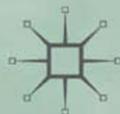# CONSTRUCTING RISKY IDENTITIES

IN POLICY AND PRACTICE

EDITED BY JEREMY KEARNEY AND CATHERINE DONOVAN

Constructing Risky Identities in Policy and Practice

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Contents

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1
Introduction: Identities, Individuals and Theories of Risk

Jeremy Kearney and Catherine Donovan

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

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

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

1

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

Neoliberalism, risk and the state

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

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

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

(2005, p. 2)

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

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

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

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

Predicting and preventing future harm

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

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

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

The background context of risk

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

These ideas of rationality and calculability in relation to risk have been challenged by writers like Ulrich Beck (1992, 1994, 2000) and Anthony

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

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

Frameworks for analysing risk

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

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

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

1   The realist position

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

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

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

2   The cultural position

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

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

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

3 The 'risk society'

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

> [T]he utopia of the risk society remains particularly negative and defensive. Basically one is no longer concerned with attaining something 'good' but rather preventing the worst.
>
> (Beck, 1992, p. 49)

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

Related to the development of the risk society is what Beck (1994) describes as 'reflexive modernisation'. As society becomes more uncertain and risky, people feel less secure and become more questioning of existing practices, whether this is in relation to the family, their work or the political context. There is a critical reflection on the effects of modernisation. People are not so confident in the views of 'experts' as expert opinion can be divided and contradictory in relation to such major external threats as climate change, population growth, globalisation and economic policies. Such uncertainty also operates on the individual level as individual identities and roles are questioned. Lupton notes that for Beck the 'core of reflexive modernity is a transformation in and freeing of accepted social roles such as gender and social class' (1999, p. 69). Individual decisions about identity, employment and relationships are made in a context where certainties about gender, class and family life are being challenged and overturned. Because it is such an overarching perspective, it is understandable that the 'risk society' approach influences many of the contributions to this volume. However, the authors, as well as acknowledging its influence, also offer a number of critical views of this approach.

4   Governmentality

The most strongly relativist position in relation to risk is that based on the work of Foucault and elaborated by writers such as Castel (1991), Ewald (1991) and O'Malley (2004). According to Ewald, from this perspective:

> Nothing is a risk in itself; there is no risk in reality. But on the other hand, anything *can* be a risk; it all depends how one analyzes the danger; considers the event.
>
> (1991, p. 199, original emphasis)

In his later work, Foucault developed the idea of 'government rationality', or, to use his own word, 'governmentality' (Foucault, 1979; Burchall, Gordon and Miller, 1991). He saw the problems of government as shifting from the 'sovereign' power of the ruler, which was mainly focused on the protection or expansion of physical boundaries, to governmental power, which started to focus on the control and management of the state's population and its economy. Therefore, there was a change from managing physical artefacts, such as land and borders, to managing more abstract notions such as populations, which could be groups like 'the disabled', 'taxpayers', 'immigrants' or 'welfare scroungers'. Such a

form of governing does not just depend on the power of a single head of state but rather on the activity of a multitude of government departments and other organisations that are monitoring and regulating the conduct of people, not as collections of individuals but as groups. This then leads to the construction of a statistically based population on the basis of a range of normative criteria. Robert Castel has described this as a shift from 'dangerousness to risk', which dissolves the 'notion of a *subject* or a concrete individual, and [putting] in its place a number of *factors*, the factors of risk' (Castel, 1991, p. 281). An individual is either placed in a particular group or excluded from it on the basis of particular characteristics – for example, age, gender, employment status, personal history, family background and so on.

Forms of governance seek to control events and so are always linked to *technologies* for how this is to be done; therefore risk is understood as a 'technology of government' (O'Malley, 2008). As a result, the process of identifying and managing 'risky' populations requires a vast bureaucracy of targets, performance indicators, registers, tick lists and league tables in order to monitor behaviour and outcomes. From the perspective of a governmentality approach, a risk 'industry' has developed in which multiple agencies seek to assess, categorise and judge individuals. Often this leads to surveillance of whole populations and, in turn, members of these populations voluntarily opt to regulate and discipline their own behaviours before the state does so (Garrett, 2009). These issues are debated by a number of the authors in the chapters that follow.

Overview of the book

While the contributors to this book draw on the theoretical approaches to risk outlined previously to frame their discussions, the aim of this book is not to interrogate or critique the range of frameworks that now exist in relation to risk analysis at a theoretical level, but rather to examine and explore the effects of contemporary thinking about risk on a number of current social policy and practice debates. The varieties of risk thinking act as a background to an analysis of these issues, which are then viewed through a 'lens of risk'.

As the lens of risk is both 'totalising' in the way it constructs whole populations, communities and groups as risky, and 'individualising' in the way that specific individuals are targeted as the 'most risky' or the most 'at risk', the two parts of the book reflect these perspectives. In Part I the contributors examine a variety of contexts where the concept

of risk creates an identity for a population or group that can often be restrictive and controlling but, in some cases, can also offer a positive outcome for those labelled.

In Part II, the focus is much more on the way the risk perspective leads to the targeting of the 'most risky' or the most 'at risk' individuals, often in terms of services and interventions, while the needs of the wider group can be neglected.

Part I   Constructing risky identities

In the first chapter of this section, Peter Rushton, in order to interrogate Beck's argument that the risk society is indeed a new epoch in time, provides a historical commentary on the ways in which individuals or groups have come to be identified as currently a threat to the safety of a community or society. His focus on young people, including their occasional behaviour in gangs and riots, and on domestic violence and child abuse, allows for an analysis of continuities and change over time of the ways in which risk has been attributed and experienced by these groups. He concludes it is the global context in which risk is now identified, experienced and managed that marks this period out as a departure from the past. Rooted in this historical analysis, his discussion of the differences between 'asserted' and 'imposed' identities provides a useful introduction for other chapters in Part I which examine how identity can be constructed as either a negative or positive attribute by risk frameworks.

In Chapter 3 Jeremy Kearney uses Foucault's concept of governmentality to explore how society, via the state, now intrudes into many areas of private life and constructs specific identities for people, which have to be monitored by diverse surveillance apparatus. The particular emphasis of the chapter is on society's concern with the protection of children from risks of abuse by adult predators. The New Labour Governments of 1997–2010 responded to the anxieties expressed in the media and by the general public by adopting an approach in its policy initiatives, particularly in relation to social welfare, that suggested potentially all children could be at risk and all adults might be 'risky'. As a result, the systems of surveillance and monitoring developed to address this 'risk', such as the Criminal Records Bureau and the Vetting and Barring scheme, have in fact served to bureaucratise and regulate what were once informal, voluntary acts of trust and goodwill between adults and children and young people. These systems inevitably become self-reinforcing as more and more adults are brought under its control. The chapter concludes by considering how the 2010 Coalition

Government, although with a different economic and ideological agenda, with the establishment of the Disclosure and Barring Service in 2012, still continues to create 'risky' and 'safe' identities for adults.

