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Assessment in Youth Justice: Professional Discretion and the Use of *Asset*

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Abstract

The introduction of *Asset* as a common assessment tool for all Youth Offending Teams in England and Wales has sometimes been viewed as part of a 'managerialist' agenda which replaces professional discretion with an uncritical routinised approach to practice. This paper explores the challenges inherent in introducing such a tool into the complex world of youth justice, recognising that there can be both positive and negative effects. It argues that, if used appropriately by practitioners, managers and the Youth Justice Board for England and Wales, it is possible to combine the benefits of *Asset* – greater structure, transparency and accountability in assessment practice – with professionalism and a focus on young people's individual needs.

Introduction

In recent years, there has been considerable growth in the use of structured assessment tools in criminal justice and social service organisations (Kemshall et al., 1997; Merrington et al., 2003). Positive views about the role of such tools tend to focus on their potential to help practitioners make comprehensive, consistent and transparent assessments and their ability to provide aggregate data that can inform decisions about resource allocation (Andrews and Bonta, 1995; Roberts, 1995; Townson, 1994). The essentially clinical process of assessment that has been the usual form of practice in social and criminal justice services is open to bias and discrimination (Strachan and Tallant, 1996) and assessment tools have been advocated as one way to reduce this problem. Critics, however, regard structured tools as part of an agenda to impose a uniform and unthinking approach to practice that attaches more importance to management targets and statistics than to the needs of individual offenders (Smith, 2003). Bhui's (2001: 638) concern about developments in probation, namely that practitioners may become 'technicians, encouraged to do as they are told, rather than professionals who might think independently, question orthodoxy and produce creative and inspired work' encapsulates many of the fears expressed by critics of the youth justice reforms (Pitts, 2001).

Within the youth justice system in England and Wales, *Asset* was introduced by the Youth Justice Board (YJB) as the standard framework for assessment of young people who offend and has been seen as a key part of the recent reforms. There is clearly much room for debate about the pros and cons of recent trends in youth justice practice and it would be unrealistic to deny that there is potential for a tool like *Asset* to be used inappropriately. However, claims that *Asset* necessarily leads to de-professionalisation reflects a lack of familiarity with the design and content of *Asset*

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and a limited awareness of how it is actually used in practice. In addition, the potential to balance structure and autonomy when working with offenders has been highlighted in recent discussions of the use of assessment tools in the probation service (Robinson, 1999; 2003a) and these issues need to be applied to the context of youth justice. Assessment tools can make a positive contribution to the development of professional practice and it is argued here that, if used appropriately, *Asset* should be of benefit to individual practitioners, teams and young people who offend.

The launch of Asset

One of the first initiatives of the newly formed YJB in 1998 was to commission the design of a risk/need assessment tool for use with young people who offend aged 10–17. This was seen as necessary for ensuring consistency of assessment practice in the emerging multi-disciplinary Youth Offending Teams (YOTs). The design and development work was undertaken by the Probation Studies Unit of the University of Oxford and began in the spring of 1999. This was informed by the earlier work of Roberts and Burnett in developing the *Assessment Case Management and Evaluation* system (ACE) for use with adult offenders (Merrington, 2004; Roberts et al., 1996) and by subsequent initiatives to adapt this for use with younger offenders. The design process involved a thorough review of the research literature relating to risk and protective factors for young people who offend and extensive consultation with practitioners, managers and specialists from a range of relevant services. The draft forms were piloted for a short period and subsequently revised before being issued to YOTs with accompanying guidance.

The core assessment profile includes some static factors (e.g. criminal history) but also focuses on dynamic factors. There are 12 main sections addressing key issues such as living arrangements, family and personal relationships, education, training and employment (ETE), neighbourhood, lifestyle, substance use, thinking and behaviour, attitudes to offending. It also includes a section on positive factors and sections to screen for vulnerability and/or risk of serious harm to others. Each section of the core profile prompts assessors to consider key issues and these questions require 'yes/no' responses. An overall rating (on a 0–4 scale) for each section is required and this should reflect the link between any identified problems and the future likelihood of reoffending. Assessors should explain the reasoning behind a given rating in the 'evidence box' for each section and show how risk factors are relevant to the offending behaviour of the particular young person being assessed.

There is a self-assessment form called *What do YOU think?* (WDYT) which addresses similar issues to those in the core profile, thus providing an opportunity for young people to express their own views and facilitating comparison between the views of young people and those of practitioners. Other components of *Asset* include a 'risk of serious harm' form to help practitioners assess whether a young person may go on to cause serious physical or psychological damage to others and a shorter version of the core profile for use with young people at final warning stage. In addition, there are intervention and risk management plans intended to help practitioners move from an assessment to an appropriate programme of planned work with a young person.

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Reactions to Asset

The YJB sees *Asset* as having a positive impact on the process of working with young people who offend. For example, it has been stated that '[m]ore than any other aspect of the reformed system, this tool, properly used is capable of preventing further offending' (Youth Justice Board, 2002a: 9). One reason for this is that *Asset* is seen as improving the quality of practice in assessment and planning. 'Prior to the introduction of *Asset* the process of assessing risks and planning interventions lacked rigour and was unable to quantify the issues or contribute effectively to the delivery of joined-up solutions' (Wright, 2003: 5). *Asset* enables more effective targeting of resources through increasing diagnostic accuracy: 'offenders who are most likely to continue to offend can be identified at the earliest stage and steps can be taken to prevent it with confidence' (Youth Justice Board, 2002a: 9).

