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A critical reflection on ‘giving voice’ to justice-involved young people

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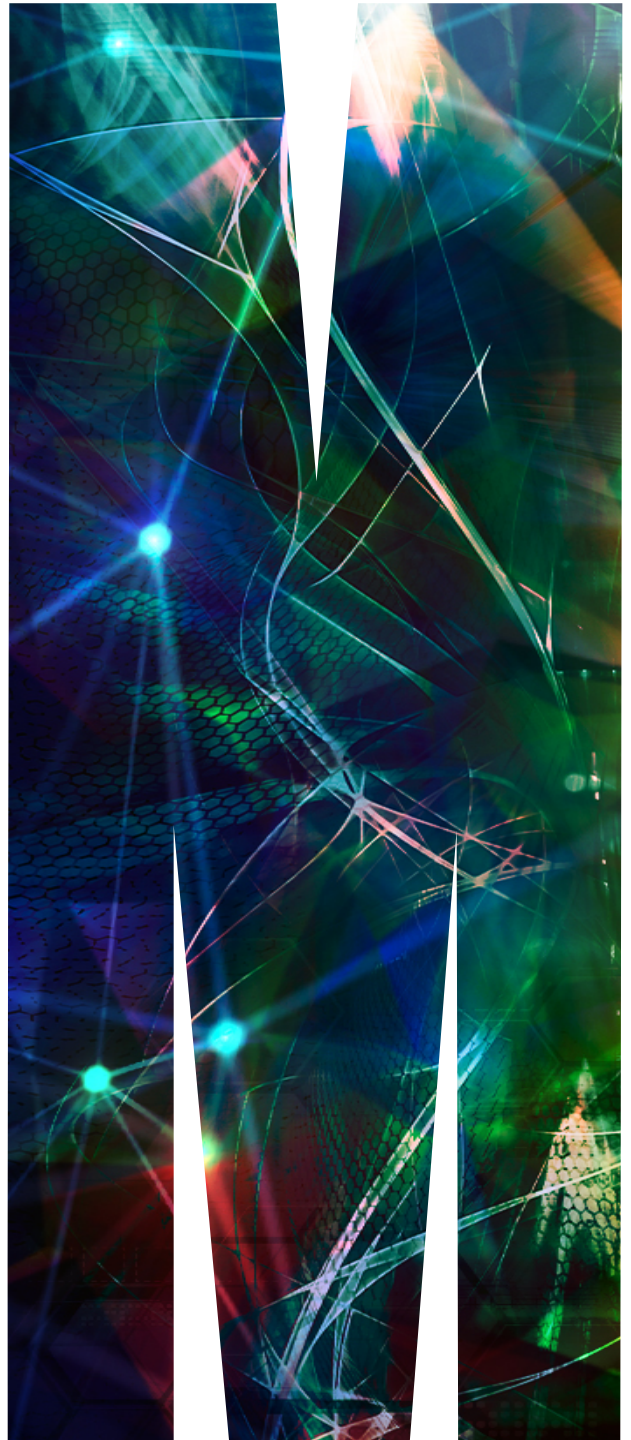

‘Giving voice’

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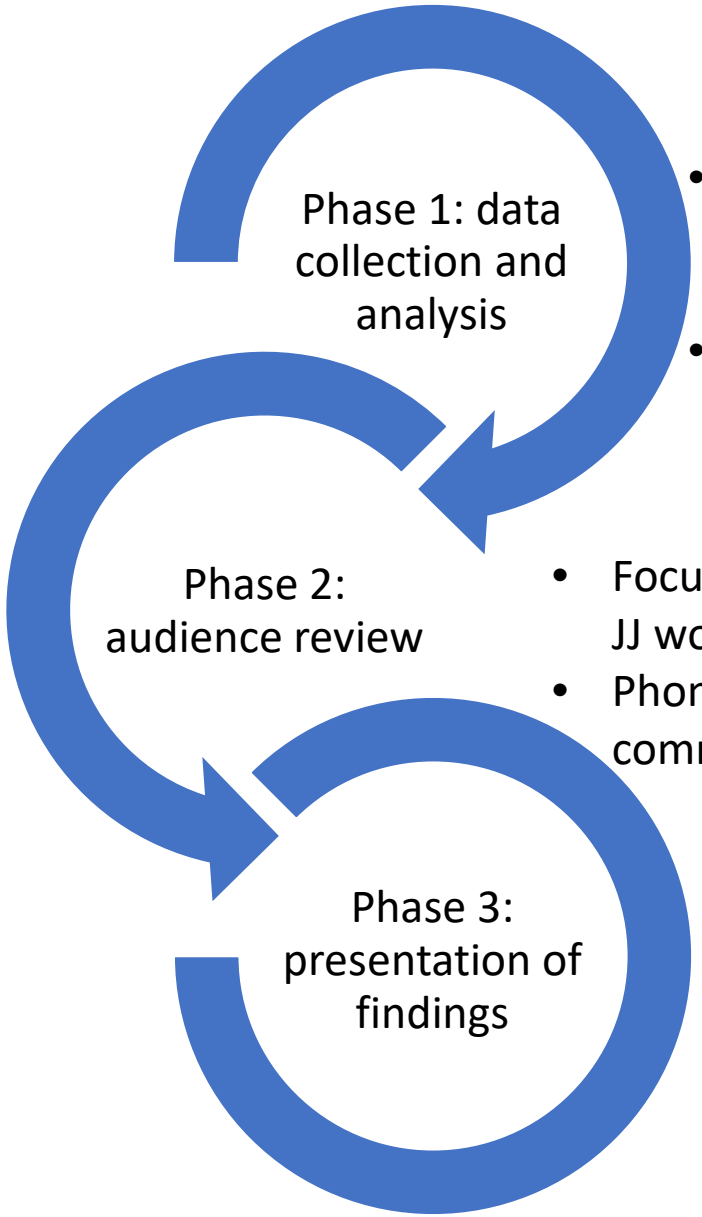
What I mean by ‘giving voice’