On the other hand, Stephen J. Macdonald's work in the following chapter discusses the ways in which an external identification of risk – in this case the risk of being identified as having a learning disability (dyslexia) – can be experienced positively by those so identified in their attempts to secure access to education and employment opportunities. Drawing on the social model of disability, the work of Beck and Giddens, and critical realism, this chapter engages with the debate about the usefulness of the label of dyslexia. Seen from the point of view of individuals with the disability, accepting this label is a 'positive' risk as it can provide a useful explanation of self and an empowering identity that makes sense of prior negative educational experiences. It can also allow claims to be made for access to a range of useful kinds of support services.

Chapter 5 returns to the theme of the negative impact of being identified as part of a 'risky' group that is seen as a threat to 'normal' society. Drawing on the work of Douglas and her own research into lesbian-led families, Sheila Quaid looks at families where the women had decided to have their biological children in the context of an adult lesbian relationship. She then goes on to discuss the variety of ways in which public discourses have constructed these women as the 'other', and as a threat both to their children's sense of self and to the heterosexual nuclear family and, by extension, to society. Her chapter also illustrates that there has been change over time in how such lesbian relationships and families have been included into society. For although the law has provided ways to regulate these relationships, the public discourse that reflects ideas of pollution and contagion continues in current debates about same-sex marriage and adoption and fostering by same-sex couples.

The final chapter of Part I by Jacqueline Merchant explores the ways in which the construction of young people as at risk, or as presenting a risk to society, has over time both changed yet remained the same. The argument is made that young people are often symbolic of change in society and can encapsulate society's anxieties about such changes. Her chapter also analyses the discussion about how responses to the real problems that young people face are shaped by political, economic and ideological agendas that reflect the sociological debates between structure and agency. Thus, since New Labour Governments focused their policy interventions on addressing the risks of young people becoming youth offenders, experts' knowledges have been used to develop risk

assessments that might identify those factors that can predict the likelihood of such an outcome. However, this actuarial approach to prevention has been widely critiqued by those who provide evidence of the limited reliability of predictive criteria. In conclusion Merchant revisits Beck to argue against an approach to young people that continues to problematise them, but rather in favour of the need to recognise the structural barriers that they face in their daily lives.

Part II Constructing risky individuals

In the second part of the book, the emphasis is on how risk thinking has been embedded into the practices of different agencies and what implications this has both for potential and actual users of services and the practitioners providing them. One of the unifying themes across these chapters is how the neoliberal policies of government, particularly those that were initiated by New Labour, serve to categorise and label individuals or small groups of people as problematic or violent or excluded on the basis of specific characteristics in their behaviour or lifestyle.

Catherine Donovan focuses on domestic violence and abuse and the recent (relatively successful) policy, via multi-agency risk-assessment conferences, to concentrate resources on those victim/survivors who are at the highest risk. Drawing on the concept of governmentality and Douglas's socio-cultural approach to understanding risk, Donovan considers the implications of the use of specific risk-assessment tools as the basis for risk categorisation in understanding domestic violence and abuse, the responses to it and the effects on victim/survivors. Her conclusions are that this model reproduces a heteronormative understanding of domestic violence and abuse which focuses on physical violence. At the same time, it also targets particular groups of heterosexual men as presenting the greatest risk and that this is at odds with the recent cross-government definition of domestic violence and abuse which suggests it is something that can be experienced across gender and sexuality in a range of relationships and in a variety of forms.

Although discussing a very different topic – the ways in which digital exclusion has now become a new area of risk in modern society – like Donovan, John Clayton in Chapter 8 also charts how particular groups and individuals remain outside the resource categories under discussion. Problematising the process by which risk is being defined in relation to access to digital technology, Clayton cautions against any simplistic definition of exclusion in this field. He points out that, from a risk perspective, technology is often seen as a form of risk reduction rather than looking beyond it to broader issues of inequality and disadvantage.

A key part of his argument is that digital inclusion should be seen as a right, as opposed to a neoliberal agenda that emphasises individual risks over socio-economic circumstance.

In the following two chapters Rick Bowler and Nicola Ballantyne open up a discussion of ways in which risk agendas not only affect the targeted groups – that is, young people and perpetrators of domestic violence, respectively – but also have an impact on how professionals work with these groups. In Chapter 9 Bowler addresses the changing discourse in relation to young people and the implications that this has for youth workers and youth work. He points out that, in line with government policy, in many areas of social welfare youth work has shifted from youth-centred group and community activities to a sharp focus on targeting 'problematic' young people who are at risk of becoming socially deviant or socially excluded. The paradigm of risk reduction has thus had consequences for what is called democratic youth work because the role of youth workers is now much more one of managing risks rather than meeting young people's needs and facilitating their personal and social development.

Following on this theme of the dual effect of the risk agenda both on service users and professionals, Chapter 10 also discusses domestic violence but focuses on mandatory programmes for convicted domestic violence perpetrators. While recognising the 'real' risks posed by such offenders and the policy imperatives behind such work, Ballantyne discusses how, in this field, there has been a shift from a discourse of rehabilitation of offenders to risk reduction and draws attention to the implications this has for victims/survivors. She also draws on empirical research to explore how risk is constructed, both in the policies adopted by the programmes and in the 'risk' talk of both staff and the offenders themselves.

In the final chapter the editors bring together some of the broader issues that have emerged from the individual contributions and discuss how many of the chapters engage with the neoliberal agenda that currently dominates welfare policies. The chapter examines how the proponents of neoliberal ideas have been able to make use of risk discourses in forwarding their aims. In fact, risk has become central to the project of redefining social problems and their solutions. They discuss a number of key interlinking themes that emerge from the chapters in the book which reflect on the interactions between neoliberal forms of governance, risk thinking and the justification of an austerity agenda. Some of the implications for practitioners, and their professional identities, of such a restructuring of welfare are explored.

What the chapters in the book demonstrate is that the construction of risk in this context fits well with the advancement of ideologies of individual responsibility and the acceptance of a residual role for the state in the provision of universal services. As these political and social initiatives develop and expand across many areas of society, it is likely that risk thinking will continue to play a key role in shaping some of these changes. An examination of the consequences of these changes on policy and practice will remain important and this book is a small part of such an ongoing process.