By contrast, others have been more critical of *Asset*. Smith (2003: 211), for example, in his account of developments in youth justice refers to 'the spurious scientific accuracy offered by actuarial instruments such as the ASSET form'. A user survey found that practitioners had a number of concerns about *Asset* such as its length, the potential intrusiveness of some of the questions, the time required to complete it well and uncertainty about using the ratings (Roberts et al., 2001). At the same time however, practitioners were able to see the potential of *Asset* in areas such as promoting consistency, transparency and improved resource allocation. Burnett and Appleton (2004) found that experienced practitioners were less likely to see *Asset* as having value for their work with young people whereas new practitioners found that it provided a helpful structure for assessment. Another advantage identified was that if used systematically it could lead to the discovery of 'information that otherwise would not have been touched upon' (ibid.: 32). This pattern of mixed responses has also been found in studies of users' views regarding assessment tools for adult offenders (Aye-Maung and Hammond, 2000).

Organisational Culture

This diversity of opinion is not unexpected given the scale of the project to implement *Asset*. Similar patterns can be seen in reactions to the introduction of the *Looked After Children* (LAC) assessment framework in social services. Alongside accounts of the positive value of this initiative (Ward et al., 1995), one can quickly find criticism of the way in which it has damaged traditions of social work practice and culture (Garrett, 2002). The difficulties inherent in persuading large numbers of staff to adopt the LAC approach are summarised by Bell (1998/9: 16) who states that 'the implementation of the system and social workers' use of the various forms has, in truth, remained patchy'.

One problem of implementing change on this scale can be resistance to policy which appears to be externally imposed. In discussing the increasing preoccupation with performance management in social services, Watson (2002: 881) argues that: 'with regard to the influence of central government, this has meant that a great deal of the ethos and direction of the changes has been instigated outside the public and personal social services sector itself. In effect, it has been imposed from the top-down'. A second problem concerns the presence of conflicting values and priorities within

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organisations. For example, Eadie and Canton (2002: 19) refer to the 'inherently contested purposes of youth justice', namely, the persistent tension between welfare, justice and punishment. Given the multi-disciplinary nature of YOTs and a background context of significant organisational change within youth justice, it is inevitable that there will be a diversity of views about relevant professional values, the broad sweep of current policy and the use of *Asset*. In thinking specifically about risk assessment practice, Carson (1994) highlights the relevance of the operational context in which this occurs. In both probation and youth justice, for example, risk assessment tools have been introduced into a culture in which practitioners traditionally have strong views about the most appropriate methods of practice. As a result, the way in which risk tools are perceived by staff and used – or not used – in practice is influenced by existing values and working patterns.

The implementation of new initiatives is therefore often more complex than initially envisaged. There may sometimes be explicit resistance to change, as for example, with the introduction of the Offender Group Reconviction Scale (OGRS) to the Probation Service which prompted the National Association of Probation Officers 'to campaign against the introduction of such scales and to advise members not to use the scales in client assessment' (Thompson, 1996: 4). In other situations, practitioners may find less tangible ways to subvert or sideline policies which they dislike (May and Buck, 1998). In their detailed case study of Oxfordshire YOT, Burnett and Appleton (2004) highlighted the persistence of a 'social work ideal' alongside shifts towards the culture change associated with the current focus on evidence based practice. Their suggestion that practitioners have adopted a 'pick and mix' approach to reforms, welcoming certain changes whilst ignoring others in day-to-day practice, could surely be applied to many other YOTs also. The introduction of a centrally imposed initiative – in this case the use of *Asset* – into a context in which practitioners often have deeply held views about the nature of professional practice and the task of working with young people who offend, therefore, raises a number of important and interesting issues to consider. In particular, a question arises about the tension between promoting a standardised approach and allowing practitioners to exercise professional judgement.

Professionalism versus technicality

Professionals have been described as having 'a number of key identifiable traits, one of which is *autonomous decision making*, underscored by a distinct, theoretical, expert knowledge base' (May and Buck, 1998: 5, emphasis added). By contrast, the term bureaucrat 'refers to a person performing specialised but more routine activities under the supervision of officials organised in a hierarchical fashion' (Scott, 1969: 82). Robinson has employed different language to discuss similar concepts:

> *In the context of professional practice, technicality refers to those aspects of the work that can be prescribed, 'programmed' or subject to routine practices. The concept of technicality stands in contrast to the notion of 'indeterminacy', which refers to those aspects of practice that are based on specialist knowledge, its interpretation and the use of professional judgement.*
>
> (Robinson, 2003a: 593)

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Very broadly, the managerialism associated with 'new penology' (Feeley and Simon, 1992; 1994) could be viewed as an attempt to introduce greater technicality in criminal justice services, in contrast to the more traditional but indeterminate methods associated with autonomous casework. For example, the imposition of National Standards (Home Office, 1992; 1995; 2000; Youth Justice Board, 2000b; 2004) has been viewed as an attempt to impose control on practitioners and to limit the scope for professional discretion. Eadie and Canton (2002) criticise the way in which the Standards used in the Probation Service have been revised over time such that initial references to the use of 'professional judgement' have been removed and the language changed from 'should' to 'must'. Other initiatives, such as the emphasis on *What Works*, the introduction of accredited programmes and monitoring of programme integrity have also been seen by some staff as contributing to a more technical and bureaucratic service (Robinson, 2003a).