- Prioritising the marginalised voices and perspectives of youth justice clients in the research
- An interpretive, phenomenological approach, where the young people’s voices are filtered through my interpretations and assumptions about the world
- Important for achieving the social justice aims of critical social work and criminology
- Could be construed as a form of ‘educative consciousness raising’ (Freire 1970), but unlikely to achieve the higher goals of ‘emancipatory-transformative’ (Mertens 2003) research
- Aim is to ‘democratise ways of knowing’ (Humpries 2008, p.194) and raise the status of the knowledge of marginalised groups closer to that of scientific ‘knowers’

Case management in juvenile justice: clients' perspectives

Source: Turner 2019



- In-depth, audio-recorded interviews with 18 youth justice clients
- Thematic analysis and interpretation of findings

- Focus group with JJ workers
- Phone interviews with community agency workers

Study aims

- Explore the ways in which case management is experienced and understood by youth justice clients, from their own perspectives
- Contribute the unique perspectives of youth justice clients to the dominant, 'expert' understandings of case management
- Provide new knowledge that may form the basis for further, more definitive research and contribute to case management theory and practice with youth justice clients

Exploratory, interpretative phenomenological approach, grounded in 'reflexive critical pragmatism'

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Reflexive Critical Pragmatism (Turner 2019)

- A reflexive critical pragmatist lens helped narrow my attention to two key concerns for the use of knowledge and design of this study:
  - those related to **ethical** considerations for conducting research with youth justice clients; and
  - those related to the research **context** and **practical workability** of the study.
- Critical pragmatists must constantly ask reflective questions that stem from two lines of inquiry (Jordan 2012):
  - 'Am I being properly critical within my practice?'
  - 'Is my practice necessarily pragmatic in nature?'
- These questions, in attending to what *ought* to be, as well as what *is*, are core to a normative mode of reflexivity (Longhofer & Floersch 2012)

‘[I]t is the very interplay of ‘young-person-as-offender’ which presents some very particular and specific challenges to researchers who want to work with such populations’.

(Holt and Pamment 2011, p.126)

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Literature: conducting ethical and effective research

- With **youth justice clients –** overall lack of literature (see Holt & Pamment 2011; Nee 2004)
- With **adult corrections clients –** a modicum of literature (see Cowburn 2005; Lindsay et al. 2007; Roberts & Indermaur 2003, 2008)
- With **children and young people –** relatively large and useful body of literature (see Eder & Fingerson 2001, 2003; Harden et al. 2000; NSW CCYP 2005; Powell et al. 2012; Thomas & O'Kane 1998; Morrow & Richards 1996; White, Harris & McDonnell 1996; Williams 2006)
- In **social work** and **criminology** contexts – also a relatively large and useful body of literature (see Alston & Bowles 2012; Anastas, 1999; Gadd et al. 2012; Grinnell & Unrau 2014; Maxfield & Babbie 2009; Noakes & Wincup 2004; Rubin, Allen & Babbie 2014; Yegidis & Weinbach 2012)

Literature synthesis: main points

The main ethical and practical challenges of conducting research with youth justice clients, centre around four issues:

1. Access and informed consent
2. Researcher skills and experience
3. Power disparities
4. Communicative competence

‘[T]he biggest ethical challenge for researchers working with children is the disparities in power and status between adults and children.’