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Part I
Constructing Risky Identities

2
Risk, Identities and Recognition: A History of Dangerous Categories and Categories of Danger

Peter Rushton

Introduction

Ulrich Beck's model of 'risk society' has attempted to establish a sense of discontinuity with previous stages of modern society. We are still 'modern', 'advanced' and 'industrial', but not as we knew it 50 years ago. This modernity is 'late', 'high', or even 'post-' modernity. Yet it is not clear what has changed: like many definitions of the present, the theory of risk society is essentially an historical interpretation of modernity which seeks to identify the nature of a break – or breaks – with the recent past. To some extent, the novelty has just been assumed rather than argued and demonstrated from evidence, as a number of commentators have noted (Marsh and Melville, 2011; O'Malley, 2000). As global economic and other problems have increasingly dominated, Beck suggests we accept 'the new historical character of world risk society' (Beck, 2009, p. 7). In what follows, the newness of risk in global society is evaluated for its historical assumptions and theoretical parallels, and then a critical historical exploration of a few selected areas of social concern is undertaken. In both discussions, the key aim is to assess whether risks have changed as much as theorists suppose in the context of the unpredictable effects of globalisation. As the introduction to this collection makes clear, the meaning of the word 'risk' in social theory has changed drastically. This is not risk as conventional techniques of risk-assessment define it. Rather, according to Beck, risk is now 'manufactured risk', the often unexpected outcomes of collective human actions.

Threats such as the ecological dangers of pollution and global warming, or the new forms of terrorism, have been globalised, or 'de-territorialised', and are no longer amenable to conventional predictive techniques (Beck, 2006, p. 333; Mythen and Walklate, 2006, p. 384). In

what Mythen called a 'somewhat patchy historical appraisal', Beck's model suggests that pre-industrial, industrial and risk societies each possess a distinctive way of viewing and dealing with dangers (Mythen, 2005, p. 4). While pre-industrial society adopted fatalistic attitudes to disasters by accepting ideas of divine providence or fate, industrial society offered prospects of real reductions in the dangers of disease or starvation by systematic prevention and new methods of economic production. But this growing technical competence increasingly produces 'manufactured' risks such as climate change which are, in fact, the by-product of economic progress. In the current phase of developed 'modernity', which Beck termed 'risk society', it is not clear that real risks have increased, but our fear of them, and our need for reassurance, have both intensified (Beck, 1992, pp. 55, 75–8). This arises because there is a crisis in government decision-making, deriving from a combination of the incomplete recognition of global problems, an inability to design effective global responses, *and* a greater public awareness of these failures (Mythen, 2005, p. 5).

The important argument here is that 'scientific government' has failed to deliver security, and has significantly relocated responsibility for risks to the individual, mirroring the individualisation which Beck sees both in the economy and the formation of identities (Engel and Strasser, 1998). It would be too easy to accuse Beck of overgeneralising without any systematic evidence. Things *have* changed, in terms of our ability to counter traditional threats such as disease and starvation. Specific threats such as HIV are susceptible to a traditional, concentrated, scientific effort. Yet the global side effects of economic success are not as easy to deal with. In that sense, Beck is surely right to emphasise dangers on a global scale which are beyond the scope of the traditional *individual* nation state and its scientific expertise (O'Malley, 2009, pp. 1, 13). Paradoxically, the declining status of science has occurred because modern cultures believe in the myths of scientific prediction and 'scientific' government. 'We crave certainty', and, says Beck, we become vengeful if experts fail (Beck, 2012, p. 78). For example, a failure by an expert panel, the National Commission for the Forecast and Prevention of Major Risks, to predict accurately the 2009 Italian earthquake led to their prosecution for manslaughter. Their reassurances that conditions were 'normal', even 'favourable' were judged an act of criminal negligence leading to the deaths of more than 300 people in the city of L'Aquila (*The Guardian*, 2012a, 2012b).

What does seem clear from Beck's initial (1992) concept of risk, therefore, is that at its heart are the failures of the nation state to

maintain the military, economic and welfare security that prevailed in the decades after World War II. Paradoxically, Beck suggests, the state, like modernity, has failed, not despite, but 'on *account of* its successes', by promising too much for too long (2012, p. x, my emphasis). It is a credibility problem, like Habermas's 'legitimation crisis', or the failures of the 'market state' in Bobbit's model. Both point to the uncertainties – of the global market in Bobbit's view – that undermine the nation state's ability to guarantee economic security or preserve its traditional national identity and culture. This produces a 'legitimacy gap', says Beck, when individual nations are unable to act effectively on a global scale (Habermas, 1976, pp. 46–9, 61–3; Bobbit, 2003, pp. 213–42; Beck and Holzer, 2007, p. 17; see also Beck, 2009, p. 18).

Beck has recently, however, shifted his focus significantly, from ecological or economic dangers to the risks posed by deliberate human actions which are intentionally harmful, such as the attacks of 9/11. As he phrases it, terrorist action, unlike other risks, 'is intentionally bad. It aims to produce the effects that the other crises produce unintentionally. Thus the principle of *intention* replaces the principle of *accident*' (Beck, 2002, p. 41). To put that more simply – people today are as risky as natural events, unintended economic collapses or ecological dangers, possibly more so because terrorists *mean* to do harm. Risky *people* are therefore a focus of much recent government action, which is where 'risk' theory parallels models of governmentality (see Introduction). With regard to these risks, the state can at least be seen to act. Strategies for controlling risky people suffer some ambiguity. With regard to groups such as young people, it is unclear whether they are *at* risk or posing a risk to society. The same uncertainty arises in trying to identify the social conditions – or societies – that foster terrorism or drug smuggling: are these people victims or threats (Garside, 2009)? With terrorism, as with drug manufacturing and smuggling, the need to identify the dangerous has gone global, though political violence will not always attract consensus – one country's liberation movement may be another's terrorists (Mythen and Walklate, 2006). If the unintended risks, ecological problems such as water shortage or crises of the unregulated capitalist financial system (which Beck emphasised six years before the 2008 crash) lead to conflicts, then the rise of dangers from deliberate actions will be far more contentious, leading to global confusion rather than agreement (Beck, 2002, p. 41). Terrorism can be the object of *political* action, though, because this kind of risk is ideally suited to the traditional mechanisms of the state and its processes of surveillance.

