept by the NSW Bureau of Crime Statistics and Research to find out how they went with their supervised order and if any further offending occurred during this time. Your son/daughter does not have to participate in any more interviews at this time

Participation is voluntary

Participation is entirely voluntary. The young person can withdraw from the research at any time or you can withdraw your permission at any time.

Confidentiality

There are a number of steps I will take to ensure that the information I collect will remain confidential and secure. When I take notes in your son or daughters session with their worker, I will not write down their name anywhere. I will only record the juvenile justice client number so that we can later match the information from the interview with the details in the file. Anyone who works with the information after I've collected it will not know your name or any of your son or daughter's personal details. When the final research report is written it will not include your son or daughters name or other personal details that would allow them to be identified.

The information will be stored at the Monash University Social Work Department in a locked filing cabinet for at least five years. The only people who will be able to access this information is Chris Trotter.

Results

The results of this research will be reported to the NSW Department of Juvenile Justice and may also be published in a journal article or book. If you want Chris to send you a summary of the research once it has been written up, please contact him using the details below.

Any complaints

Should you have any complaint concerning the manner in which this research (project number CF08/1578 – 2008000800) is conducted, please feel free to contact the Monash University Standing Committee on Ethics in Research Involving Humans at the following address:

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Contact Details

We are happy to answer any questions or concerns or assist you if there is any emergency related to the research.

Phillipa Evans (Research Officer) Email: Phillipa.Evans@djj.nsw.gov.au
Phone: 0458 761 861

Chris Trotter (Chief Investigator)
Phone: (03) 9903 1135
Email:christopher.trotter@med.monash.e

APPENDIX 12:Consent form for parent/ carers

MONASH University

Consent Form for Parents/Carers

Project Title

AN ANALYSIS OF SUPERVISION SKILLS USED BY JUVENILE JUSTICE WORKERS

- I agree for my son/ daughter to take part in the above Monash University research project. I have had the project explained to me, and I have read the Parent Explanatory Statement, which I have a copy of.
- I understand that agreeing to take part means that I am happy for Phillipa Evans to observe my son/daughter in one session that they have with their juvenile justice worker and for them to participate in a short interview after this session.
- I also understand that a research officer from Monash University will look at my son/ daughters juvenile justice file and record the following details about them: date of birth, prior convictions, reporting patterns, further offences, accommodation, living situation and drug use. I am also aware that records kept by the NSW Bureau of Crime Statistics and Research will be accessed regarding details surrounding any further offences during the 12 months follow up period
- I understand that identifying information such as names and addresses will not be recorded with the information to protect my son/ daughters identity from being known to anyone except Phillipa Evans. I am aware and agree that this material may be utilised in further postgraduate research.
- I also understand that participation is voluntary and that I can withdraw my son/ daughter from this project at any stage of the research without him/ her being penalised or disadvantaged in any way.

❑ I consent to my child's supervision session being audio taped

❑ I do not consent to my child's supervision session being audio taped

Child's name: ……**Parent/carer name:** …….

Date: …… **Signature:** ……

APPENDIX 13: Worker non-verbal cue checklist

Item description:

- **Expressive**: The worker is expressive in response to the young person. This item is scored as not present if the worker expresses little affect; acts in a stiff formal manner. Score this item as not present if the worker is not animated during the interaction with the young person and/or is not responsive to the young persons attempts to engage (i.e. young person makes a joke and worker fails to respond).
- **Laughs frequently**: This item is scored as present if the worker laughs frequently during the interaction
- **Physically animated:** Score this item as present if the worker moves around a great deal; uses a lot of hand gestures.
- **Relaxed interpersonal style:** Score this item as present if the worker **s**eems to be relaxed. This item is scored as not present if the work seems to have difficulty knowing what to say; mumbles, is difficult to understand.
- **Makes or approaches physical contact with client**: Score this item as present if the worker initiates an kind of physical contact with the young person including shaking hands. Score this item as not present if the young person appears uncomfortable. This might include the worker sitting unusually close to the young person without touching.
- **Visual empathy**: The worker attends to client; appears to be listening which is reflected in actions such as head nodding.
- **Involved**: Score this item as present if both parties appear to be engaged in conversation, exhibited by both verbal cues and body language. Young person elicits own responses without being prompted.
- **Relate:** Score this item as present if the young person appears to grasp and agree with worker during their interaction. This may be evidence by the young person repeating back what the worker has said or non-verbal cues such as nodding.

Evidence	**Score**				
	Not present				Present
	1	2	3	4	5
Expressive Comment:	☐	☐	☐	☐	☐
Laughs frequently: Comment:	☐	☐	☐	☐	☐
Physically animated Comment:	☐	☐	☐	☐	☐
Relaxed interpersonal style Comment:	☐	☐	☐	☐	☐
Makes or approaches physical contact with young person Comment:	☐	☐	☐	☐	☐
Visual empathy Comment:	☐	☐	☐	☐	☐

Involved Comment:	☐	☐	☐	☐	☐
Relate Comment:	☐	☐	☐	☐	☐
Comments:					

Scoring: The scoring of 1- 5 represents the extent to which the skills are utilized during the interview:

1 Not present at all
2 Infrequently present (at least 1 example present through entire duration of the interview)
3 Occasionally present (several examples are present during the interview)
4 Mostly present (worker is clearly using this skill deliberately with the client through out the entire interview)
5 Numerous examples of this being present during the interview

APPEXDIX 14: Young person non-verbal cue checklist

Item description:

- **Expressive**: The young person is expressive in response to the worker. This item is scored as not present if the young person expresses little affect in response to worker, the young person is not animated during the interaction and/or is not responsive to the workers attempts to engage (i.e. worker makes a joke and young person fails to respond).
- **Laughs frequently**: This item is scored as present if the young person laughs frequently during the interaction
- **Physically animated:** Score this item as present if the young person moves around a great deal; uses a lot of hand gestures.
- **Relaxed interpersonal style:** Score this item as present if the young person appears to be relaxed. This item is scored as not present if the young person **s**eems to have difficulty knowing what to say; mumbles, is difficult to understand or shows physical signs of tension or anxiety.
- **Makes or approaches physical contact with the worker**: Score this item as present if the young person initiates any kind of physical contact; including shaking hands.
- **Visual empathy**: The young person appears to be listening which is reflected in actions such as head nodding.
- **Involved**: Score this item as present if both parties appear to be engaged in conversation, exhibited by both verbal cues and body language. Young person elicits own responses without being prompted.
- **Relate:** Score this item as present if the young person appears to grasp and agree with worker during their interaction. This may be evidence by the young person repeating back what the worker has said or non-verbal cues such as nodding.

Evidence	**Score**				
	Not present				Present
	1	2	3	4	5
Expressive Comment:	☐	☐	☐	☐	☐
Laughs frequently: Comment:	☐	☐	☐	☐	☐
Physically animated Comment:	☐	☐	☐	☐	☐
Relaxed interpersonal style Comment:	☐	☐	☐	☐	☐
Makes or approaches physical contact with worker Comment:	☐	☐	☐	☐	☐
Visual empathy Comment:	☐	☐	☐	☐	☐

Involved Comment:	☐	☐	☐	☐	☐
Relate Comment:	☐	☐	☐	☐	☐
Comments:					

Scoring: The scoring of 1- 5 represents the extent to which the skills are utilized during the interview:

1 Not present at all
2 Infrequently present (at least 1 example present through entire duration of the interview)
3 Occasionally present (several examples are present during the interview)
4 Mostly present (worker is clearly using this skill deliberately with the client through out the entire interview)
5 Numerous examples of this being present during the interview

APPENDIX 15: Journal article

Article

Australian & New Zealand Journal of Criminology
45(2) 255–273

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SAGE

An analysis of supervision skills in youth probation

Chris Trotter
Monash University, Australia

Phillipa Evans
Monash University, Australia

Abstract
This article examines the content of supervision sessions between probation officers and their clients and the extent to which supervisors make use of effective practice skills. It summarises the literature which suggests that when probation officers use particular skills, those under their supervision are likely to have lower recidivism rates than the clients of probation officers who do not use these skills. It discusses the few studies which have directly considered the extent to which probation officers make use of effective practice skills. It then outlines a research project which involved personal observation of 119 interviews between youth probation officers and their clients in Juvenile Justice in NSW with a view to identifying the content of interviews and the extent to which probation officers used effective practice skills. The findings suggest that probation officers are strong on relationship and pro-social modelling skills but make less use of role clarification, problem solving and cognitive behavioural skills. The implications of this are discussed.

Keywords
effectiveness, juvenile justice, probation, supervision

Background

This article examines the content of supervision sessions between youth probation officers and their clients and the extent to which supervisors make use of effective practice skills. It first looks at the literature relating to effective practice. The literature suggests that when probation officers use particular skills, those under their supervision are likely to have lower recidivism rates. It discusses current knowledge of what probation officers actually do and say in supervision sessions and the extent to which they make use of effective practice skills. It then outlines a research project which observed interviews between probation officers and their clients in the Juvenile Justice Department in

Corresponding author:
Prof Chris Trotter, Department of Social Work, Monash University, PO Box 197, Caulfield East 3145, Australia.
Email: chris.trotter@med.monash.edu.au

New South Wales (NSW) with a view to identifying the nature and content of interviews and the extent to which probation officers used effective practice skills in their day-to-day supervision sessions.