Similar criticisms have been made in relation to the introduction of standardised risk assessment tools in both probation and youth justice. The use of OGRS within the Probation Service prompted the National Association of Probation Officers to pass a resolution affirming its view that: 'such predictive methods are no substitute for sound professional assessment of risk, formed during full interviews with defendants and using skills developed in social work training' (Thompson, 1996: 4). Commenting on developments in youth justice, Smith (2003: 101) refers to 'the conflicts inherent in a standardised instrument such as ASSET, which confronts professional judgement with a routinised scoring system in such a way as to challenge many of the core beliefs of those who see a role for individual discretion and creative decision making in the youth justice system'.

One frequently cited example of the negative impact of 'technicality' is that of decontextualisation. The use of standardised assessment frameworks with female or ethnic minority offenders has been criticised on the grounds that such approaches fail to contextualise individuals' offending behaviour patterns and fail to reflect the significance of their experiences of oppression or discrimination (Monture-Agnes, 1999; McMahon, 1999; Hannah-Moffatt and Shaw, 2001). This problem of decontextualisation can apply more widely if tools are used in a way that ignores individual needs (Garrett, 2003). For example, it was found that the framework for assessing children in need was 'sometimes followed mechanistically and used as a checklist, without any differentiation according to the child or family' (Department of Health et al., 2000: preface).

One perspective on such developments is that they have led to a situation in which 'professionals are increasingly absent, their place taken by forms, computers, and step-by-step procedures that commodify expertise and reduce it to check-boxes, key-strokes, and self-help guides' (Ericson and Haggerty, 1997: 102).

Assessment Tools and Professional Practice

Technicality is often seen by practitioners, therefore, as a threat to professionalism (Robinson, 2003a). A recent survey of probation officers, for example, linked low staff morale to a perceived decline in freedom and discretion, illustrated by the view that

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'the level of prescription and regulation often impeded effective work with offenders' (Farrow, 2004: 210).

However, the picture is not necessarily so clear-cut. The seemingly obvious and direct link between increasing technicality and decreasing professionalism should be questioned not least because, although practitioners and managers often have reservations about some of the implications of initiatives such as the introduction of assessment tools, they have also identified advantages of their use. Specifically these include: their potential role in promoting consistency and quality; their use in providing information to inform resource planning; their scope for contributing to the evaluation of interventions and the way in which they are perceived as providing evidence to back-up decisions and demonstrate defensibility (Aye-Maung and Hammond, 2000; Robinson, 2003b).

It is also important to challenge the implicit assumption underlying many of the criticisms of assessment tools, namely that professional discretion is always something to be viewed positively. As Evans and Harris (2004: 871) point out: 'discretion in itself is neither "good" nor "bad"' and 'practitioners can use discretion in a range of ways, including those that run counter to service users' interests' (ibid.: 874). If this is so, then procedures which help to balance professional freedom with clear systems of accountability can be beneficial.

Eadie and Canton (2002: 17) propose a helpful model for 'managing accountability and discretion in youth justice practice'. They identify four practice 'quadrants' with differing combinations of discretion and accountability. For example, they refer to a blend of high accountability and low discretion as 'constrained practice' in which practitioners end up complying with rules and regulations in an unthinking and uncritical way whereas 'best practice' involves a mixture of high accountability and high discretion which allows staff to combine adherence to prescribed procedures with the use of discretion and judgement.

The real impact of structured tools or programmes may then depend on the way in which they are applied in practice. Thus it is not necessarily the introduction of initiatives such as National Standards or *Asset* that is most significant but rather the way in which they are interpreted and applied. The idea that assessment frameworks complement and depend on professional skills rather than attempting to replace them is one that training providers have in some cases used to persuade staff of the value of such approaches to practice (Robinson, 2003b). Whilst this sometimes provokes a sceptical response from practitioners there are a number of ways in which this symbiotic relationship can be demonstrated. The design of *Asset*, and its intended multi-purpose use, provides a basis from which to rebut some of the most common criticisms and show that its use need not result in the decline of appropriate professional skills.

Decision making skills

Using *Asset* well, requires considerable professional expertise including, for example, interpersonal skills, the ability to sift information and to apply theoretical knowledge to practical judgements (Baker, 2004). Practitioners are asked to make decisions about

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a wide range of issues, from practical assessment of the suitability of a young person's accommodation arrangements to judgements about their self-perception, levels of victim awareness and motivation to change. Information to form the basis of these assessments needs to be gathered in a way that engages a young person and their parents/carers, thus challenging staff to work in a creative and dynamic way (Youth Justice Board, 2002b).

As the numerical ratings given for each of the core sections of *Asset* are based on structured clinical decisions, it is not accurate to refer to *Asset* simply as an actuarial tool as professional judgement retains an important role in predictions made on the basis of these scores. Practitioners are asked to rate the extent to which the issues identified in each section of *Asset* are associated with a risk of reoffending and guidance is provided to help assessors make such judgements. A YOT worker could therefore record details of problems in a young person's life but give a low rating because there is no evidence to suggest that these are the issues most closely associated with the offending behaviour. It is not an automatic system in which ratings are generated by the number of boxes ticked in any given area but rather it is a way of helping to structure and measure professional judgements.

Contextualisation

The argument that assessment tools can be too narrow in their focus and fail to take account of context was noted above. Similarly, Smith has argued that:

> *The preoccupation with the offender as an offender and nothing else, reflected by the use of instruments such as the ASSET form, creates an arbitrary and ultimately unsustainable separation between the young person concerned and his/her social characteristics and needs.*
>
> (Smith, 2003: 197)

If workers do attempt to look at these wider issues, one consequence may be that a tool is viewed as less relevant. Buchanan et al. (1986) found, for example, that practitioners in Indiana made extensive use of professional overrides when applying a risk prediction tool to female offenders. There is thus a tension between taking account of individual life factors and maintaining the structured, standardised approach that assessment tools are intended to promote.