With this recognition that human actions might pose the most imme-diate risks, Beck has joined with other approaches in returning to focus on the social origins of risk and the political processes of detecting risk-prone, or risky, people. His ideas have striking parallels in the historical models of both the cultural and governmentality approaches to risk. As Mary Douglas put it, we have moved from cultural notions of 'chance' to ones of 'danger' as we have abandoned our previous acceptance of fate, divine will or the luck of the draw. Danger in society – from other people – is often portrayed as transgression, and in those circumstances, she sug-gests, 'danger in the context of *taboo* is used in a rhetoric of accusation and retribution' (Douglas, 1990, p. 7, my emphasis). Danger is seen to stem from the deviant or the different, and this cultural approach to risk emphasises moral panics and stereotyping. The language of taboo – defining the unthinkable – is still found in religious people's reactions to what they regard as inconceivable. 'Gay Marriage "Will Lead to Polygamy and Incest", Claim Bishops and MPs', was the headline reporting a pam-phlet from the Keep Marriage Special campaigners, who argue that, if marriage were allowed for same-sex couples, it would open the door to all other forms of consensual relationships. 'Polygamy, polyandry and incest would all be permissible' (*The Observer*, 2012). This deployment of taboo is a kind of boundary maintenance, depending on a 'slippery slope' model of uncontrollable change: concede this alteration in tradition, and all is lost, seems to be the message. The danger is dubious (Cahill, 2005; Volokh, 2006) but claiming its imminence remains a powerful rhetoric if kept carefully vague, and used without extreme prejudice. Thus taboos remain a powerful way of dealing with moral challenges which are *recast* as risk in order to draw traditional boundaries between purity and dan-ger. Stigmas, by contrast, are deployed against groups who are unaccept-able according to a pre-established moral consensus. Both techniques, though, harness an emotional sense of threat – and emotions have often been ignored in conventional models of risk society (Zinn, 2004, p. 10). As Douglas puts it, 'the stigma is not a false symbol of contamination: the sign is true and it is the condition of the stigmatised to be contaminat-ing' (Douglas, 1990, p. 15). As Beck observes, in a very similar fashion, 'if a group represents a risk its other features disappear, and it becomes defined by this "risk"' (Beck, 2009, p. 3).

This raises a question that has also been a focus of Beck's more recent work, namely the question of diversity, or *cosmopolitanism* (Beck, 2006). Perhaps the central dilemma to the *perception* of risk from other people, therefore, is *when does difference become deviance*? Douglas's Durkheimian sociology was always concerned with how cultures define

dangerous behaviour, something shared with the perspectives loosely gathered under the banner of 'governmentality' derived from Michel Foucault (O'Malley, 2010, p. 13). For Beck, both in effect 'define their problem in such a way that the battle over risk always comes down to the reproduction of the social order and the state order of power'. But the state is constantly failing with regard to the risks *it itself has chosen to target* in the new global condition of world risk (Beck, 2006, p. 344). Thus, the sustained use of techniques of moral panic, so attractive to political leaders and the media, will fail, as risks have changed so that they are no longer amenable to simple and swift solutions.

Yet the struggle against various identified sources of risk in society has been a continual feature of our history. Governments have always been engaged in a 'war' on crime, which, in the popular view, has always been rising (despite the evidence of two periods of significantly falling crime, at the end of both the 19th and 20th centuries), and have usually lost it. But winning, for the governmentality perspective, is not the point: the struggle is the thing, because through disciplinary measures the whole society is ordered. This is 'government through crime', as Simon has strikingly put it, following Stuart Hall's notion of 'policing the crisis' of modern society through myths of deviance and its control (Simon, 2007; Hall et al., 1978; Ungar, 2001). Foucault's model stresses the way that the social sciences and other 'disciplines' are deployed to produce designations of danger – or, rather, danger-ous people – and create professional 'treatments' for them. Thus social control, through state and professional practices, reproduces dangerous groups by continually discovering and labelling them. 'Governments everywhere allocate risks, distribute dangers and place costs' (Garland, undated, pp. 14–15). They also provide the data that allow people to be better informed about, yet more fearful of, crime than ever before, in the context of a veritable 'data explosion' about crime (Maguire, 2002, pp. 324–34). Yet the failure of the state and its approved experts is essential here to their paradoxical survival. The risk is never abolished yet, as Stan Cohen remarked about the seemingly eternal 'templates' of visions of social control, there is a repeated promise that *this time* the strategy will work (Cohen, 1985). This provides the justification for what has been called 'risk colonisation', the invasion of all areas of social life by notions of risk as imposed by the apparatuses of the regu-latory state (Rothstein, Huber and Gaskell, 2006, pp. 95, 103). But one aspect of Beck's model prevents an easy merger with the governmental-ity package: the decline in, or marginalisation of, expert knowledge in matters of risk. Here he differs from Foucault's model of the professions

and their supporting 'sciences'. The professional and academic experts are dethroned by modern risks, leaving the field of explanation free for political definitions of the problem by political forces unencumbered by evidence (Beck, 1992, pp. 55, 58–60).

The discussion so far suggests that despite their differences of focus and approach, the different schools of thought on the recent changes in risk and danger – derived from Beck, Douglas and Foucault – could be usefully combined in an analysis of the way our society has dealt with those thought both risky and at risk. All suggest that there has been a recent watershed in history in the way society has constructed, and dealt with, social dangers. Notions of 'risk' function as a means of both marking the boundaries of a society and maintaining solidarity within it. The 'others' are marked and marginalised. Equally importantly, individuals must reflect on their situation and its dangers, and take responsibility for their own safety (Lianos and Douglas, 2000). Governments decide when a private danger is a public risk, often driven by growing fear and responses to it: modern politics 'has internalised the culture of fear' suggesting that fear and the perception of risk therefore go together (Furedi, 2005, p. 132; Bourke, 2003). The politics of risk is also about the allocation of responsibility: this suggests that in part these definitions depend on convincing people of the realities of the dangers *and* of their moral responsibilities for them (Giddens, 1999, p. 10). This does not mean that these risks are objective. It would be difficult to accept the reality of many of the historical 'dangers' that have been the focus of social and political action in the past, but things which were thought to be dangerous have been dangerous in their consequences. Such cultural and moral relativism – or constructionism – is inevitable in historical studies of risk and danger, as Foucault has suggested, if only because subsequent generations have difficulty in accepting, say, the 16th- and 17th-century notions of the threats posed by witches or Catholic priests to the integrity and safety of the kingdoms of England and Scotland (Mythen and Walklate 2006, p. 384).

Social problems, risks and morality: Identifying the 'other'

As suggested earlier, every modern problem provokes historical speculation as to its novelty: if it is an old problem, then old solutions may be repeated successfully. It is the fear of the new and unpredictable, however, that underpins political discourses that demand new approaches to the present. The question remains as first emphasised by Beck: have risks really changed, or only our responses to them? A good example

for exploring both the deep historical roots and the new ways of see-ing risks is the age-old problem of urban riots and public disorder. As London recovered from rioting and looting in the first week of August 2011, commercial organisations recognised the importance of insecu-rity and danger for individual opportunities. One advertised:

> Insecure Times Call for Secure Solutions: Due to recent disturbances across the country, there has never been a better time to become a locksmith. Special offer, limited time only – 2 day course from only £595 incl. VAT.