The terminology for 'probation' and who delivers probation supervision varies. The term probation is used in this article to refer to community-based supervision whether it relates to probation orders, parole orders, supervised bonds, or other legal community-based orders which involve supervision. Similarly, the term 'probation officer' is used to refer to probation officers, community corrections officers, parole officers, juvenile justice workers or counsellors, or others who supervise offenders in the community under court orders.

The term effectiveness is often used in the literature and is used in this article to refer to reducing recidivism by reducing re-offending, or reducing failures to comply with conditions of probation. The terms supervision, treatment and programmes are sometimes used interchangeably in the literature to refer to the services offered to offenders. In this article we have referred to supervision as the routine or regular interviews which take place between probation officers and those sentenced to probation and other community-based court orders. Where the other terms are used it is because they have been used in the literature to describe specialist individual or group services such as drug treatment or group programmes.

Despite the prevalence of probation, little is known about what occurs in supervision. Bonta et al. (2004) refer to this lack of knowledge as the 'black box' of community supervision. However, knowledge about what goes on in supervision is important for several reasons. It is one of the most used dispositions for criminal offences in western countries, and most persistent offenders experience probation or other community-based orders at some stage in their lives. According to the US Bureau of Justice Statistics (BJS) as many as 5 million people were on probation or parole at the end of 2009 – about 3 per cent of adults in the US population. In Australia during 2008–09, an average of 56,972 offenders, were serving community corrections orders on any given day. This is a rate of 338 per 100,000 adults (562 per 100,000 adult males and 121 per 100,000 adult females) (AIC, 2010).

Probation represents the primary form of intervention with young offenders in Australia (AIHW, 2011). Around 7200 young people were under juvenile justice supervision on any given day in 2008–09. Most (90 per cent) were under community-based supervision, with the reminder in detention. In NSW during 2009–10, 4521 young offenders were under the supervision of the NSW Department of Juvenile Justice on community-based orders (NSW Government, 2009/10). Aboriginal and Torres Strait Islander young people continue to be overrepresented in community supervision as well as in detention (AIHW, 2011).

Knowledge about probation supervision is likely to be of interest to judges and magistrates who sentence offenders and to legal representatives who recommend sentences. It is also of particular interest to those who work in and with probation services, particularly given the evidence discussed later in this paper that suggests that probation supervision can lead to reduced re-offending and in some circumstances can even lead to increased re-offending, depending on the nature of the supervision. Failure on supervision, particularly parole supervision, may also lead to imprisonment with a subsequent impact on imprisonment rates.

Knowledge about what goes on in supervision is of particular relevance to those who offer education, training and supervision to potential and practising probation officers. If some effective practice skills are consistently neglected or misused, for example, then this can be addressed through training and supervision. Information from this study and others like it can therefore help to inform the nature of training and supervision for probation officers.

A concise understanding about what goes on in probation supervision can also help to develop knowledge about the nature of the skills used. For example, there is evidence from the child protection field that problem solving in the field might be different in practice to the way it is set out in textbooks (Trotter, 2004). Evidence about how skills are delivered in practice can help to refine our understanding of the nature of those skills. This has advantages for developing knowledge about the nature of effective supervision practices, and, in turn, for education, training and supervision.

Of particular interest is the nature of the supervision of young people, where caseloads are generally lower than in adult probation and there are opportunities for higher levels of supervision and therefore for higher levels of impact. Juvenile probation is the focus of the study reported on in this article.

Literature review

Effective practice skills

There is considerable evidence that the nature of correctional interventions can make a difference to the re-offending rates of those who receive them (e.g. Bonta and Andrews, 2010; Farrington and Welsh, 2005; McIvor, 2005; McNeill et al., 2005; Raynor, 2003; Trotter, 2006). The argument presented in the literature is not that correctional interventions always work, but that appropriate forms of intervention can be effective. In a review of meta-analysis of treatment effectiveness, Andrews and Bonta (2006: 329) argue that appropriate treatment led to reductions in recidivism of 'a little more than 50 percent from that found in comparison conditions'.

Much of the research on the effectiveness of correctional interventions has been undertaken on specific interventions, for example cognitive behavioural programmes or drug treatment programmes. Less attention has been paid to the routine supervision of offenders on probation, parole or other community-based orders. Nevertheless the research which has been undertaken suggests that certain practices are effective in the supervision of offenders on adult and youth probation.

Role clarification

Work with offenders involves what Ronald Rooney (1992) and Jones and Alcabes (1993) refer to as client socialisation or what others have referred to as role clarification (Trotter, 2006). One aspect of role clarification involves helping the client to accept that the worker can help with the client's problems even though the worker has a social control role. Other aspects of role clarification involve exploring the client's expectations, helping the client to understand what is negotiable, the limits of confidentiality and the nature of the worker's authority. Some research has been undertaken on this issue in mental health (Videka-Sherman, 1988) and in child protection

(Shulman, 1991; Trotter, 2004). Less work has been done in corrections settings although Trotter (1996) found that role clarification skills were part of a group of skills which related to reduced re-offending by probationers. Dowden and Andrews (2004) also found support in their meta-analysis for the appropriate use of authority – an approach which is 'firm but fair', although the skill was not used often in the studies reviewed and the effect size of .17 was relatively low.

Pro-social modelling and reinforcement

Pro-social modelling and reinforcement have been shown to be effective in a number of studies (e.g. Andrews and Bonta, 2006; Gendreau, 1996; Raynor, 2003; Trotter, 2006), including studies focused on community supervision in adult and juvenile settings (Andrews et al., 1979; Bourgeon et al., 2010; Trotter, 1990, 1996). It is included as one of the core components of effective probation supervision in a meta-analysis of studies on probation supervision by Dowden and Andrews (2004). There is support for probation officers modelling pro-social behaviours, for positively reinforcing clients' pro-social behaviours and for challenging clients' pro-criminal behaviours. The use of pro-social modelling and reinforcement was strongly related to recidivism in two studies by Trotter (1990, 1996), both suggesting that when workers used these skills the clients of those workers had levels of recidivism which were between 30 and 50 per cent lower than when the skills were not used. Similarly, the meta-analysis by Dowden and Andrews (2004) found a correlation with effect size of .34 with effective modelling, .24 with effective reinforcement and .17 with effective disapproval.

Problem solving

Effective interventions in corrections address the issues which have led offenders to become offenders, often referred to as criminogenic needs (Andrews and Bonta, 2006). Criminogenic needs may include employment, family relationships, drug use, peer group associations, housing, finances or pro-criminal attitudes. A number of studies also suggest that working collaboratively with offenders and focusing on the issues or problems which the offenders themselves identify as problematic leads to lower recidivism (McNeill and Whyte, 2007; Trotter, 1996, 2006). There is also support for problem-solving approaches whereby workers canvass a wide range of client issues, reach agreement on problems to be addressed, set goals and develop strategies to achieve those goals (Andrews and Bonta, 2006; Dowden and Andrews, 2004; Trotter, 1996). Trotter (1996) found that problem solving was related to a 50 per cent reduction in conditions-related breaches of probation but not to offence-related breaches. Dowden and Andrews (2004) point to a correlation with effect size of .29 for problem solving in their meta-analysis of core correctional practice.

Relationship and desistance

Dowden and Andrews (2004) also identified the client–worker relationship as one of the elements of core correctional practice in their meta-analysis. Relationship skills are also referred to in other reviews (e.g. Bonta et al., 2008; Bourgeon et al., 2010; Gendreau, 1996; Trotter, 2006). It is argued that probation officers should have relationships with clients that are characterised by empathy, openness, warmth, humour, enthusiasm, appropriate self disclosure and a positive view about the clients' capacity to change.

Dowden and Andrews (2004) in their meta-analysis indicate a correlation with effect size of .25 for relationship factors.

Focus on high risk and cognitive behavioural techniques

The work of Andrews and Bonta (2006) in particular has highlighted the risk/need/responsivity (RNR) model. They point to the need to focus on medium- to high-risk offenders. They refer to four studies which found recidivism rates which were as much as 50 per cent lower when high-risk offenders received intensive treatment, and actually up to 50 per cent higher when low-risk offenders were offered intensive treatment. They also refer to the value of cognitive behavioural interventions. Cognitive behavioural interventions, which help offenders address thinking patterns which relate to crime, are often targeted towards groups of offenders, rather than individuals; nevertheless these interventions may also be used in one–to-one supervision in probation. The Dowden and Andrews (2004) meta-analysis of core practices indicates an effect size of .37 for structured learning which involves cognitive behavioural interventions, the highest effect size of any of the variables.

Other factors

There is also support for relapse prevention techniques, which involve the worker helping offenders to identify and avoid precursors to offending (Dowden et al., 2003); for 'multi-modal' approaches, which rely on a range of intervention methods (Andrews and Bonta, 2006); for working with families of young offenders (Lipsey et al., 2010); and for matching workers and clients according to learning style and personality (Gendreau et al., 1996; Wing and Nellis, 2003).