However, one of the key features of *Asset* is the emphasis on explaining the basis on which judgements have been made. All through the core profile, final warning *Asset* and risk of serious harm form, there are 'evidence boxes' which practitioners should use to provide narrative text to supplement the tick boxes and numerical ratings. This has two key purposes, firstly, to enable practitioners to justify their decisions. If, for example, a practitioner states that a young person is likely to cause very serious harm to other people then it is not unreasonable to expect that such a judgement could be backed up with clear and explicit analysis. The second rationale for the 'evidence boxes' is that they encourage practitioners to contextualise the information they have given and to explain why, in their view, particular factors are relevant to the offending behaviour of any individual young person. Practitioners generally have valued the way

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in which the evidence boxes can be used to give a rounded picture of a young person, as shown by the quote below from a YOT worker:

> *If somebody else wants to pick up and read what is there, a well thought out and filled in Asset, it's the actual evidence in it that brings everything together. It does give me a flavour of what young person I'm dealing with so I like to see a bit of evidence.*
>
> (Baker, 2004: 77)

Wider practice relevance

Practitioners are more favourable towards an assessment tool if they can see its relevance to other aspects of their work. One example would be that *Asset* can be used to record information that would not necessarily be appropriate to include in a PSR – in the case outlined below the worker saw *Asset* as having a useful role because it was not intended for a court audience:

> *I'm thinking about Richard – there was all sorts of hearsay about him being involved in all sorts of quite serious gang type stuff. None of it was proven but when you start hearing it from 2 or 3 different sources you start thinking there is probably something here. You wouldn't refer to it in a PSR because it's not proven but you would refer to it in an Asset. That's how I would fill it in.*

A second example is the way in which *Asset* – and the level of risk it identifies – can inform the work done with a young person even though the disposal may be primarily determined by other factors (such as offence seriousness). One practitioner commented:

> *I think you've got to talk about what the risk is, but it's not necessarily linked to offending so you wouldn't go for a high range disposal if somebody's done a very small offence but you've got to be aware of the risk.*

A third example could be the use of *Asset* to identify – and perhaps to lobby for resources to meet – needs that may not be directly offending related but are still significant for the young people concerned. This can include, for example, the identification of health care needs (Baker, 2004) or issues which young people themselves have indicated as important (Baker et al., 2002). In the multi-disciplinary setting of YOTs, provision is available to meet a variety of needs even whilst the focus of intervention remains on offending related risks.

Fourthly, *Asset* should be seen as part of the whole cycle of assessment, intervention planning, action and review. Viewed from this perspective, it ceases to be an isolated form that needs to be filled in to satisfy bureaucratic requirements and becomes instead an integral foundation for all the work undertaken with young people who offend.

Promoting the Effective Use of Assessment Tools

The introduction of standardised procedures such as *Asset* can therefore have both negative and positive effects on professional practice. On the one hand, they can lead to mechanical forms of practice. For example, in relation to the LAC assessment

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framework, Watson (2002: 882) argues that as 'these records are being implemented in a culture of performance measurement, by staff who are already under pressure, the likelihood of them becoming more than a checklist to monitor performance is debatable'. On the other hand, practitioners also identify ways in which such tools can help to promote a greater degree of professionalism as described above.

For Robinson (2003a: 607), the response to this complex situation is that: 'a professional future lies not in a wholesale rejection of technicality, but rather in seeking a positive, workable balance between technicality and indeterminacy'. Similarly, Toren recognises the benefits that structured procedures can bring if used within an appropriate context:

> *Thus it seems that the effects of the organizational framework on the social worker's role are not totally detrimental and do sometimes contribute to better services for clients. However, in practice, the problem still remains to achieve an optimal balance between ritualism, rigid adherence to rules, and indifference and complete freedom, ad hoc resolutions, and personal involvement.*
>
> (Toren, 1969: 160)

Achieving this kind of balance, or the high accountability and high discretion practice advocated by Eadie and Canton (2002), is not easy. In discussing the introduction of the Assessment and Action Records from the Looked After Children assessment framework, Watson (2002: 882) argues that: 'to use the records in a child-centred quality-enhancing manner is a skilled activity, which will take time to implement' and there are clear resonances here with the introduction of *Asset*.

An apparent reluctance to implement a tool such as *Asset* can be based on genuine concerns or confusion about appropriate practice. For example, the failure of some YOT staff to send copies of *Asset* to the secure estate when a young person receives a custodial sentence is sometimes attributable to practitioners' concerns about how information might be used – or misused – within establishments (Roberts et al., 2001). One danger to be avoided, therefore, is that of always assuming that workers' 'complaints or nonconforming acts have a nonrational basis' as this kind of approach has a tendency to 'direct attention away from possible deficiencies in organisational arrangements' (Scott, 1969: 104). Attention needs to be paid to finding ways of making *Asset* work within the context of YOTs, recognising that staff face many other demands and pressures. Some suggestions for ways of avoiding a 'checklist mentality' and promoting professional use of *Asset* are outlined below.