(Morrow & Richards 1996, p.98)

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Power disparities

- In the **criminal justice system,** the respective power and status disparities are even greater between adults and children or young people (Botley, Jinks & Metson 2010)

Adult ‘expert’	Child, young person ‘subject’
‘Upstanding, law-abiding citizen’	‘Criminal / offender’
‘Deserving’	‘Undeserving’
‘Worker’	‘Client’

Group interviews

✪ **'Power-in-numbers'** – adult researchers should interview children as a group rather than as individuals (Eder & Fingerson 2001; NSW CCYP 2005; Suthers 2011)

!! Privacy legislation and policies to protect the identity of young offenders make this impractical

!! Bringing youth justice clients together for a group interview poses so-called 'contamination' (Trotter 1995) and 'labelling' risks (see Latessa & Lowenkamp 2006; Nee 2004; Trotter 1995; Turner & Trotter 2016; United Nations 1985)

!! Group interviews are therefore, only practical in custodial settings, but most young people in youth justice are subject to supervision in the community

⇨ As the potential harms of a group interview approach appeared to outweigh the potential benefits, so I used an individual interview approach, coupled with specific techniques aimed at creating a non-threatening, **naturalistic** and **responsive** interview experience for each participant

Reciprocity

✪ There is currently no agreed position on whether children and young people, and those involved in the criminal justice system, should be paid for participating in research or what kind of recompense is appropriate (Israel 2004; Powell et al. 2012)

!! Debates oscillate between the view that payment functions as an inducement or bribe and the counterview that payment for research participation is a reasonable and ethical form of reciprocity (NSW CCYP 2005; Powell et al. 2012)

!! Youth justice administrators tend to take the former position

⇨ I took the latter position and provided participants with a gift card valued at $50.00 for either a music-media store or a supermarket chain, but ensure they could not be exchanged for cash or used for the purchase of tobacco or alcohol

‘Young offenders are disadvantaged with respect to their ability to “tell their story”.

(Snow & Powell 2004, p.223)

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Communicative competence

- The design, implementation and analysis of interviews should be developed from knowledge about the nature of young people's communicative competence (Eder & Fingerson 2003)

- !! Unlike most adults, young people may not speak at length during qualitative interviews and require more probes and structured questioning (Harden et al. 2000)
- !! A substantial body of Australian research has raised concerns about the poorer than average literacy and oral language skills of young people in youth justice (see Allerton et al. 2003; Bartels & Richards 2013; Kenny et al. 2006; Putninš 1999, Snow & Powell 2002, 2005, 2008, 2011)
- !! Young male offenders tend to have low expressive vocabulary, poor auditory processing and narrative language skills, and significant difficulty understanding abstract or figurative language, and constructing narratives that are logical and coherent (Snow and Powell 2004, 2005, 2008, 2011, 2012)
- !! They may try and hide their anxiety, embarrassment and oral language deficiencies in forensic interviews (e.g. by just answering 'yep', 'nup', 'dunno' or 'maybe' and providing affirmative responses to closed questions, even when not comprehending the questions) (Snow and Powell 2004, 2012).

Achieving a naturalistic approach

- A relaxed, naturalistic approach refers not only to the interviewer's way of being, but also to the context for the interview. 'The naturalness of the interview context can be further developed if the interview is placed within a larger activity with which the respondents are already familiar' (Eder and Fingerson 2003, p.35).

- !! Researchers must consider their own safety, which limits the choice of times and locations for interviews, but public spaces may compromise participants' privacy
- !! Young people with prior interview experiences with police, youth justice workers or child protection workers could construct the research interview as threatening (Holt & Pamment 2011)
- !! Snow and Powell (2004, 2012) find that the issues experienced by young offenders in their oral communication are exacerbated when they feel under pressure, such as during a police interview

- ⇨ Participants nominated a preferred suitable interview time and location; most opted to use a private room at their local JJCS office, around the same time as their YJ supervision appointment

Flexible, responsive interviewing

- A flexible, semi-structured interview format, using 'responsive interviewing' (Rubin & Rubin 2005) to generate a conversation (i.e. not relying on pre-set questions, but responding with questions to and on the basis of what said by the interviewee)
- An open-ended and non-directive approach can allow young people to bring up topics that are familiar and important to them (Eder & Fingerson 2001, 2003) – gives some power to the participant
- I used specific interview approaches recommended by Snow and Powell (2004):
  - continually and sincerely checking level of understanding (e.g. by asking the same question in different ways and checking the consistency of responses)
  - provide ample time for responses to allow for any reduced processing capacity
  - indicating to the young person when parts of their account are unclear, appear inconsistent or are lacking in detail
  - use clarifying strategies, such as open-ended questions and grammatically simple sentences
- These techniques function as a form of 'on the spot' **member checking**, which can bolster the credibility of the research findings (Shenton 2004)

Member checks

✪ Some form of **member check** or **participant validation** is often recommended as good research practice, typically a follow up 'validity interview' to check the credibility of the researcher's interpretations or findings

!! None of the young people appeared to *actually* check their interview transcript for accuracy – even with offers of assistance, and not enough responded for a follow-up interview

!! This appeared consistent with experiences of other researchers in studies conducted directly with youth justice clients (see Hartwell et al. 2010; Moore, Saunders & McArthur 2008)

⇨ I panicked.