What works – differing perspectives

While there seems to be considerable agreement in the research that the approaches referred to above are related to reduced recidivism, there is less agreement about the relative importance of the different factors, with some emphasising relationship and strengths-based factors and others emphasising risk assessment and cognitive behavioural factors.

The 'Good Lives Model' (Ward, 2010), for example, focuses on client strengths, on enhancing opportunities to achieve the goals of a good life such as employment and social relationships, and on developing holistic plans for change. It is critical of the focus on risk factors in the RNR model, and it emphasises the importance of therapeutic alliance and on enhancing opportunities for offenders to achieve goals associated with a good life such as employment and social relationships.

The Good Lives Model has much in common with the desistance paradigm in correctional practice (Maruna and LeBel, 2010). The desistance paradigm involves focusing on offenders' pro-social networks and attitudes and allowing offenders to guide interventions themselves. Rather than focusing on risk-related issues it focuses on issues that might make offenders' lives meaningful, and on fostering and supporting the changes that offenders make for themselves as they mature.

While it is a broader concept, the desistance paradigm is consistent with the principles of pro-social modelling and reinforcement referred to earlier. In addition to its pro-social

and strengths focus, it emphasises – like the Good Lives Model – the importance of the therapeutic relationship. The desistance paradigm draws support from the general counselling field for its stress on the importance of the therapeutic relationship. McNeill et al. (2005), for example, in a report on effective practice refer to earlier work by Assay and Lambert (1999) which argues that therapeutic relationship factors represent 30 per cent of the impact on client outcomes in therapy, compared to specific techniques such as problem solving which account for 15 per cent, expectancy and placebo effects (15 per cent) and extra-therapeutic factors (40 per cent).

The research, in particular the meta-analysis, has tended to focus on general groups of offenders and less on the specifics of what works best for particular groups, such as young, cognitively impaired or indigenous offenders. Nevertheless the appropriateness of the RNR model and cognitive behavioural approaches with women has been challenged. It has been argued that women, in particular, may respond better to relationship-based interventions (Gelsthorpe, 2004). It is argued that cognitive behavioural interventions attribute offending to thinking processes rather than to structural inequalities relating to education or poverty, for example, and that this disadvantages women in particular (Hannah-Moffat, 2001).

Implementation of 'what works' principles

While publications on 'what works' date back many years (e.g. Andrews et al., 1990), and many corrections organisations offer training to staff in these principles, there is little known about how, or the extent to which, they are actually used in practice. Some evidence suggests that correctional interventions in general make little use of 'what works' principles (Andrews and Dowden, 2005). Andrews and Dowden (2005) refer to the concept of therapeutic integrity, which can be understood as the extent to which programmes or interventions are delivered in the way they were intended. They undertook a meta-analysis of therapeutic integrity in correctional treatment. The results from 273 studies suggest that often interventions were not implemented as planned and that treatment effectiveness was subsequently compromised.

Another meta-analysis by Dowden and Andrews (2004) focused on the use of core staff practices in human service corrections programmes. The programmes selected exclude punishment programmes, and although the nature of the programmes is not defined, it appears to include probation and parole programmes as well as other human service interventions offered in the community. They found very low adherence to the core principles. Relationship factors were found in only 5 per cent of the studies examined; problem solving in only 16 per cent; effective modelling in 16 per cent; and effective reinforcement and disapproval in only 5 and 3 per cent respectively.

Bonta et al. (2008) undertook an examination of audio-taped interviews between 62 probation officers and their clients. They found that probation officers did not generally focus on the principles of effective practice but more on complying with probation conditions.

> For the most part, probation officers spent too much time on the enforcement aspect of supervision (i.e., complying with the conditions of probation) and not enough time on the service delivery role of supervision. Major criminogenic needs such as antisocial attitudes

> and social supports for crime were largely ignored and probation officers evidenced few of the skills (e.g., prosocial modeling, differential reinforcement) that could influence behavioral change in their clients. (Bonta et al., 2008: 248)

A different picture is presented, however, in a small study by Raynor et al. (2010) undertaken in adult and youth probation services in the Channel Island of Jersey. They examined video-tapes of interviews, unlike Bonta et al. (2004) who used audio-tapes. They used a coding manual based on measures of effective use of authority, pro-social modelling skills, problem-solving techniques and effective communication skills (Raynor et al., 2010: 116). They used three researchers to rate each interview but had only rated six interviews at the time of publication. Nevertheless they found a much higher use of the skills than in the studies referred to earlier. They comment that:

> most officers routinely meet most or all of the criteria for use of some types of skill particularly in the set up of interviews, quality of communication, use of authority (mostly relationship skills) and in pro-social modelling (in which they have been trained) but with larger differences evident in other structuring skills – motivational interviewing, problem solving and cognitive re-structuring. (Raynor et al., 2010: 125)

Another study undertaken in adult probation in Canada (Bourgeon et al., 2010) also examined tapes of interviews between probation officers and their clients using a similar scoring manual to that used in the Jersey study. Their sample included 143 clients supervised either by one of 33 probation officers who had undertaken specific training in effective practice skills or by one of 19 probation officers who had not undertaken such training. Each of the probation officers volunteered to be involved in the project and was randomly assigned to either the experimental or control group. They measured the use of the skills on a seven-point scale and found that those who had undertaken training were given mean scores of 5.59 on structuring skills compared to 3.69 for those who had not done the training, 2.64 and 2.21 respectively for relationship skills, 3.02 and 2.54 for behavioural techniques, and 2.21 and .01 for cognitive techniques. Each of the differences was statistically significant at the .05 level, with the exception of behavioural techniques which was within the .10 level. In other words, the probation officers generally provided structure to the session, made some use of relationship skills, made some use of behavioural techniques, but, particularly for those without training, made very little use of cognitive techniques.

The Bourgeon et al. study (2010) also found, like a number of other studies, that training not only improved the likelihood that probation officers would use effective practice skills but also that those under the supervision of the trained officers had lower rates of recidivism. This was also evident in a study done in Australia (Trotter, 1996) which found that the clients of officers trained in the skills of role clarification, pro-social modelling, problem solving and relationship building had up to 50 per cent lower recidivism after one year and after four years, depending on the recidivism measure used. A recent study by Robinson et al. (2011) also found improved outcomes for pre-trial and post-conviction clients for those supervised by officers trained in effective practice skills. Again the re-offence rates were up to 50 percent lower depending on the measures used. They also found increased compliance with pre-trial conditions.

While it is increasingly evident, therefore, that the use of particular skills by probation officers leads to improved outcomes for clients, there is doubt about the extent to which effective practice skills are used routinely in probation. Most of the research, at least the research undertaken with large samples, suggests that the skills are used in practice only minimally unless probation officers are involved in specific training in the skills, and even then only some of the skills are used. Little work has been undertaken in Australia examining the extent to which skills are used by probation officers in supervision, and little work has been undertaken at all examining the nature of skills used by probation officers in juvenile justice settings. Most of the work reported on in the preceding sections of this paper has been undertaken with adult rather than juvenile offenders, and at this stage there seems to have been insufficient research to distinguish the relative effectiveness of skills used with adults and young people. Further, the work done to date examining the content of probation interviews has gathered data through analysing audio-tapes or video-tapes of interviews. None have used personal observation by researchers, a method which might give a more complete picture of the nature of the interaction between workers and probationers.

Methodology

Aim of the study

This study aimed to identify the extent to which the effective practice skills referred to in the literature review were used in interviews between juvenile justice officers and their clients working in juvenile justice in New South Wales, Australia. It is a study about the use of effective practice skills rather than about the impact of those skills on client outcomes.

Sample

One hundred and nineteen worker/client interviews were personally observed by one of three research officers between 2006 and 2010. Forty-six staff members participated in the interviews. It was initially intended to observe five interviews per worker – however, the practicalities of accessing interviews meant that in some cases only one or two interviews were observed per worker. Fifteen juvenile justice counsellors were involved in 33 of the interviews and 31 juvenile justice officers conducted the remaining 86 interviews. Juvenile justice counsellors and juvenile justice workers each provide direct supervision to young offenders on probation, parole or other community-based supervision orders. Juvenile justice counsellors have relevant tertiary qualifications and have a counselling or problem-solving role, whereas juvenile justice workers are not required to have tertiary qualifications and are generally expected to focus more on compliance and practical issues. The workers were most often aged between 35 and 44, and the average years of experience working in juvenile justice was 10. Sixty-four of the interviews were conducted by female officers and 55 by male officers.

The organisation provides regular training in effective practice skills. Training in the four key skills of role clarification, pro-social modelling, problem solving and

relationship building has been conducted throughout Juvenile Justice in NSW over the past five years, along with the introduction of and training in a cognitive behavioural method known as TARGETS or CHARTS, which involves structured methods of addressing client issues through the use of worksheets.

Consistent with (Monash University) ethics approvals, the project was dependent on workers and clients volunteering and on workers facilitating the observations for the research officers. Initially more than 90 staff members offered to be involved, however ultimately only 46 of those were observed.