Training in appropriate use of Asset

The way in which *Asset* is presented to practitioners has a significant impact on the way in which it is used. Where practitioners are confused or misinformed about its purpose they tend to be suspicious of its relevance (Roberts et al., 2001). Training is important in a number of areas, firstly in regard to how to use the form when gathering and analysing information. Obtaining information about the range of areas covered by *Asset* requires considerable professional skill (Youth Justice Board, 2002b). *Asset* therefore needs to be used carefully with good inter-personal skills as relationships with

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young people and their carers can be damaged if *Asset* is just used as a pro-forma. The guidance that *Asset* should not be used as an interview schedule (Youth Justice Board, 2000a) needs to be regularly emphasised in training.

A second area is in relation to the numerical ratings within *Asset*. Practitioners need to know not only how to complete the forms but how to interpret and apply predictive scores. There are potential dangers of staff and sentencers 'inferring greater certainty about reoffending calculations than actually exists' but also of the opposite situation in which they respond 'to the uncertainty of prediction by becoming more cautious' (Kemshall, 1996: 19). The persisting confusion and uncertainty amongst youth justice staff about the meaning of *Asset* scores (PA Consulting, 2003) signals a need for further training in this area.

A lack of training has been seen as a problem by many YOT practitioners (Roberts et al., 2001; Merrington et al., 2003). It is hoped that the provision of guidance on effective practice in relation to assessment (Youth Justice Board, 2002b) and the delivery of in-service training (Youth Justice Board, 2003b) will go some way towards rectifying this situation.

Feedback of information to practitioners

The problems associated with monitoring and performance management can be exacerbated if the information collected is not used to inform practice. Watson argues that:

> *The information generated by this activity rarely returns to workers in any shape or form, or if it does, it is to highlight areas for improvement in delivery or practice as opposed to what is working – it is negative information.*
>
> (Watson, 2002: 883)

One important step is therefore for the YJB and local managers to ensure that information from *Asset* is fed back to practitioners regularly and accurately. This, in turn, will hopefully encourage practitioners to be more thorough in recording assessments. If the data emerging from *Asset* are seen by practitioners to be applied in ways which lead to better practice with young people, there may be a greater incentive to complete it carefully. Better quality data may then lead to greater predictive accuracy (Gottfredson and Gottfredson, 1986) which can then be used to inform future decisions about practice and resource allocation.

Managing best practice in the use of Asset

The role of local managers and supervisors in delivering new initiatives can be pivotal as they seek to balance the operational and administrative objectives of the organisation with the desire to develop high quality practice amongst their staff. The interaction between workers who may be resisting the encroachment into autonomous practice of imposed procedures and their immediate line managers can therefore be critical. Discussion of *Asset* during team meetings or as part of staff supervision and appraisal can help to promote a common practice culture and this is of particular relevance in multi-disciplinary teams where practitioners come from a variety of professional backgrounds and may, at least initially, differ in their approach to assessment.

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Managers also have an important role to play in the development of local protocols. Notwithstanding the tensions already discussed in relation to administrative procedures and professionalism, it can be argued that sometimes practitioners would welcome more direction from their organisation (for example, because it limits the scope for individual staff to be blamed for negative outcomes). Interview data revealed that some staff were nervous about using *Asset* to record sensitive data because they were unsure of who else could have access to that information (Roberts et al., 2001). Another example would be that many YOTs do not have a clear policy on how to manage young people who are identified as presenting a risk of serious harm to other people. This uncertainty impinges on the assessment process with staff being reluctant to make decisions about the risks posed by some young people. Clear management guidance could, therefore, improve the use of *Asset* in such areas.

Developing IT to facilitate the use of Asset

The introduction of electronic systems in YOTs has not been entirely unproblematic (Burnett and Appleton, 2004; Roberts et al., 2001) but the technology has the potential to facilitate the use of *Asset*. A pilot project is underway, for example, to link *Assets* and PSRs more closely by creating a system in which the completed evidence boxes from a core *Asset* profile can be pasted directly into a PSR. Other possibilities include transferring information from *Asset* directly into intervention plans or into the sentence planning system used in the juvenile secure estate.

The design of the WDYT self-assessment questionnaire in *Asset* attempted to cover complex concepts in relatively simple language and to balance comprehensiveness (covering all the areas addressed in the core profile) with the need to make it of a manageable length for young people to complete. Although practitioners are generally favourable towards WDYT, it is clear that there are some difficulties with it, in particular that young people with limited literacy skills or those for whom English is not their first language can find it difficult to complete. The increasing use of IT versions should resolve some of these difficulties in future (for example, voice activated systems can overcome literacy problems and different versions of the questions could be produced for different ages). Such systems can also produce visual displays of the responses that have been given which can help to facilitate discussion between practitioners and young people (particularly if this could be compared with a visual presentation of assessors' judgements as recorded on the core or final warning profiles). If used creatively and appropriately, technology can both promote the completion of *Asset* and help practitioners to use it in a way that involves young people more fully and builds relationships with them.

Explaining the use and application of Asset

In youth justice, as in social work, there is a need to manage 'the tension between autonomous professional decision-making and bureaucratic hierarchy' (Lymbery, 2001: 376). Referring again to the assessment of the needs of looked after children, Ward et al. (1995: 95) suggest that the Assessment and Action Records 'offer a method of

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developing practice but could well produce different levels of commitment from the various groups within a social services department'. The potential for varying commitment to *Asset* is likely to be much greater within the often complex multi-disciplinary setting of YOTs where staff have varying professional backgrounds and experience. The YJB therefore needs to be careful to put across clear messages about the way in which *Asset* should be used. For example, engagement with young people can remain a central feature of practice as the use of more systematic procedures need not preclude the value of relationships with offenders in order to assess them and provide appropriate support (Burnett, 1996). This is explained in relevant guidance on assessment practice (Youth Justice Board, 2002b) but is a message that could usefully be re-emphasised as this is an area in which misunderstanding – which leads to reluctance to use *Asset* – can easily occur.