Literature: concerns about member checks

- !! Buchbinder (2011, p.106) contends that a key challenge for conducting member checks is how the researcher deals with the ‘transfer of power to the interviewer during the validation interview’.
- !! Similarly, Ashworth (1993) argues that underlying power dynamics in member checking can essentially undermine the process
- !! In a study of its use in health care, Goldblatt, Karnieli-Miller and Neuman (2011, p.389) found that member checking can cause harm to vulnerable participants and to researchers
- !! Goldblatt, Karnieli-Miller and Neuman (2011, p.389) suggest that member checking ‘is not necessarily the best method for achieving credibility’.
- !! Likewise, Ashworth (1993, p.14) maintains that while ‘participant views should be taken very seriously indeed’ and researchers should at some point check with a participant that they understand what the individual has said, this should not be conflated with validating the research findings

Participant validation is flawed […] since the "atmosphere of safety" that would allow the individual to lower his or her defences […] and act in open candour (if this be possible), is hardly likely to be achieved in the research encounter' (Ashworth 1993, p.15).

Unless in a group, participants may not feel able to act with the candour required to challenge the researcher's interpretations (see also Eder & Fingerson 2001; NSW CCYP 2005; Suthers 2011).

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I should have seen this coming!

Practice wisdom should inform practice-based research.

Photo credit: Keith Maniac

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Audience Review

- A form of **credibility triangulation** involving **multiple analysts** (i.e. presenting the findings of a study, as a way of testing their credibility, to its intended readers and users) (Patton 2002)
- Resembles McNiff's (2016) **validity group** concept, whereby the credibility of the researcher's claims and supporting evidence are tested by others
- Both the validity group and audience review concepts are underpinned by similar understandings of validity

Aims and principles of the audience review

- Aims
  - to challenge the apparent veracity of the researcher's individual, thematic constructions; not to collect further data
  - guard against anecdotalism and reach a point of objectivity that is, nevertheless, fallible and contingent on knowledge developed from the next study (Popper 1959; Silverman 2005)
- **Refutability principle** (Silverman 2005, 2013) – actively looking for ways to refute initial assumptions about data
- **Falsification theory** (Popper 1959) – (i.e. researchers should attempt to refute assumed relations between phenomena)
- **Social validation** – at the core of Habermas' (1984, 1987) theory of communicative action, which holds that people achieve intersubjective agreement when they talk together and negotiate what they are willing to accept

For research, social validation involves the audience ‘coming to a decision about whether or not [your evidence], and you, are to be believed’ (McNiff 2009, p.195).

(Is this the ‘pub test’?)

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Doing the audience review

- Habermas (1979) cautions that without rigorous assessment, based on clear measures and principles to guide judgements, dialogical interaction to develop consensus can collapse into group-think
- Consequently, I devised a framework for the audience review, loosely based on McNiff's (2016) guidelines for a validation group and, as recommended, adapted it to the context of this study.
- Prior to the audience review, I provided participants with written and verbal information about the background to this study, its purpose and questions, and the developing findings (McNiff 2016)
- During the audience review, I provided greater detail about the emerging findings and posed reflective questions around the following criteria

Audience review framework

- **Comprehensibility:** Are the my claims coherent and logical? Do they make sense to the audience? (Habermas 1979; McNiff 2016)
- **Resonance:** Do the claims resonate with the audience members' experience? Are the claims relevant? Is there any dissonance or disconnect? (Finlay 2006, 2011)
- **Democratic validity:** Does the research produce findings that are relevant to the local setting? (Herr & Anderson 2005)
- **Face validity:** Are the findings believable? Do the findings connect to how the audience understands the world? (Lather 1991; Patton 2002)
- **Ironic validity:** Are my assumptions that informed the findings appropriate and acceptable? (Lather 1991)

Acknowledge power disparities

- Downplaying, rather than acknowledging the researcher's role and power in a study can potentially have a **patronising** effect (Healy 2001)
- This is particularly pertinent to my study and others in statutory contexts, where it is dubious, at least, to suggest the research participants hold power that is equal to or greater than the researcher's

- '[P]ower that is acknowledged can be subjected to mechanisms of democratic control; power that is denied can become unlimited and capricious' (Phillips 1991, p.134).

Be noble, but no bull...

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