Another company, Shelteroffshore.com, noting that the public would have to foot the bill for the damage, offered its services in helping cus-tomers avoid the burden by moving abroad 'where you will pay less tax and be less likely to encounter the underclass that the UK has bred over recent generations' (*Private Eye*, 2011, p. 9). The two advertisements neatly encapsulate the dominance of risk in modern society, offering individuals opportunities either to profit from the danger or to escape it altogether. The choice is up to you. In a society where apparently no one in official positions or academic posts could predict these furious out-breaks, individuals have to look after themselves, and some could even benefit from the process. Unlike the comical designs for 'anti-garrotting' devices offered to the public by *Punch* in Victorian England, when fears of mugging by semi-strangulation were in the public eye (one MP had been attacked in this way on his way to Parliament), these adverts were deadly serious (Pearson, 1983, pp. 143–53; Marsh and Melville, 2011). Both Beck and his critics have noticed 'the commodification of risk' when the state can – or will – no longer guarantee security (Beck, 1992, p. 56; Elliott, 2002, p. 305). The question though is whether these are new or old risks, perceived in new or old ways.

These riots, in a time of economic recession, seemed in some ways both familiar *and* new: the looting of expensive consumer goods; the role of new technologies such as new messaging systems (allowing young people to advertise 'free stuff' to one another and pioneered in the Arab Spring of the same year); the presence of many young black people among the looters; the disarray among the police; the moral hysteria of the politi-cians; and the trenchant condemnations of judges, as they sentenced the convicted to spectacular terms, mixed new elements with older rituals. Some of the public debates that followed August 2011 repeated old tunes – new technology in the hands of the young, for example, always occasions anxieties that they are gaining access to violent or

pornographic material. Technology in general usually leads law enforcers to seek more powers of surveillance and control (O'Malley, 2010, p. 11; Pearson, 1983, 2006). On this occasion the Blackberry attained cult status as a subversive instrument. In terms of actions, what began as a 'community' riot continued as a 'commodity' riot, according to one persuasive interpretation: a protest against the police killing of a young black man in Tottenham, north London, was extended to include looting consumer goods and electronics from high street stores. In some very affluent districts there were also 'anti-rich' attacks on cars outside large houses and customers in expensive restaurants. Looting luxuries was new, as was attacking apparently rich people and their possessions. 'Shopping with violence' (Bretherton, 2011) certainly represents a contrast with the culture of the anti-police riots of the 1980s, let alone that of the moral outrage of pre-industrial food riots (Thompson, 1991). It would be sentimental to try and introduce a dichotomy between 'traditional' rioting, reflecting justified political and moral outrage, and the more self-indulgent 'consumerist' riots of 2011.

The 2011 disturbances, though, were different, and in some ways more of a threat: they were more widespread and continued for much longer than those of 30 years before (Anon – *Aufheben*, 2011, p. 7; Ball and Drury, 2012). Yet it is also true that the rioters, on the evidence of various surveys of the tried and convicted, were the predictable semi-criminalised and excluded young people of Britain's inner cities who had rioted before (Lightowlers and Shute, 2012; Piper, undated). The reactions of commentators, politicians and even academics were also rather predictable – a 'madding crowd of commentators' (Gorringe and Rosie, 2011). Riots are an ancient British tradition – though the 2011 riots were entirely English, not Welsh or Scottish, inducing the slightly smug theory that the more communitarian nations of Scotland and Wales had not turned against each other like the English (Shoemaker, 2004; Waiton, 2011). These riots stemmed clearly from structural inequalities of power and economic resources, and were expressive of many forms of dissatisfaction. Yet this will not be publicly acknowledged:

> Attempts by government ministers and others to claim that the rioters were criminals by predisposition, or that their actions were mindless, were not just neutral descriptions. Indeed, in offering such explanations the ministers were explicitly attacking competing explanations for the events.
>
> (Ball and Drury, 2012, p. 8)

This time there has been no equivalent of the Scarman Report on the 1981 riots, which endorsed many of the critical views of local communities with regard to policing, and placed poverty and discrimination at the heart of the interpretation (Scarman Report, 1983). There *was* an inquiry in 2011 (agreed between the government and opposition): the four-member Riots, Communities and Victims Panel, chaired by a Permanent Secretary at the Department of Work and Pensions. This began with the premise that the 2011 riots were 'unique', and concentrated on the motivations for the riots, the failures in the responses to them, and the way public services could coordinate and prevent a repetition of them. While concentrating on the minority of the 'usual suspects', they also dealt with the 'hopes and dreams' of the affected communities (Riots Communities and Victims Panel, 2012, pp. 3, 5, 28). Able to dismiss the riots as criminal greed, though, the government ensured that its moral hegemony was not at risk.

Moral condemnations therefore may neutralise any claims for sympathy in the case of perpetrators of riots. Similar threats have been treated historically to this process. For example, the grouping of all young people in one threatening stereotype, and all people in a district in one negative image of the 'underclass' (like that of the 'mob' in 18th-century London), shows that moral stereotypes can act to dismiss claims for social justice, a process of 'othering' which combines images of moral deviance and criminal threat. This has a long history with regard to elements of the working classes, and particularly the young (Cieslik and Pollock, 2002; Shoemaker, 2004). The division, as old as that between the 'respectable' and the 'rough', between the working and the workless, the decent and the 'chavs' (or 'charvers' in the North) is often attractive to those closest to the danger, the working class. The strong feelings of fear by the 'respectable' of the 'rough' have their origins in Victorian urban working-class communities (Gray, 1976; Jones, 2011). In the 19th century, 'one function of the criminal class, in consequence, was that it served to maintain the boundaries of the respectable/rough continuum' (Weinberger, 1990, p. 122). The allegations in 2011 that rioters were gang members served the same purpose while denying them any justification for violence.

The myth of dangerous youth gangs (a reality in certain parts of London and other cities) was a convenient device, part of a much larger mythical narrative of the organised criminal underworld which since the 18th century has been extended from adult criminals to the young. Juvenile delinquents – discovered in the 1850s and 1860s – were, it was feared, organised (Davies, 1999, 2008; Wiener, 1990, 2003). The concept

of the risk society has perhaps underestimated the way these traditional class- and age-based anxieties can recur (Engel and Strasser, 1998). In 2011, the armed gangs, significantly, had not been key players, as the joint London School of Economics and *Guardian* project of interviews, intelligently titled 'Reading the Riots', demonstrated (Hallsworth and Brotherton, 2011; *The Guardian*, 2011). While resembling earlier protests, the 2011 riots might have offered a challenge to recession policies; rising unemployment and the government's ability to control the economic and moral agenda might have been at risk. However, the looting and personal violence resulting in several deaths undermined any chance of a challenge to their definition of the problem as one of individual criminality.