The introduction of a common assessment tool still leaves open the question of how much discretion practitioners should have in decision making. For example, the Offender Group Reconviction Scale is an actuarial tool but its designers recognise that it needs to be used by staff exercising professional discretion. As Copas and Marshall (1998: 159) state: 'the score is intended as informal advice to probation officers, who will form their judgement in the light of all the special circumstances of the case'. Similarly, Farrington and Tarling (1985: 18) state that the 'primary use of statistical prediction in the criminal justice system is to guide the essentially clinical decisions' of practitioners, parole board members or other decision makers. There remains a tension, therefore, between tailoring decisions 'to the individual needs of clients' (Hoge, 2002: 382) and permitting irrational, inconsistent or inequitable decisions (Gottfredson and Gottfredson, 1988) and the use of a common assessment tool does not automatically remove this dilemma.

One aspect of *Asset* is its use for the prediction of reconviction. As Mair (1989) highlights, decisions have to be made about whether a prediction scale should provide a guide to the likelihood of reoffending whilst the final decision is left to the worker, or whether the decision should effectively be determined by the prediction scale with only a limited capacity for professional override. The use of ratings and scores is particularly relevant to critics who see *Asset* as promoting 'routinization' (Smith, 2003: 99). If they were to be used in a rigid way which prescribed exactly which services a young person received according to their total score – without any discretion – then such criticism would appear to be reasonable. Alternatively, they can be used in a more flexible way to indicate the intensity of provision that might be appropriate, or which of a range of programmes might be most suitable, whilst allowing practitioners to decide how best to provide these services in practice.

Some attempts to give guidance on the use and interpretation of *Asset* scores have unfortunately been unhelpful. For example, guidance for the police and YOTs on final warnings includes a matrix indicating the number of hours of intervention that might be appropriate given the *Asset* score (Home Office and Youth Justice Board, 2002). However, the basis for the figures given is unclear and the guidance inappropriately applies language from the 'risk of serious harm' form to issues of risk of reconviction. This example highlights the need for great care and accuracy in the use of *Asset* scores for informing policy and decisions about interventions.

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However, the YJB has recently issued new guidance to all YOTs on managing risk in the community and this includes material on the interpretation of ratings and evidence from *Asset* (Youth Justice Board, 2005). The guidance reminds practitioners of the link between *Asset* scores and the likelihood of reconviction and indicates that this should be used as the basis for planning interventions. However, the guidance also recognises that there will be some cases in which other factors need to be taken into account and acknowledges the need for flexibility in the way in which interventions to manage risk are delivered. This approach to balancing structure and autonomy should help practitioners in responding to individual cases and also assist managers in setting up systems for using *Asset* data more systematically.

The publication of research findings on *Asset* (Baker et al., 2002; Youth Justice Board, 2003a) and the fact that *Asset* is now becoming a more established feature of YOT life, means that greater attention is likely to be given to these questions of interpreting and using assessment results. Appropriate guidance to YOTs should help to promote the use of *Asset* within a context of professional practice and help the YJB reach its objective of *Asset* being seen as a foundation for all work with young people who offend.

Conclusion

It can be argued that there is a certain inevitability about the continued role of professional discretion given the complexity of offenders' lives. Eadie and Canton (2002: 23) for example, argue that: 'the indefinite number of contingencies in individuals' circumstances requires a confident reaffirmation of the value of discretion'. There is no contradiction in accepting this argument and affirming the benefits of structured assessment tools that provide a common framework for gathering and analysing information. With the gradual proliferation of assessment tools the issues identified here will have a wider relevance. Lessons learned in relation to the implementation of *Asset* can be applied to the use of additional specialist tools for use within the youth justice system (e.g. for assessing mental health or literacy needs) and to broader based early intervention frameworks such as the Common Assessment Framework (CAF) currently being developed for use across a range of agencies that work with children and young people (Department for Education and Skills, 2005).

This discussion has focused on the use of *Asset* in the assessment of individual young people rather than its role in the collection of aggregate data in order to specifically address the issue of professional discretion. It has been shown that it takes much more than just 'ticking boxes' to complete *Asset* well – rather, it requires practitioners to clearly articulate the reasoning behind decisions and their basis for the judgements made. It encourages explanation of the impact of risk and protective factors on the behaviour of each individual young person and allows for this information to be appropriately contextualised.

Debates about how to achieve an appropriate balance between professional autonomy and organisational structure are not new and the world of youth justice is characterised by a mixture of bureaucracy and professionalism, technicality and indeterminacy. In such a context, *Asset* can provide a way of combining the benefits

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of a structured approach with the insights of professional knowledge and experience. However, positive use of *Asset* will not happen automatically and there is an ongoing need for training, feedback to staff and effective managerial oversight. The use of structured assessment tools in youth justice in England and Wales is relatively recent and it is difficult to predict at this stage how it will develop in future, but there are clearly issues to be addressed by both the YJB and YOT practitioners. For the YJB, there is the question of how to promote consistency without stifling all creativity and professional discretion. For practitioners there is a challenge to avoid seeing *Asset* as a purely bureaucratic document and to work at ways of incorporating it into practice so that both they and young people who offend can benefit from it. This may not be easy but it is certainly possible and a goal for which it is worth striving.