The 119 young people had an average age of 15.82 years with the youngest being 12 and the oldest 18. Eighty-two percent (98/119) were male, 43 were on supervised bonds, 32 on probation, 19 on suspended sentences, 15 on parole and the remainder on other forms of supervision (e.g. bail supervision). They had an average of 1.46 prior convictions. The most common offences for which they received the current order included assaults (33), breaking and entering (23), robbery (12), theft (11) and property damage (11).

Observations

Observations of supervision sessions were undertaken in the first three months of the young person receiving their new community supervision order. While there would have been advantages in also observing interviews at later stages in the order, it was decided to limit the observations to the early stages because some orders, particularly parole orders, are short and the researchers were concerned about excluding those on short orders. Also, it was anticipated that a number of young people would breach orders through further offences and the longer the time to the observation the more likely that higher-risk young people would not have been included in the sample. Further, intensive work was conducted for the most part in the early stages of the order when it was anticipated that reporting would be more frequent.

The interviews took place at a number of venues. Thirty-one per cent were undertaken in juvenile justice offices, 28 per cent in clients' homes and 40 per cent in another community setting. The project was conducted in two stages. The first phase was funded through a grant from Monash University (2007–08), and the second phase was funded through the Australian Criminology Research Council (2008–11). In the first phase of the project the interviews were manually recorded with as much detail as possible. Permission was then sought from university and juvenile justice ethics committees to audio-tape the interviews and subsequent interviews were audio-taped.

An Aboriginal research officer undertook 16 of the observations. A high proportion of the clients in juvenile justice in NSW are Aboriginal (23 per cent of the sample) and it was felt that an Aboriginal worker may identify particular practices or interactions which might help to identify culturally appropriate approaches to supervision.

It is acknowledged that workers and clients may behave differently when they are observed. The observers therefore attempted to be as unobtrusive as possible. They also emphasised that the purpose of the observation was to view the interview as it would normally occur and that no one could be identified in any reporting of the study.

Coding of observations

A coding manual was developed in consultation with investigators on similar projects conducted by Peter Raynor and colleagues in Jersey (UK) and by James Bonta, Guy Bourgeon and others in Canada. The manual aimed to define the skills and assist in the accuracy and reliability of the estimates of the extent to which the skills were used in interviews. It was divided into 15 sections: set up of the interview; structure of the interview; role clarification; needs analysis; problem solving; developing strategies; relapse prevention/cognitive behavioural techniques; pro-social modelling and reinforcement; nature of the relationship; empathy; confrontation; termination; use of referral/community resources; non-verbal cues; and incidental conversations. Each of the 15 sections contained a number of items which could be rated on a five-point scale. For example the problem-solving section included: problem survey; problem ranking; problem exploration; setting goals; timeframe; review; developing a contract; developing strategies; ongoing monitoring; and time spent conducting problem solving.

The observer rated the extent to which workers used the skills during the interview. This was rated on a five-point scale dependent on whether the skill was:

1. not present at all;
2. infrequently present (at least one example present through entire duration of the interview);
3. sometimes present (several examples are present during the interview);
4. often present (numerous examples of this being present during the interview;
5. present (worker is clearly using this skill deliberately with the client throughout the entire interview).

For the skill to be rated highly it needed to be implemented in a way which was consistent with the research about good practice referred to in the literature review. For example, problem solving would be rated high if the worker frequently helped clients to identify their own problems and goals and helped clients to identify strategies themselves to address them. It would be rated low if the worker identified problems with minimal input from the client and then set goals and strategies for the client.

Inter-rater reliability

A total of three research officers conducted field observations. Ninety-nine observations were completed by the first research officer, who was employed continuously on the project for a period of four years. Sixteen observations were completed by an Aboriginal research officer and four were completed by another research officer.

The coding was undertaken by three research officers. The second and third research officers did not observe the interviews but coded from the tapes and the non-verbal cues form filled out at the time of the interviews. The coding manual contained detailed instructions and definitions of the various skills. Each of the research officers was trained in using the coding manual and cross-coded a number of interviews using the audio-tapes of the interviews prior to doing the final coding of the interviews.

Detailed discussions were undertaken ensuring that each of the coders had consistent interpretations of the wording in the coding manual.

Ideally, two research officers would have observed a number of interviews together in order to determine the level of inter-coder reliability, however, this was not practical because of the expense and time involved. Thirteen of the interviews were, however, coded by the research officer who observed the interview and subsequently cross-coded by another research officer using the audio-tapes of the interviews. The research officers using the audio-tapes also had access to the non-verbal cues section of the coding undertaken by the first worker in an attempt to overcome the disadvantage of not having observed the interview in person. There was a high degree of consistency in the ratings. For example, the correlation between first and second coders on time spent discussing role clarification was .771 (sig .002), on time spent on problem solving was .806 (sig .001) and on pro-social modelling .575 (sig .040).

Results

The average time for an interview was 30.48 minutes; however, there was considerable variation in the length of interviews, with the shortest being five minutes and the longest 102 minutes. Female staff had longer interviews than male staff, with female staff averaging 33.20 minutes and male staff averaging 27.43 minutes. The gender of the client was not however associated with the duration of interviews. High-risk young people (those who rated above the mean on the Youth Level of Service Inventory, the standard risk assessment tool used in the department) had longer interviews (33 minutes for higher risk and 26 minutes for lower risk). They also had more frequent interviews consistent with departmental policy. The mean number of contacts with high-risk young people was one per week, whereas the mean number of contacts with low-risk young people was one every two weeks.

In the interviews, the workers and clients talked about issues such as the conditions of the order, expectations of clients and the purpose of supervision. As pointed out below, they talked a lot about criminogenic needs such as employment or education, family, drug use, and recreational activities and friends. They also talked sometimes about incidental issues such as sport or TV shows. As mentioned earlier, however, the aim of this study was to examine the extent to which workers used effective practice skills rather than to measure the subject of discussions.

Role Clarification

As shown in Table 1, the mean time spent appropriately using role clarification skills was rated at 2.35. In other words, appropriate use of role clarification (helping the client to understand roles rather than telling the client) was rated most often as 'infrequently present' (with at least one example present through the entire duration of the interview); or 'sometimes present' (several examples are present during the interview). In 16 per cent of the interviews, the coder found that the worker made no use of the skill of role clarification issues and in 5 per cent of interviews the coder found that the worker was 'clearly using this skill deliberately with the client throughout the entire interview'.

Table 1. Workers' use of role clarification skills (1 = not discussed; 5 = discussed a lot)

Time spent discussing role clarification	2.35
Purpose of the worker's interventions	2.37
Spoke about conditions of order	2.36
How the worker can help	2.31
Nature/authority of worker	1.70
Time worker has for client	1.64
Dual role helper/investigator	1.59
Negotiable/non-negotiable areas	1.45
Confidentiality	1.31
Restrictions of organisation	1.20

Table 2. Workers' use of problem-solving skills

Time spent conducting problem solving	2.69
Problem exploration	3.08
Developing strategies	2.32
Problem survey	2.29
Problem ranking	1.74
Setting goals	1.74
Developing contract	1.26

The workers infrequently (at least one example in the interview) helped the client to understand the worker's purpose, the conditions of the order, or how the worker could help the client (for example by making referrals to other agencies or counselling the client). There were fewer examples in the interviews of helping the client to understand the nature of the worker's authority (for example what happens if a client misses an appointment), the worker's dual role as a helper and investigator (for example the worker explaining the difference between being a helper/counsellor and their authority as a juvenile justice worker), the negotiable and non-negotiable areas of probation (for example the time and day of the appointment may be negotiable whereas the frequency of supervision may not be negotiable), and the time the worker had for the client. There were little if any references to the other role clarification skills of helping the client to understand the extent to which the interviews were confidential, or the role of the worker in relation to their organisation.

Problem solving

Table 2 suggests that workers used problem-solving skills more often than role clarification with the average rating of 3 (several examples are present during the interview). In only 6 per cent of the 119 interviews, however, did the coders indicate that the worker 'is clearly using this skill deliberately with the client throughout the entire interview' and in

Table 3. Criminogenic needs discussed during interviews (5 = discussed a lot; 1 = not discussed at all)

Employment/education	3.23
Anger management	2.81
Family relationships	2.42
Substance abuse	2.37
Offences	2.23
Anti-social peers	2.22
Attitude	1.90
Accommodation	1.89
Social/recreation	1.78
Financial	1.61
Emotional stability	1.46
Health	1.23

17 per cent of the interviews the skill was not used at all. When workers used problem-solving techniques to address client issues they focused sometimes on exploring problems with clients. They infrequently focused on problem survey, whereby the worker and the young person talked about a range of problems the young person might be facing from the young person's perspective. They also infrequently focused on developing strategies or courses of action that may be taken, and evaluating which steps would be the most likely to succeed. They made little use of goals and contracts or problem ranking (deciding with the client which problems are the most appropriate to work on).