This example shows that moral discourse may be deployed to block the implicit social criticism of certain threatening actions and events. The same may happen with regard to the designation of *victims*. Demonstrating the moral ambiguity of their status can undermine demands for action on their behalf, or at least to question exactly who is responsible for responding to the problem. Those 'at risk' can be discovered to be dangerous to others or more broadly to society, and the 'risky' who pose threats can sometimes emerge as much as victims as perpetrators. The abused sometimes become abusers. This problem of identification and identity is at its clearest in the debates about family and sexual violence, where victimhood can only be claimed through the establishment of unequivocal innocence. Any moral ambivalence about the status of the victims would deflect any fundamental criticism of the family as an institution. The recognition that children were vulnerable to sexual attack, for example, was initially framed within the context of sympathy for the brutalities of severe poverty. The first person who dared to mention sexual abuse within the family was Rev. Andrew Mearns, who, in his famous 1882 pamphlet *The Bitter Cry of Outcast London*, outrageously remarked that 'incest is common' (Mearns, 1882, p. 7). He had to portray the 'outcast' as one whom society had an obligation to assist, rather than a duty to repress. Mearns tried hard to persuade his audience that, despite 'the sickening revelations of immorality … those who endeavour to earn their bread by honest work far outnumber the dishonest' (Mearns, 1882, p. 9; Stedman-Jones, 1971). This reassurance came up against more popularly believed characterisations of moral and racial differences of the poor: the population of the slums had long been regarded as virtually a different race in Victorian society. The poor of Manchester (mostly Irish), living in terrible housing conditions in the 1830s, were described as 'a physically degenerate race, robbed of all humanity, degraded, reduced morally and

physically to bestiality'. In this society, one observer remarked, 'sensuality has no record' (Engels, 1969, p. 100; Kay, 1832, p. 38). Mary Douglas notes how 'stigma is interesting as a self-fulfilling prophecy. Prejudiced and exclusionary behaviour validates itself', particularly with regard to the urban poor (Douglas, 1990, p. 15).

The same problems of balancing risk and moral judgements were faced by 19th-century feminists campaigning against domestic violence. Frances Power Cobbe's famously shocking 1878 article 'Wife Torture in England' had to evoke sympathy for the victims rather than condemnation of their deviant family life. 'The general depreciation of women *as a sex* is bad enough, but in the matter we are considering, the special depreciation of *wives* is more directly responsible for the outrages they endure,' she wrote (Cobbe, 1995, p. 138). Yet she had to concede that many poor women were

> woefully unwomanly, slatternly, coarse, foul-mouthed – sometimes loose in their behaviour, sometimes madly addicted to drink. There ought to be no idealising them *as a class*, into refined and suffering angels, if we wish to be just.

Consequently she distinguished two types of violence: 'wife-beating by combat', in which the woman played an equal part, and one 'when the man alone is the striker, and the woman the stricken' (Cobbe, 1995, pp. 144–5). But she was also able to support her argument with evidence of wife-beating among the middle and upper classes – far more than was 'generally recognised' (Cobbe, 1995, pp. 134, 136–7). Domestic violence figured in popular 19th-century literature, particularly in Charles Dickens's novels and Arthur Conan Doyle's Sherlock Holmes stories, placed almost entirely in the context of 'respectable' marriages, a plot device that guaranteed extra shock effect (Sturridge, 2005).

Identities, risks and responses

Identifying, and campaigning on behalf of, victims can therefore be a tricky problem: asserting a new victim identity, or a new need for social action, invites a counteraction of denial through moral denunciation. Need therefore does not guarantee acceptance, particularly where the identity – a new concept of women or childhood – is contestable. The identification of social risk is in fact nearly always a conflict over identities and their social meanings, involving a mixture of considerations of rational evidence, morality, just deserts, needs and wants – and the

right to have them acknowledged and acted upon by the rest of society. Society, as Beck puts it, is forced to debate the risks it has itself produced (Beck, 2007, p. 7). If you are asserting a new identity, with demands for rights to be recognised, you risk rejection and stigma. By contrast, if you are in a powerful enough position to impose a new identity – in effect a new social category – on a group you have defined, you have to show that its defined characteristics are demonstrable, or be revealed as mistaken, prejudiced or ideological. These two contrasting processes might be described as the development of *asserted* identities on the one hand, and *imposed* identities on the other: in either case identity is constructed. The risk of *asserted* identities is clear in the case of the early pioneers of gay liberation in the 1970s, when society still had legal barriers or prohibitions, popular prejudice and the absence of any anti-discrimination framework in the law. The process began with gay people redefining themselves, starting with the new meaning of the word 'gay' which continues to irritate conservative pedants. This resembles much earlier romantic notions of 'self-changing' which Marx, most notably, pointed to as the necessary starting point of revolutionary practice and (he hoped) social change (Marx, 1845).

By contrast the risks of *imposed* identities are shown by the use of simple moral categories of individual responsibility or 'evil'. Wild accusations can undermine the legitimacy of the powerful use of labels, such as when, in the middle of a recession, politicians assert that unemployment and welfare are a 'lifestyle choice'. If you are to make such claims and stereotype whole groups, you need to be convincing, and the evidence you produce has to be checkable by trustworthy media or everyday experience. As Howard Becker suggested, moral entrepreneurs, pioneering a new form of social deviance or social problem may succeed in creating a moral crusade if they can attract sufficient powerful forces. On the other hand, they might provoke ferocious oppositional campaigns by those they so harshly label. Only power and the demonstration of 'scientific' evidence makes stereotypes workable, as Foucault indicated, but it can also provoke resistance (Becker, 1963; Erikson, 1962). What can you do if you are deemed a risk but cannot accept the label? The powerful have the capacity to make their categories real – you become, because you have to live with, the effects of being designated as dangerous, wild, mad, disabled and so on. You risk ridicule, prejudice and repression to come out and demand acceptance, but it is a process that can be successful. The case of violence towards women and children, however, continually discovered and rediscovered since the 19th century, suggests that it can be a very long road.