References

Andrews, D.A. and Bonta, J. (1995) *The Level of Service Inventory-Revised Manual*. Toronto: Multi-Health Systems Inc.

Aye-Maung, N. and Hammond, J. (2000) *Risk of Re-Offending and Needs Assessments: The User's Perspective*. Home Office Research Study 216. London, Home Office.

Baker, K. (2004) Is *Asset* Really an Asset? Risk Assessment of Young Offenders, in Burnett, R. and Roberts, C. (Eds.) *What Works in Probation and Youth Justice: Developing Evidence-Based Practice*. Cullompton, Willan.

Baker, K., Jones, S., Roberts, C. and Merrington, S. (2002) *Validity and Reliability of Asset*. London, Youth Justice Board.

Bell, M. (1998/99) The Looking After Children Materials: A Critical Analysis of Their Use in Practice. *Adoption and Fostering*. 22: 4, 15–24.

Bhui, H.S. (2001) New Probation: Closer to the End of Social Work? *British Journal of Social Work*. 31: 4, 637–9.

Buchanan, R., Whitlow, K. and Austin, J. (1986) National Evaluation of Objective Prison Classification Systems. *Crime and Delinquency,* 32: 3, 272–90.

Burnett, R. (1996) *Fitting Supervision to Offenders: Assessment and Allocation Decisions in the Probation Service*. London, Home Office.

Burnett, R. and Appleton, C. (2004) *Joined-up Youth Justice: Tackling Youth Crime in Partnership*. Lyme Regis, Russell House Publishing.

Carson, D. (1994) Dangerous People: Through a Broader Conception of 'Risk' and 'Danger' to Better Decisions. *Expert Evidence*. 3: 2, 51–69.

Copas, J. and Marshall, P. (1998) The Offender Group Reconviction Scale: A Statistical Reconviction Score for use by Probation Officers. *Applied Statistics*. 47: 1, 159–71.

Department of Health, Department for Education and Employment and Home Office (2000) *Framework for the Assessment of Children in Need and Their Families*. London, The Stationery Office.

Department for Education and Skills (2005) *Every Child Matters: Change for Children in the Criminal Justice System*. London, Department for Education and Skills (available at http://www.everychildmatters.gov.uk/youth-justice/)

Eadie, T. and Canton, R. (2002) Practising in a Context of Ambivalence: The Challenge for Youth Justice Workers. *Youth Justice*. 2: 1, 14–26.

Downloaded from http://yjj.sagepub.com at Oxford University Libraries on October 30, 2008

Ericson, R. and Haggerty, K. (1997) *Policing the Risk Society*. Toronto, University of Toronto Press.

Evans, T. and Harris, J. (2004) Street-Level Bureaucracy, Social Work and the (Exaggerated) Death of Discretion. *British Journal of Social Work*. 34: 6, 871–95.

Farrington, D.P. and Tarling, R. (1985) Criminological Prediction: An Introduction, in Farrington, D. and Tarling, R. *Prediction in Criminology*. Albany, State University of New York Press.

Farrow, K. (2004) Still Committed After All These Years? Morale in the Modern Day Probation Service. *Probation Journal*. 51: 3, 206–20.

Feeley, M. and Simon, J. (1992) The New Penology: Notes on the Emerging Strategy of Corrections and its Implications. *Criminology*. 30: 4, 449–74.

Feeley, M. and Simon, J. (1994) Actuarial Justice: The Emerging New Criminal Law, in Nelken, D. *The Futures of Criminology*. London, Sage.

Garrett, P.M. (2002) Yes Minister: Reviewing the 'Looking After Children' Experience and Identifying the Messages for Social Work Research. *British Journal of Social Work,* 32: 7, 831–46.

Garrett, P.M. (2003) Swimming with Dolphins: The Assessment Framework, New Labour and New Tools for Social Work with Children and Families. *British Journal of Social Work*. 33: 4, 441–63.

Gottfredson, M.R. and Gottfredson, D.M. (1988) *Decision Making in Criminal Justice: Toward the Rational Exercise of Discretion*. New York, Plenum.

Gottfredson, S.D. and Gottfredson, D.M. (1986) Accuracy of Prediction Models, in Blumstein, A. et al. (Eds.) *Criminal Careers and Career Criminals*. Washington DC, National Academy of Sciences.

Hannah-Moffat, K. and Shaw, M. (2001) *Taking Risks: Incorporating Gender and Culture into the Classification and Assessment of Federally Sentenced Women in Canada*. Ontario, Status of Women Canada.

Hoge, R. (2002) Standardized Instruments for Assessing Risk and Need in Youthful Offenders. *Criminal Justice and Behavior*. 29: 4, 380–96.

Home Office (1992) *National Standards for the Supervision of Offenders in the Community*. London, Home Office.

Home Office (1995) *National Standards for the Supervision of Offenders in the Community*. London, Home Office.

Home Office (2000) *National Standards for the Supervision of Offenders in the Community*. London, Home Office.

Home Office/Youth Justice Board (2002) *Final Warning Scheme: Guidance for the Police and Youth Offending Teams*. London, Home Office.

Jones, P.R. (1996) Risk Prediction in Criminal Justice, in Harland, A. *Choosing Correctional Options That Work: Defining the Demand and Evaluating the Supply*. Thousand Oaks, California, Sage.

Kemshall, H. (1996) *Reviewing Risk: A Review of Research on the Assessment and Management of Risk and Dangerousness: Implications for Policy and Practice in the Probation Service*. Croydon (England), Home Office.