This is not to say that the workers did not talk about offence-related problems. On the contrary, an average of 2.17 problems or criminogenic needs were discussed in each interview (Table 3). The workers often, however, discussed these issues from their perspective rather than from the client's. In other words, the workers would identify the needs of the clients rather than the clients doing so for themselves. There was also considerable variation in the numbers of needs discussed: in 30 per cent of the interviews no needs were discussed and in 21 per cent of the interviews four or more needs were discussed. The most commonly discussed criminogenic needs were employment and education issues, and the next most commonly discussed were family and relationships. Other issues which were discussed less frequently (but at least once on average per interview) included drug use, peers, anger and offences. There were fewer discussions around issues which might be defined as non-criminogenic needs such as emotional health or recreation (Andrews and Bonta, 2006).

Pro-social modelling and reinforcement

All but one of the workers used at least some pro-social modelling and reinforcement, with 19 per cent 'clearly using this skill deliberately with the client throughout the entire interview' (Table 4). There were often examples of identifying pro-social actions and comments by clients and sometimes examples of the worker providing rewards through praise or other methods for pro-social actions and comments. There were fewer

Table 4. Pro-social skills used in interviews

Time spent using pro-social modeling	3.26
Identifying pro-social actions	3.53
Rewarding pro-social actions	3.24
Modelling desirable behaviours	2.30
Challenging pro-criminal actions	2.28

Table 5. Use of relationship skills by workers

Open and honest	4.03
Friendly	3.96
Enthusiastic	3.70
Engaging	3.62
Non-blaming	3.50
Paraphrasing	3.10
Reflection of feelings	3.06
Challenge rationalisations	2.60
Humour	2.44
Self disclosure	1.78
Judgmental confrontation	1.20
Aggressive judgmental confrontation	1.06

examples of modelling pro-social values – for example expressing views about the value of pro-social pursuits – and few examples of challenging clients' pro-criminal actions or comments.

Relationship skills

As shown in Table 5 the workers were, in the judgement of the coders, open and honest, non-blaming, enthusiastic and friendly. They also were often engaging. They made less use of the skills of challenging rationalisations, reflection of feelings, paraphrasing clients' comments and use of humour. They rarely, if ever, used aggressive or judgemental confrontations.

Cognitive behavioural skills

As shown in Table 6, workers generally made infrequent use of cognitive behavioural skills. They most often used skills relating to risk factors (identifying the patterns of thinking or behaviours that have led the young person to committing criminal acts in the past) and physical coping skills (the worker assists the young person to identify available physical resources to assist them to deal with a high-risk situation). They made little use of cognitive coping skills (the worker assisting or educating the young person about the

Table 6. Use of cognitive behavioural skills

Risk factors	2.41
Physical coping skills	2.20
High-risk situations	2.15
Cognitive coping skills	1.89
Managing lapses	1.39

cognitive coping skills available to assist them deal with a high-risk situation) or managing relapses (the worker goes through a specific high-risk situation with the young person identifying possible strategies that could be employed to minimise the risk of re-offending).

Variability in use of the skills

There was considerable variability in the use of the skills by the workers, with between 20 and 24 per cent of the scores falling at 1 or 5 for the key skills of pro-social modelling, problem solving, and role clarification. In other words a total of 20 to 24 per cent (distributed over two ends of the scale) of the workers either used none of the skills in the interview or used them deliberately throughout the entire interview. There were also strong correlations between the ratings of the use of the skills by the same workers. In other words if a worker used one of the skills, they were likely to use all of the skills. The correlations between the ratings of each of the key skills of role clarification, pro-social modelling, and problem solving for example were each between .286 and .489 and statistically significant at the .01 level.

Why did the workers use different skills?

There was a relationship between use of some of the skills and the characteristics of the workers. There was a significant correlation (<.05) between the age of the workers and the use of the skills, with younger and less experienced workers making more use of each of the key skills, perhaps because they had more recent educational experiences where they may have learnt the skills. Juvenile justice counsellors who are required to have a relevant degree, and who were younger, also made more use of the skills (problem solving and pro-social modelling $p < .05$ and role clarification $p < .10$). The gender of the staff or the risk levels of the clients was not associated with use of the skills.

Limitations

The results must be considered in light of the limitations of the study. First, each of the interviews observed followed an expression of interest by a worker in being involved in the project. Those who volunteered represent only a small proportion of the total number of juvenile justice workers in NSW Juvenile Justice (approximately 330) and may not be representative of the skills and practice of all workers in the system. Second, coding the transcripts is an imperfect science. While there was a high degree of

consistency in the coding, and the coding manual was developed in collaboration with others doing similar work, there is nevertheless a degree of subjectivity in the definitions of the skills and in the interpretation of the coding manual.

The limitations of the study are acknowledged, nevertheless the results do provide valuable insights into the way in which a sample of probation officers in NSW Juvenile Justice carry out their work.

Discussion

The results from the observations suggest that the workers are strong on relationship skills. They are friendly, open, honest, engaging and enthusiastic. The observations suggest that the workers were also strong on at least some pro-social modelling skills. They often rewarded pro-social comments and actions, and praised clients for saying and doing 'good or positive things'.

These findings, in relation to the use of relationship and pro-social modelling skills, are consistent with the other studies focused on examining probation interviews referred to earlier in this paper. This includes the Bonta et al. (2008) study which examined audio-tapes of adult and youth probation interviews in Canada; the Raynor et al. (2010) study which used video-tapes in a small study in Jersey, UK, with adult probationers; and the Bourgeon et al. (2010) study which examined audio-tapes of adult probation interviews in Canada.

The findings of this study suggest that the workers were not as strong on role clarification skills as they were on relationship skills, particularly in relation to discussing issues such as the dual role, confidentiality, and negotiable and non-negotiable areas. While a considerable amount of discussion in the interviews was taken up with needs analysis there was less focus on setting goals, developing solutions and the use of cognitive behavioural techniques. Similar findings were found in the other studies in relation to problem solving and the use of cognitive behavioural techniques, although the other studies paid less attention to role clarification issues. These findings are similar in different countries and with different probation populations and with different methods of gathering data (audio-tapes, video-tapes, observations and client interviews).

While the research suggests that the clients of probation officers with particular skills have good outcomes, there is no research that can tell us exactly how often the various skills should be used in each interview. There is also an argument, consistent with the desistance paradigm, that a good worker–client relationship combined with a strengths focus is likely to be effective regardless of the other skills used. Nevertheless, the research discussed earlier suggests that probation supervision that includes problem solving provides for better outcomes. This includes setting goals with clients, helping the client develop solutions and using cognitive behavioural techniques. This study suggests that 64 per cent (76/119) did not discuss goals at all, and 45 per cent did not discuss solutions at all (53/119) in the interviews which were observed. A picture is painted by this study and those before it of excellent work done by probation staff in developing relationships and reinforcing client pro-social activities but not taking the next step in addressing criminogenic needs through problem solving and cognitive behavioural strategies.

To conclude – little is known about what goes on in probation interviews despite the fact that probation and other forms of community supervision are among the most

common sentencing dispositions, and most serious or repeat offenders experience probation at some time in their lives. This study is one of the few studies that has examined the nature and content of probation interviews, and, to the best of the authors' knowledge, the only published study to date which has used personal observation to examine probation interviews with young offenders. The study findings have implications for selection, training and supervision of probation staff, particularly given the impact that training and supervision have been shown to have on the practices of probation officers (Bourgeon et al., 2010; Trotter, 1996). The research suggests that recidivism rates may be reduced through probation supervision if probation officers use evidence-based practice skills. The results of this study, when considered alongside the other studies which have been done on this issue, suggest that a focus on staff training and supervision, particularly in relation to role clarification, problem solving and cognitive behavioural skills, may lead in turn to more effective supervision.

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Article

The Effectiveness of Challenging Skills in Work With Young Offenders

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Chris Trotter[1], Phillipa Evans[1], and Susan Baidawi[1]

Abstract

Probation officers and others who work with young offenders often challenge or confront their clients in relation to pro-criminal comments and criminal behaviour. There is, however, very little research that can inform practitioners about which forms of challenging most effectively engage young people. This study examines the use of challenging by youth justice workers in New South Wales, Australia. Researchers observed and audiotaped 116 interviews between youth justice workers and their clients with a view to examining the nature of challenging used by workers and the response of young people to different forms of challenging. Qualitative and quantitative findings indicate that the clients were more positively engaged by, and responsive to, challenging that was exploratory, non-blaming, and accompanied by positive reinforcement of their strengths. Excerpts taken from the interviews provide examples of high- and low-level use of the skill of challenging.

Keywords

youth justice, juvenile justice, probation, supervision

Introduction

Probation officers and others who work with young offenders use a range of skills in their direct practice work. These skills include, for example, relationship skills including empathy and reflective listening; role clarification skills, whereby workers help clients to understand the purpose of the intervention and the way authority may be used; problem-solving skills including goal setting and various intervention strategies such as cognitive behavioural strategies; and strength focused or pro-social modelling

[1]Monash University, Melbourne, Australia

Corresponding Author:
Chris Trotter, Monash University, P.O. Box 197, Caulfield East, Melbourne, Australia.
Email: christopher.trotter@monash.edu

skills to foster the positive or pro-social characteristics of clients (e.g., Dowden & Andrews, 2004; Trotter, 2013).