Conclusion

If there are any 'lessons from history' to be learnt in the study of risks, then, it is that ideas of social danger are always in principle contestable, and often in practice contested, and that in the public sphere a mixture of dramatic demonstrations of risk or safety and political action can make a particular identity either 'at risk' or 'a risk'. If social risks – like hell in Jean-Paul Sartre's *Huis Clos* – are always *other people*, then they 'depend on the actions of others and the risks they take' (Garland, undated, p. 8). Identities are fragile constructions, and, historically, the kinds of people discussed in this book have been subject to longstanding contentions. The identities involved have aroused emotions and confused reactions, partly because identity is inherently a risky project, as well as frequently a project to identify risk. Some of the difficulty is because the argument is over safety and danger or, more importantly, Douglas's *purity* and danger. Here there is no radical breach with the moral or religious certainties of the past. Lesbian couples, for example, meet the traditional requirement of two parents (coupledom being the core of traditional parenthood), but they still have had to fight against taboos to be accepted: right number, but wrong content, so to speak. This kind of struggle suggests that, in terms of social reactions, it is areas such as sexuality, family life, gender, mental normality and criminality that impact on deeply held social beliefs of what is 'natural'. Nature remains a weapon to be deployed against change, resisting the assertion of new identities and the acknowledgement of new social relationships. Challenges to these ideas of nature are often treated as though the boundaries between purity and pollution have been breached. As suggested here, those defined as risky to the society, or those at risk, are often seen as morally different – or polluted in some way. So fear, morality and social danger are mixed together (Lupton, 2006, pp. 12–14).

As regards the history of risks, it is unclear whether the forms of identified risk, or the risks actually run by those asserting their identities, are radically different from those of the past. The setting, however, is global, and therefore local developments have global consequences. A European country may change its core values by introducing a law of assisted suicide, and attract many trying to evade the more restrictive laws in their own states. Similarly, another may alter the definitions of marriage, and open the gates to same-sex couples from the neighbouring societies to practise those new forms of relationship, as has happened in the United States (Grossman, 2004). As the Church of England has discovered, toleration in its homeland of gay or female ministers produces

reactions of anger and loathing elsewhere. By contrast the church's failure to endorse the appointment of female bishops in 2012 produced equally profound shock in countries where they have been serving for years. These policies evoke very traditional notions of danger. But the context is different because in an unavoidably global and cosmopolitan world, as Beck points out, there are not only fundamental disagreements about values but also clashes of 'risk cultures' and 'risk religions'. We cannot agree on what is in fact a threat to us or, perhaps, who the 'we' are who are threatened (Beck, 2006, p. 337). That makes risks today *and* the responses to them very different: both are necessarily global.

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3
Risky Populations and Risky Identities: The Regulation of Trust and Relationships between Adults and Children

Jeremy Kearney

Introduction

While risk is now a key focus of attention in modern society and one that influences most aspects of people's day-to-day lives, in the area of child welfare it has had a particular impact on the development of policy and practice in the UK over the last few decades. Concern about risks to children have been greatly influenced by the overarching anxieties of the 'risk society' and its preoccupation with the many uncertain future risks generated by modernisation. The Internet, the economic situation and future employment prospects are just some of the factors that are seen to be making the lives of children and young people more risky now than in the past. Much of this concern focuses on the possible risks involved in children's relationships with adults. These include the public anxiety about the dangers to children of abuse, neglect or, in extreme cases, even death, within the family setting, or the more general fear of male predators preying on children in the wider community. Although figures show that the probability of non-accidental child deaths is very small (Kearney, 2013) and that the threat from paedophiles is even less likely (Kitzinger, 1999; Corby, 2000) anxiety about risks to children have increased, rather than diminished. In this field, as with so many other aspects of modern society, the concern is now with the 'distribution of bads rather than goods' (Beck, 1992, p. 48). By tracing the shifts in childcare policy since the 1980s, it is possible to see how the response of policymakers and politicians has moved from a focus on targeting 'high-risk' families to regarding all children as 'potentially' at risk (Parton, 2009, 2011). One of the most far-reaching implications of the notion that all children are potentially 'at risk' is that it then follows logically that wide sections of the community

must be regarded as constituting such a 'risk'. Therefore, potentially, all adults could be a risk to all children and all spaces where children live and interact, such as the private, the public and the virtual, could be risky.

In terms of policy development, the shift from a focus on particular high-risk groups to everyone being regarded as at risk, took very real and practical shape under the last New Labour government. The modernisation project initiated by New Labour, when it came into office in 1997, played a significant role in creating the context where risk rather than need was the key driver (Kemshall, 2002). Concepts such as individualisation and personalisation gave responsibility for making and managing choices of welfare services to the individual and made them responsible for organising their own care. Although this was presented as empowering people and giving them more choice over services, in fact the state shifted responsibility for managing resources and risk to individuals (Scourfield, 2007). But in order to oversee and regulate how individuals made use of the state's resources, there was a much closer focus on how people behaved in their private and family lives. McLaughlin (2008, p. 144), commenting on this process, says that while, in the 1960s and 1970s social work became political, under New Labour, much of politics had 'become social work', as governmental agencies can not only intrude into personal and family space but also dictate how people may or may not behave there. What has been described by Field (2003) as a 'politics of behaviour' includes government-inspired initiatives on what people should eat, how much they should drink and how often they should exercise. In the case of interventions with what are categorised as 'multi-problem families', it can now include how they should live (Casey, 2012). Thus, the governance of the 'personal' has continued under the Coalition government.

This chapter explores how, under the New Labour Government (1997–2007), the effort to manage and deal with risk in the broad sense impacted on many millions of people's working lives. The shift from risky individuals to risky populations and now to the construction of 'risky identities' has seen risk become the dominant factor in much of the thinking about social welfare and childcare. Many everyday relationships, particularly those between adults and children, are now automatically regarded as relationships of potential harm and danger, rather than interactions based on trust, respect and support. Foucault's work on governmentality is used to look at the ways governments seek to manage and regulate various sectors within society in order to control particular outcomes. Many of the systems of regulation devised by the New Labour Government of 1997–2007, especially the use of new technology to create registers and databases of whole populations, demonstrated a range

of the technologies of governing that Foucault described and critiqued (1977, 1979). The second part of the chapter discusses how perspectives on childcare policy have changed since the 1980s and the effects these have had on childcare practice. It also considers how, over a similar period, the Criminal Records Bureau (CRB), originally established to bring together a variety of ad hoc systems of screening for criminal convictions of those seeking work with children, has developed into a major bureaucratic system for monitoring and controlling adult/child relationships. Arising out of the CRB context, the short-lived but highly controversial Vetting and Barring scheme (VBS) is used to illustrate how identities of adults in very many contexts involving children are now being constructed as either 'safe' or 'risky'. The chapter concludes with a discussion of how the policies to regulate relationships between adults and children put in place by New Labour have continued under the Coalition Government, which came to power in 2010, particularly via the creeping expansion of Criminal Records Bureau checks and the development of its successor body in 2012, the Disclosure and Barring Service. The regulation of identity and the regulation of whole populations is now the default position for managing many relationships in social care.