Downloaded from http://yjj.sagepub.com at Oxford University Libraries on October 30, 2008

Kemshall, H., Parton, N., Walsh, M. and Waterson, J. (1997) Concepts of Risk in Relation to Organizational Structure and Functioning within the Personal Social Services and Probation. *Social Policy and Administration*. 31: 3, 213–32.

Lymbery, M. (2001) Social Work at the Crossroads. *British Journal of Social Work*. 31: 3, 369–84.

Mair, G. (1989) *Risk Prediction and Probation: Papers from a Research and Planning Unit Workshop*. London, Home Office.

May, T. and Buck, M. (1998) Power, Professionalism and Organisational Transformation. *Sociological Research Online*. 3: 2.

McMahon, M. (1999) *Summary (Workshop on Gender, Diversity and Classification in Federally Sentenced Women's Facilities)*. Toronto, Status of Women Canada.

Merrington, S. (2004) Assessment Tools in Probation: Their Development and Potential, in Burnett, R. and Roberts, C. *What Works in Probation and Youth Justice: Developing Evidence-Based Practice*. Cullompton, Willan.

Merrington, S., Baker, K. and Wilkinson, B. Using Risk and Need Assessment Tools in Probation and Youth Justice. *VISTA*. 8: 1, 31–8.

Monture-Agnes, P. (1999) *Women and Risk: Aboriginal Women, Colonialism and Correctional Practice – Some Preliminary Comments*. Workshop on Gender, Diversity and Classification in Federally Sentenced Women's Facilities. Toronto, Status of Women Canada.

PA Consulting (2003) *Delivery Plan for 100% Completion of Asset in All Required Cases*. London (Unpublished).

Pitts, J. (2001) Korrectional Karaoke: New Labour and the Zombification of Youth Justice. *Youth Justice*. 1: 2, 3–16.

Roberts, C. (1995) Effective Practice and Service Delivery, in McGuire, J. *What Works: Reducing Reoffending*. Chichester, Wiley.

Roberts, C., Burnett, R., Kirby, A. and Hamill, H. (1996) *A System for Evaluating Probation Practice: Report of a Method Devised and Piloted by the Oxford Probation Studies Unit and Warwickshire Probation Service*. Oxford, University of Oxford Centre for Criminological Research.

Roberts, C., Baker, K., Jones, S. and Merrington, S. et al. (2001) *Validity and Reliability of ASSET – Interim Report to the Youth Justice Board*. Oxford, University of Oxford Centre for Criminological Research.

Robinson, G. (1999) Risk Management and Rehabilitation in the Probation Service: Collision and Collusion. *The Howard Journal*. 38: 4, 421–33.

Robinson, G. (2003a) Technicality and Indeterminacy in Probation Practice: A Case Study. *British Journal of Social Work*. 33: 5, 593–610.

Robinson, G. (2003b) Implementing OASys: Lessons from Research into LSI-R and ACE. *Probation Journal*. 50: 1, 30–40.

Scott, W. R. (1969) Professional Employees in a Bureaucratic Structure: Social Work, in Etzioni, A. (Ed.) *The Semi-Professions and Their Organization*. New York, Free Press.

Smith, R. (2003) *Youth Justice: Ideas, Policy and Practice*. Cullompton, Willan.

Strachan, R. and Tallant, C. (1996) Improving Judgement and Appreciating Biases Within the Risk Assessment Process, in Kemshall, H. and Pritchard, J. *Good Practice in Risk Assessment and Risk Management 1*. London, Jessica Kingsley.

Downloaded from http://yjj.sagepub.com at Oxford University Libraries on October 30, 2008

Thompson, J. (1996) *AGM 1995 Motions*. NAPO News 76.
Toren, N. (1969) Semi-Professionalism and Social Work: A Theoretical Perspective, in Etzioni, A. *The Semi-Professions and Their Organization*. New York, Free Press.
Townson, C. (1994) An Improved Risk-Assessment Process: Ontario Region's Community Offender Management Strategy. *Forum on Corrections Research*. 6: 3, 17–19.
Ward, H. (Ed.) (1995) *Looking After Children: Research into Practice. The Second Report to the Department of Health on Assessing Outcomes in Child Care*. London, HMSO.
Watson, D. (2002) A Critical Perspective on Quality within the Personal Social Services: Prospects and Concerns. *British Journal of Social Work*. 32: 7, 877–91.
Wright, C. (2003) ASSET: Success Proves it Essential. *Youth Justice Board News*. 18: 5.
Youth Justice Board (2000a) *ASSET: Explanatory Notes*. London, Youth Justice Board.
Youth Justice Board (2000b) *National Standards for Youth Justice*. London, Youth Justice Board.
Youth Justice Board (2002a) *Building on Success: Youth Justice Board Review 2001/02*. London, Youth Justice Board.
Youth Justice Board (2002b) *Assessment, Planning Interventions and Supervision: Key Elements of Effective Practice (Source Document)*. London, Youth Justice Board.
Youth Justice Board (2003a) *ASSET (Summary)*. London, Youth Justice Board.
Youth Justice Board (2003b) *Key Elements of Effective Practice Quality Assurance Framework*. London, Youth Justice Board.
Youth Justice Board (2004) *National Standards for Youth Justice Services*. London, Youth Justice Board.
Youth Justice Board (2005) *Managing Risk in the Community*. London, Youth Justice Board.

Downloaded from http://yjj.sagepub.com at Oxford University Libraries on October 30, 2008