The literature relating to working with offenders also often refers to the need to use challenging or confrontation skills (e.g., Dowden & Andrews, 2004; Rooney, 2009). Although a number of texts refer to these skills and in some cases provide guidelines for undertaking challenging, there has been little research examining either the nature of challenging used by corrections workers in practice or client responses to different forms of challenging. This article reports on a project that aimed to examine the nature of challenging used by youth justice workers and how youth justice clients respond to the challenging offered to them.

The term *challenging* is used broadly in this study. Hepworth, Rooney, Rooney, Strom-Gottfried, and Larsen (2010) used the term *confrontation* to refer to "facing clients with some aspect of their thoughts, feelings or behaviour that is contributing to or maintaining their difficulties" (p. 526). In this study, the term "challenging" is used rather than "confrontation". The term *confrontation* may imply some degree of hostility on the part of the worker, as suggested by Serran, Fernandez, Marshall, and Mann (2003), whereas *challenging* can be viewed as any attempt by supervising workers to caution clients or to help them understand that their comments or actions may be pro-criminal, anti-social, or otherwise un-helpful.

Methods of challenging may range from the worker exploring discrepancies in client comments and behaviour, to direct statements by the worker concerning the self-destructive or illegal nature of the client's behaviour. Challenges may be directed toward a range of different client comments and behaviours, including criminal acts, comments supporting criminal behaviour, or other comments or behaviours that the worker sees as un-helpful for the client, for example, being unemployed, not keeping appointments with the worker, or associating with criminal peers.

Literature Review

Although research on challenging is limited, particularly in criminal justice settings, there have been some studies in this field which suggest that effective challenging can have an impact on client recidivism. There are also some studies in the welfare and general counselling field which suggest that while challenging or confrontation may not be generally effective in engaging clients, particular types of challenging can be effective in doing this.

Dowden and Andrews (2004) in a meta-analysis of correctional interventions found that the worker skill of effective disapproval was significantly related to reduced offender recidivism. Effective disapproval was defined as the probation officer identifying the specific behaviour and exploring the short- and long-term consequences of that behaviour. They also defined the "use of authority" by workers as "staff members kept the focus of the message on the behaviour and not the client performing it" (Dowden & Andrews, 2004, p. 208). In addition, the use of authority involved that

> staff were direct and specific concerning their demands, used his or her normal voice, specified the choices with accompanying consequences, gave encouraging messages, supported words with action, used a firm but fair approach or respectfully guided the offender toward compliance. (Dowden & Andrews, 2004, p. 208)

Although the authors report significant relationships between the use of effective disapproval and authority and recidivism, the frequency of the use of both skills was very low (scored present in 3% and 5%, respectively). This is despite their presence being scored as present when any reference to the characteristics of the skill were identified in the studies. The authors indicate that this may have been because the skills were not used or alternatively that they may not have been described in the studies.

A number of individual studies in community corrections settings have examined the relationship between recidivism and the skills of supervising officers. These studies have found that supervision which includes effective challenging along with other skills such as problem solving is related to low recidivism (e.g., Bonta, Rugge, Sedo, & Coles, 2004; Raynor, Ugwudike, & Vanstone, 2013; Robinson, Vanbenschoten, Alexander, & Lowenkamp, 2011; Trotter, 2012). The studies have used varying terminology but have generally defined effective challenging in similar ways to Dowden and Andrews (2004). In particular, the studies refer to respectful, non-blaming challenging in the context of encouraging messages. These studies have not, however, examined the independent relationship between the use of challenging skills and offender engagement or recidivism.

Some research examining the relationship between challenging skills and client engagement has, however, been undertaken with specific offender groups and in other fields. For example, Marshall et al. (2003) undertook two research studies examining the influence of therapists facilitating sex offender group programs by analysing videotapes of group sessions. The "confrontative" approach, defined by the authors as a harsh approach to challenging clients that seems likely to be perceived by the clients as denigrating, was negatively related to the client attaining their treatment goals. Therapist features that were positively correlated with beneficial change in clients included "empathy, warmth, rewardingness, and directiveness." Non-confrontation, defined as firm but supportive challenges, was also associated with positive change.

Patterson and Forgatch (1985) undertook a study examining the impact of therapist behaviour on client compliance. Observations were undertaken of six families engaged in counselling for child behavioural issues to ascertain the impact of therapist behaviour on client non-compliance. Analysis of the sessions found that when the therapist "taught" or "confronted" family members, they evidenced higher levels of non-compliance (e.g., interrupting or having a negative attitude).

In an Australian study (Trotter, 2004), research officers asked 282 child protection clients how their workers responded to negative comments or actions from the client—for example, if clients behaved or spoke in angry or negative ways, minimized the seriousness or impact of the problem on their child, or made excuses for anti-social

behaviour. Clients indicated six common responses from workers, including (from most to least common)

> exploring the reasons underlying the client's feelings and actions; pointing out the likely ill-effects of client views or behaviours; suggesting more positive ways of viewing the situation; acknowledging that negative feelings may be justified; not responding at all; and (least commonly) criticizing the client. (Trotter, 2004, p. 228)

The workers' responses were then related to a number of outcome measures, including worker and client satisfaction with the child protection intervention and time to case closure. The most positive outcomes were observed when workers responded to negative client comments or actions by suggesting more positive ways of dealing with the situation, by acknowledging that the clients' negative feelings were justified, and when workers explored the reasons why the clients felt and acted the way they did. Conversely, outcomes were poor when clients reported that their worker did not respond or react to negative behaviours or comments, when the clients said that their workers pointed out the likely ill effects of their views and behaviour, and if the worker criticized the client.

The principles for challenging or confrontation referred to in these studies are generally consistent with motivational interviewing, an approach that has shown some success with young offenders (Raynor et al., 2013). Rollnick and Allison (2004) highlight the need to point out discrepancies in clients' thinking but at the same time to keep the client comfortable. They argue that the more the worker focuses on discrepancies, the more the worker should employ the practice of empathic listening.

In summary, the limited research undertaken in corrections and other fields suggests that challenging is likely to be more effective when it is exploratory, non-blaming, empathic, encouraging, respectful, firm but fair, and focused on positive ways of dealing with situations. The limited research also suggests that forceful or critical challenging is likely to be associated with poor client engagement, and negatively correlated with achieving therapeutic goals. Relatively little research has, however, been undertaken in corrections settings and even less seems to have been done on the use of challenging skills in working with young offenders. The study reported on in this article aimed, therefore, to examine the use of challenging skills by youth justice workers.

Method

Research Question

The study aims to answer the following research question:

> What is the relationship between the use of challenging skills by youth justice workers and the levels of engagement by clients, both in direct response to the use of challenging skills and in the interview as a whole?

The study also aims to provide examples of challenging that engages and disengages clients.

It is acknowledged that the place of challenging in working with offenders is a vexed one and raises many ethical issues. Is it appropriate, for example, to challenge a young offender concerning his or her failure to look for work if there are limited work opportunities available, or to not mix with a criminal peer group if the young person has no other friends? It is not the purpose of this article, however, to address these broader ethical issues surrounding challenging but rather to consider the nature of challenging used in one setting and to understand how young people respond to being challenged by their workers in that setting. Given that youth justice workers use challenging in their day-to-day work, there are advantages in understanding how this skill can be most effectively applied.

The study investigates the proposition that emerges from the literature that young people will respond positively to what might be described as exploratory challenging. Exploratory challenging is characterised as non-blaming, positive, and considerate of clients' feelings. In contrast, it is anticipated that young people will respond poorly to challenging that might be described as confronting, involving blame, hostility, and a neglect of consideration for clients' feelings. In examining this question, the study also aims to provide examples of challenging that engages clients and challenging that disengages clients. In doing this, it aims to provide information that can assist practitioners to use effective challenging skills in practice.

Sample

Consistent with university ethics approvals, the project was dependent on workers and clients volunteering, on workers selecting the worker/client interviews to be observed, and on workers facilitating the observations for the research officers. A total of 116 worker/client interviews were conducted by a total of 46 youth justice workers in New South Wales and were observed by one of three research officers. The research officers were employed on a project grant for the purpose of observing and coding the interviews.

It was initially intended to observe five interviews of each worker; however, the practicalities of accessing interviews meant that in some cases only one or two interviews were observed per worker. Youth justice workers provide direct supervision to young offenders on probation, parole, or other community-based supervision orders, a role that encompasses problem solving and a focus on compliance and practical issues. Workers may have qualifications in social work, psychology, criminology, or other social science disciplines, and in some cases youth justice workers have experience but no tertiary qualifications. The workers were most often aged between 35 and 44, and on average had 10 years of experience working in youth justice. In total, 64 of the interviews were conducted by female officers and 55 by male officers. The organisation provides regular training in effective practice skills.

The average age of the 116 young people was 15.8 years (range = 12-18 years). In total, 82% of the young people (96/116) were male and 23% were Indigenous. Overall, 36% were on supervised bonds, 27% on probation, 16% on suspended sentences, 13%

on parole, and the remainder (8%) on other forms of supervision (e.g., bail supervision). The young people had an average of 1.46 prior convictions. The most common offence for which young people had received a current order were assaults (28%), followed by break and enter (20%), robbery (10%), theft (9%), and property damage (9%). The sample was broadly reflective of young people under community-based supervision in New South Wales in terms of gender, although the average age of the sample appears to be slightly younger. Indigenous young people were under-represented in the sample (23% vs. 38% under community-based youth justice supervision in New South Wales; Australian Institute of Health and Welfare, 2014).

Each of the young people in the sample was, like other young people under juvenile justice supervision, assessed by juvenile justice workers early in their supervision period for risk levels. The workers use the Youth Level of Supervision/Case Management Inventory (YLS/CMI; Hoge & Andrews, 2003). This instrument has been tested for validity and reliability with youth offenders and allows for workers to determine a risk level by assessing 42 items relating to offender risk (Onifade et al., 2008). The average score for offenders in the study was 18.9, which is classified at the higher end of moderate risk in the samples on which the Inventory has been tested (Bechtel, Lowenkamp, & Latessa, 2007).

Observations

The supervision sessions were observed by research officers in the first three months of the young person receiving their community supervision order. Although there would have been advantages in also observing interviews at later stages in the order, it was decided to limit the observations to the early stages because some orders, particularly parole orders, are short, and the researchers were concerned about excluding those on short orders. Also, it was anticipated that a number of young people would breach orders early in the supervision period, and therefore delaying the observations was likely to skew the risk level of the sample. Furthermore, intensive work was conducted for the most part in the early stages of the order when it was anticipated that reporting would be more frequent.

The interviews took place at a number of venues: 31% were undertaken in youth justice offices, 28% in clients' homes, and 40% in another community setting. It is acknowledged that workers and clients may behave differently when they are observed, and the observers therefore attempted to be as unobtrusive as possible. Research officers also emphasised that the purpose of the observation was to view the interview as it would normally occur and that no one could be identified in the reporting of the study.

Coding of Observations: Workers' Use of Challenging, Client Response to Challenging, and Client Overall Engagement

A total of three research officers conducted observations of worker/client interviews. In total, 99 of the observations were completed by the first research officer, who was

employed continuously on the project for a period of four years. The coders used a general coding manual developed in consultation with investigators on similar research projects conducted in Jersey (the United Kingdom; Raynor et al., 2013) and Canada (Bonta et al., 2011). The manual aimed as far as possible to define the skills used by workers, and assist in the accurate and reliable estimates of the extent to which workers employed a range of skills during interviews. The coding manual included items relating to numerous skills including problem-solving, role clarification, pro-social modelling, and relationship skills. In addition, a number of items rating the workers' use of various forms of challenging were included.

Workers' use of challenging. The items relating to challenging, each scored on a 5-point scale by the coders, correlated strongly with each other at statistically significant levels ($p < .05$). For example, the scores for challenging clients' pro-criminal or anti-social expressions and actions correlated strongly with scores for challenging rationalisations ($r = .819$), non-blaming exploration of the clients' circumstances ($r = .539$), discussing consequences of the clients' actions ($r = .847$), reframing clients' pro-criminal comments into pro-social ones ($r = .772$), and sensitive exploration of the clients' underlying belief system ($r = .678$). For the purposes of this article, therefore, we have presented the results using only the measure of challenging clients' pro-criminal and anti-social actions and expressions.

Examples of pro-criminal actions and comments, which were identified and challenged by workers, included non-compliance with the order, for example, failing to keep appointments; failure to comply with special conditions such as attending for drug treatment; reports of further offending; failure to accept responsibility for offences, for example, by blaming the victim or giving other rationalisations for offending; de-valuing pro-social activities such as attending school, seeking work, or having non-criminal relationships; sexist and racist comments; and comments that were generally supportive of a criminal lifestyle. These issues might be raised by the client and responded to by the worker or in some cases the worker might raise an issue such as the value of education or work for discussion with the client. In either instance, the aim of the worker was to challenge the client's beliefs, comments, or actions.

The skill of challenging was scored by the observer on a 5-point scale of the extent to which the worker used the skills during the interview. The rating was dependent on whether the skill of challenging was

1. Not present at all (no examples of the skill of challenging in the interview);
2. Infrequently present (at least one example present through entire duration of the interview);
3. Sometimes present (several examples are present during the interview);
4. Often present (numerous examples of this being present during the interview);
5. Present (worker is clearly using this skill deliberately throughout the entire interview).

For the skills to be scored at 4 or 5, the worker must have regularly identified and responded to pro-criminal or anti-social comments and responded in what could be described as an exploratory rather than a confronting manner—in other words, non-blaming, empathic, exploratory conversation in a positive context that aims to caution the young person in some way regarding their pro-criminal comments or actions. This could also involve reframing pro-criminal comments into pro-social ones. The skill would be scored low if the worker challenged the client in a hostile or blaming way or if the worker simply told the client that they were wrong. It would also be scored low if the worker ignored pro-criminal comments by the client or showed support for the pro-criminal comments either through direct comments or through the use of attentive body language.

Client response to challenging. The response to the challenge was then scored by the observer. The observer would score this as high if the client appeared to be engaged by the challenging used by the worker. The observers scored the response using the following 5-point scale:

1. Client non-responsive, looking away, monosyllabic responses;
2. Client partially engaged in conversation, occasional eye contact but responses still limited;
3. Client is occasionally engaged in the conversation and is responsive to a proportion of what the worker is saying;
4. Client appears engaged in session although may appear distracted or disinterested at times;
5. Client is taking notice, listening, responding to the worker, actively learning.

Client overall engagement. The coders also scored the client's overall engagement with the worker and the interview as a whole (as distinct from the client's engagement following specific challenges). The client's overall level of engagement was coded on a 10-point scale using the following guidelines:

1. Client is not engaged in the interview, is non-responsive, giving monosyllabic responses;
3. Client partially engaged in the interview, though responses still limited;
5. Client is occasionally engaged in the interview and is responsive to a proportion of what the worker is saying;
7. Client appears engaged in the interview although may appear distracted or disinterested at times;
10. Client is actively engaged in the interview, evidenced by taking notice of what worker is saying (i.e., listening, responding to the worker, actively learning).

Inter-rater reliability. Ideally, two research officers would have observed a number of interviews together to determine the level of inter-coder reliability, however, this was not practical because of the expense and time involved. In total, 20 of the

Table 1. Use of Challenging Skills by Workers.

Level of skill used	Interviews % (n)
1. Not present at all	43 (50)
2. Infrequently present	19 (22)
3. Sometimes present	19 (22)
4. Frequently present	8 (9)
5. Always present	11 (13)

interviews were, however, coded by the research officer who observed the interview and subsequently cross-coded by another research officer using the audiotapes of the interviews. The research officers using the audiotapes also had access to the non-verbal cues section of the coding undertaken by the research officer who observed the interview in an attempt to overcome the disadvantage of not having observed the interview in person. There was a high degree of consistency in the ratings. For example, the correlation between first and second coders on the use of challenging offenders was .533, and in relation to the way clients responded, the correlation was 1.0; in other words, the coders give the same score in each instance. The correlation between coders on the overall engagement score was .424, a moderate correlation according to Cohen's (1988) criteria.

Results

To What Extent Was the Skill of Challenging Used by Workers?

In 43% (50/116) of the interviews, the coders did not identify any challenging skills used by workers, as shown in Table 1. Note that the coders provided high scores only when the skill of challenging was present—in other words exploratory challenging as it has been defined in this study. Hostile or blaming challenging or no challenging at all was scored as 1 on the 5-point scale as the skill of challenging was not used. In only 19% of observations was challenging frequently or always present.

How Did Clients Respond to Different Forms of Challenging?

There was a strong statistically significant ($p < .001$) correlation between the use of challenging and positive responses from clients ($r = .637$). In other words, when workers used exploratory challenging skills, clients were observed as taking notice, listening, responding to the worker, and actively learning. There was also a smaller but significant correlation ($r = .281$, $p < .01$) between use of challenging skills by the worker and the overall engagement of the client in the interview.

It could be that the positive responses by clients were related to other factors such as their risk levels, gender, or age. The associations between workers' skills, clients' responses, and the clients' overall engagement in the interviews were, however, present

Table 2. Linear Regression Analysis of Relationship Between Challenging by Workers (Dependent Variable) and Client Responses, Taking Into Account Gender, Age, and Risk Levels of Clients.

	Unstandardised coefficients		Standardised coefficients		
	B	SE	β	t	Significance
Client response to challenging	0.602	.096	.623	6.259	.000
Client gender	−0.262	.280	−.092	−0.936	.353
Client age	2.003E-9	.000	.099	0.904	.370
Client risk level (YLS/CMI score)	−0.011	.015	−.080	−0.729	.469

Note. B = unstandardised regression coefficient; β = standardised regression coefficient; YLS/CMI = Youth Level of Service/Case Management Inventory.

Table 3. Linear Regression Analysis of Relationship Between Challenging by Workers (Dependent Variable) and Overall Engagement by the Client, Taking Into Account Gender, Age, and Risk Levels of Clients.

	Unstandardised coefficients		Standardised coefficients		
	B	SE	β	t	Significance
Client overall engagement	0.241	.075	.300	3.227	.002
Client gender	−0.037	.324	−.010	−0.115	.909
Client age	1.696E-9	.000	.067	0.713	.477
Client risk level (YLS/CMI score)	0.007	.014	.048	0.510	.611

Note. B = unstandardised regression coefficient; β = standardised regression coefficient; YLS/CMI = Youth Level of Service/Case Management Inventory.

regardless of the age, gender, or risk levels of the clients (measured by the YLS/CMI; Hoge & Andrews, 2003) as shown in the linear regression analyses in Tables 2 and 3.

The findings suggest that when workers challenged clients in a manner that was exploratory, the clients responded well and were engaged with the worker and the interview. When the workers challenged in a confronting style or did not challenge pro-criminal comments or actions at all, the clients were less responsive and less engaged in the interview as a whole.

Examples of Challenging Which Engaged and Disengaged Clients

The second purpose of this article is to provide some examples of the nature of the challenging which led to client engagement and disengagement. To do this, the following section presents excerpts taken directly from the interviews of conversations between workers and clients.

Example 1. In the following interview, a low score was given by the coders for the skill of challenging and the client response, and overall engagement was also rated low.

Worker: Okay, so now with your friend in the hospital, do you have any plans to break the law?
Client: No.
Worker: No? Just think about it. Let's just say if you do, then you're going to go into custody, and you don't want to do that. Okay? I mean, was it nice that your friend was beaten up?
Client: Mmm . . .
Worker: I mean, do you think that it's a brave thing? Robbing people, bashing people? Not really, eh? Okay, so it's quite a coward act, you know? It's not something courageous. So good, I'm glad you understand that.

The coders assessed this interaction as blaming and failing to take into account the client's feelings. The client did not appear to be engaged in the conversation or the interview as a whole.

Example 2. In the following example, the worker was scored high for the skill of challenging, and the client was also scored high for engagement with the worker and the interview as a whole. The worker is interviewing the young person following his return to custody.

Client: I like stuffed up. I don't have any thoughts of getting out right now. I just want to go to rehab or something, just try and go to rehab or at least go to the drug court. Because I heard there's a lot of things they can help me in rehab—you know, help get me back on track and stuff. Even if I do get out, I still want to get on a program or go to rehab.
Worker: Those are good ideas and the thing that I have always been impressed with you is your ability to understand what the issues are, where you have gone wrong, and what needs to be done about it. The problem is following through with things. Remember at the time we talked about how you say all the right things and that's great. You obviously are an intelligent young man, very intelligent, very good with people and very good at engaging in a conversation and identifying what the problems are. But when it comes time to follow through, nothing happens. So what did you think in your mind? What did you think about our conversation today? What did you think I was going to say to you?

In this example, the worker is using exploratory skills to challenge the client in relation to his criminal behaviour. The worker also acknowledges the client's strengths and asks the client questions rather than directly challenging or confronting him. The client is clearly engaged in the conversation and able to reflect on his behaviour. Both worker skills and client engagement were rated high.

Example 3. The following example is a clear example of aggressive and judgemental confrontation which disengaged the client.

Worker: Did you have a think about the child care and direction you want to go in relation to this. Did you think about that at all? . . . you've ended up with a criminal record, you know that, don't you?
Client: Yeah.
Worker: You just regret . . . people are reluctant to give jobs to people who don't do the right thing like . . . Whether they be a range of various offences and you know yourself—if you ran a business, you'd not want to have somebody in there that's a criminal. So, is there anything you wanted to ask me? Anything?
Client: No.

In this example, the worker is critical and blaming of the client, and low scores were given on use of the skill, the response, and the overall engagement in the interview.

Example 4. The following example was scored high for the worker's skills, for the client response, and overall engagement in the interview.

Worker: What are the consequences going to be if you keep doing that stuff at school?
Client: Suspension.
Worker: And what's going to happen if you keep getting suspended?
Client: I will just have the biggest holiday of my life.
Worker: What would the consequence be in terms of your education goals?
Client: I would learn how to do bad stuff. I don't want to do good stuff.
Worker: OK, and if you are learning how to do the bad stuff, what's the risk involved with that? Things that I know you want to avoid.
Client: Don't know—getting caught, police.
Worker: Where would you get sent?
Client: Cobham (detention centre).
Worker: And how much do you want that to happen?
Client: I don't know, never.

In this example, the worker asks questions about consequences rather than making direct challenges and ignores the flippant comments by the client.

Conclusion

The aim of this study was to examine the relationship between the use of challenging skills by youth justice workers and the levels of engagement by clients, both in response to the use of the skills and in the interview as a whole. The findings suggest

that when workers were assessed as using exploratory challenging skills, as opposed to confronting skills, the clients were more engaged in the conversation with both the worker and the interview as a whole. Clients were more likely to be engaged when their workers challenged them in non-blaming, empathic, exploratory conversations in a positive context with the aim of cautioning the young person in some way regarding their pro-criminal comments or actions. This could also involve reframing pro-criminal comments into pro-social ones. Clients were less likely to be engaged if the worker challenged the client in a hostile or blaming way, if the worker told the client that they were wrong, or if they ignored pro-criminal comments by the client or showed support for the pro-criminal comments either through direct comments or through the use of attentive body language.

The study has limitations. It was reliant on volunteers, and the 116 interviews that were observed represent only a small proportion of the many thousands of interviews that are conducted every year in the jurisdiction. It has been noted that the sample has an under-representation of Indigenous young people, for example. The requirement for informed consent and the issues associated with accessing subjects in youth justice settings inevitably limits the ability to achieve a representative sample. In addition, most of the interviews were observed by the same research officer, and though the measures of reliability were reasonably strong, there is still potential for bias in the coding of the interviews.

The study is limited to the examination of the relationship between challenging skills and client engagement. It is based on the assumption that client engagement with both the worker and the interview is beneficial. The study did not examine the impact of challenging on compliance with supervision or recidivism—although there is some evidence that engaged clients display better results on outcome measures such as compliance (e.g., Louden, Skeem, Camp, Vidal, & Peterson, 2012; Trotter, 2004). In addition, although the findings indicate an association between the use of challenging skills and client engagement, this does not prove unidirectional causation, as workers may be more inclined to use these skills with clients who are more engaged or with whom they have a better relationship. Alternatively, the use of exploratory challenging may be leading to better engagement over and above the level of alliance between the worker and young person.

Nevertheless, the findings of this study are consistent with the studies referred to in the literature review. A study in child protection found that effective challenging or confrontation is characterised by suggesting more positive ways of dealing with situations (Trotter, 2004). A study with sex offenders found that therapists were most effective when they were warm, empathic, and rewarding and used non-confrontation characterised by a firm but supportive approach (Marshall et al., 2003). Another study with families (Patterson & Forgatch, 1985) found that confrontation was related to client non-compliance. The findings of this study are also broadly consistent with Motivational Interviewing principles (Rollnick & Allison, 2004), which focus on empathy, keeping the client comfortable, and pointing out discrepancies.

The only work on this issue that specifically relates to the use of challenging or confrontation with offenders is the meta-analysis by Dowden and Andrews (2004).

They found support for effective disapproval and use of authority characterised by, for example, respect for the client, exploring consequences and choices, giving encouraging messages, focusing on the specific behaviour, and a firm but fair approach. Minimal use of these skills was, however, found in the research, even though the authors adopted a liberal approach to scoring. The authors acknowledge that many of the studies they examined may not have described the skills, and they refer to their meta-analysis as "preliminary evidence" relating to the skills.

What does this study tell us, therefore, that we did not know from previous work in this field? First, it confirms the tentative finding from the Dowden and Andrews (2004) meta-analysis, which suggests that effective challenging is infrequently used in practice. Second, it confirms this in a youth justice setting using direct observation of interviews, something that does not appear to have been done before. Third, the study provides some direct quotations from interviews that illustrate the nature of challenging used in practice—information that is not available elsewhere. Fourth, through the examination of previous literature, the study has developed a definition of, and characteristics of, effective challenging, which in this study have been shown to engage offenders and which can serve as a guide for practitioners.

What are the implications of these findings for practice? Given that effective challenging skills may be used infrequently, that challenging in youth justice is often blaming rather than exploratory, that youth justice clients may be engaged by effective challenging skills, and that engaged clients tend to have better outcomes, this study has implications for policy and practice. Previous studies have indicated that the skills of corrections workers may be enhanced through training supervision, coaching, and direct observation of interviews (Bonta et al., 2011; Raynor et al., 2013). The development of policy and practices to enhance the skill of challenging (along with other effective practice skills) has the potential to lead to improved client outcomes with consequent benefits for youth justice clients and the community.

There remains a need for further research in this area. The relationship between challenging and recidivism might also be examined. Further research might also examine the response of different groups of clients to various challenging styles. Although it is clear from the results that youth justice clients in general are engaged by exploratory challenging and disengaged by confrontational challenging, it may be that young people respond differently to different types of challenging dependent on their age, gender, ethnicity, or the stage of their relationship with the worker.

To sum up, this study has found, consistent with the limited literature, that when youth justice workers use exploratory challenging skills, they are likely to engage young offenders under their supervision, and when they use confrontational challenging skills, they are likely to disengage their clients. Youth justice workers, however, use exploratory challenging skills infrequently, and it has been argued that this has implications for policy and practice in youth justice organisations.

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