Constructing risky populations

Foucault's (1979) concept of 'governmentality' has been used by a number of writers in the field of risk to analyse the way the state seeks to manage, control and regulate the activities of groups of its citizens (Burchall, Gordon and Miller, 1991; Dean, 1999; O'Malley, 2004). It is a form of disciplinary power, rather than the absolute power of a monarch, where the individual is both regulated by the state and accepts the need of self-regulation (Denney, 2005). Gordon says that Foucault saw government as 'meaning "the conduct of conduct": that is to say, a form of activity aiming to shape, guide or affect the conduct of some person or persons' (Gordon, 1991, p. 2). This form of governing both totalises and individualises. As networks of bureaucrats and professionals, institutions and knowledges monitor and manage diverse populations, at the same time citizens are constructed in governmental discourses as empowered individuals who freely choose to normalise the state's regulatory practices. As Rose describes it:

> Truths, explanations, categorisations and taxonomies, vocabularies and diagnoses concerning human beings individually and en masse are conditions for the governability of conduct.
>
> (Rose, 1996, p. 3)

Risk then becomes a statistical technique, a technology of governing, which focuses on characteristics such as age, occupation or illness to create identifiable populations of 'risky' people. Therefore the diagnostic emphasis changes from the dangerousness of a specific individual to an examination of a combination of factors that may predict future (harmful) actions: what Castel (1991, p. 281) has described as the shift from 'dangerousness to risk'. Under New Labour, the construction of the notion of 'vulnerable' children and of populations of 'risky' and 'safe' adults reflected many of these aspects of governmentality and led to the development of an extensive range of technologies of governing to manage and regulate relationships between adults and children. In the discussion that follows, the development of these processes is examined and analysed.

Children at risk

Over the last 40 years the history of childcare policy and, in particular, child protection policy has, to some extent, been the history of the policymakers' responses to particular tragedies and scandals (Reder, Duncan and Gray, 1993; Butler and Drakeford, 2003). Incidents where the public has felt risks have been ignored, such as with high-profile cases of non-accidental child deaths, or, conversely, where professionals have been regarded as acting in very interventionist and risk averse ways, like the Cleveland and Orkney sexual abuse scandals, have all led to a variety of legislative and policy changes (Parton, 2006; Munro, 2010). As Corby (2000) has demonstrated, the history of state and voluntary agency responses to 'child abuse' has swung between a wish to support parents and protect the privacy of family life and the desire to intervene and regulate 'problem families'. Parton (2006) identifies a number of changes of emphasis in thinking about child welfare from the welfare state model of general children services in the 1960s and 1970s, to a focus on targeting 'high-risk' families in the 1980s where specifically identified children were seen to be in danger. A key text at the time was actually titled *Dangerous Families* (Dale et al., 1986) and it focused on quite authoritarian methods of intervention with particularly difficult and disturbed parents who, it was felt, could be very dangerous to their children. Interestingly, the book argued that some professionals could also be 'dangerous' if they did not intervene strongly enough in such families. This emphasis on danger resulted in the focus of child protection work being on a small group of families who were different from the overall population and on the children in them who needed to be 'protected'.

However, the Children Act 1989 marked a significant shift in thinking in relation to childcare and a move away from a focus on the most 'dangerous' families. It was regarded as a progressive and consensual development of childcare legislation, which placed a duty on local authorities to 'promote the welfare of children in need', as well as safeguarding them (s. 17, p. 1). It also sought to balance rights and responsibilities between agencies and families in a partnership between them (Parton, 2006). However, the tension between protection and welfare still existed and was compounded by the vagueness of the definition of 'children in need' in the Act itself (Colton, Drury and Williams, 1995) as to whether a child was 'maintaining a reasonable standard of health and development' (s. 17, p. 1). The arbitrary nature of this definition meant that it was left to individual authorities (and at ground level to individual social workers) to decide how this standard should be evidenced. While in theory the aim of the Act was that all children should receive the services and support they required, in reality resources were concentrated on those cases regarded as needing 'safeguarding' (that is, protection from risk) under Section 47 of the Act (Aldgate, Tunstill and McBeath, 1992). So even though the Children Act had wanted to improve the lives of all children, a series of research studies published by the Department of Health (DH, 1995) demonstrated that this was not the case. Instead, the continuing emphasis on children at risk meant that the second and much larger category of children, those identified as being in need, were getting less attention and a much smaller proportion of the resources. These findings played a part in what has been described as a 're-focusing' debate where it was argued that it was important 'for more attention to be paid to the quality of life provided by parents for children than to the actual abuse incidents' (Corby, 2000, p. 3). This debate also raised the question of the value of more focus on children in need, both in terms of their entitlement to support but also as a preventive measure, as the high-risk cases were seen as emerging from the overall population of needy and neglected children (DH, 1995). Consequently, the notion of children at risk was extended to include children whose development was impaired by a broad range of family circumstances (Parton, 2010).

More recently, policy documents and reports into childcare and child protection have argued that, to some extent, all children can potentially be seen as children needing support. For example, the Laming Report, which was written after the killing of an eight-year-old girl, Victoria Climbié, by her carers, expressed the view that even though the case was not seen as a 'formal' child at risk (for example, subject to legal

procedures) but rather as a 'child in need', she should still have been seen as *potentially* a 'child at risk' (Laming, 2003). From this perspective, all cases of 'children in need' should be looked at as closely as cases of 'children at risk' and, equally, all cases of child protection should be seen as children in need. The blurring of the distinctions between risk and need also ran through the consultative Green Paper *Every Child Matters* (Chief Secretary to the Treasury, 2003), which was the government's response to the Laming Report. It was not just about child abuse, but as Parton says:

> It was to include *all children* as it was felt that any child, at some point in their life, could be seen as vulnerable to some form of risk and therefore might require help.
>
> (Parton, 2010, p. 54, original emphasis)

This form of thinking in relation to possible future negative events has been described as a 'precautionary approach to risk' (Alaszewski and Burgess, 2007, p. 355) in that there is more concern with a fear about what might happen in an uncertain future rather than a forensic approach, which uses analysis of past events to identify specific causal factors in order to prevent harmful events taking place again. Therefore, there exists a general anxiety in relation to all children about the future framed by examples of worst-case scenarios. This trend has continued with the publication of the *Final Report of The Munro Review of Child Protection* (Munro, 2011), which, although its title focuses on child protection, addresses issues affecting all children, including early intervention and the role of universal child welfare services. Yet, as Munro herself says, 'a central question (for the report) was "what helps professionals make the best judgments they can to protect a vulnerable child"' (Parton, 2011, p. 6). The issue of 'protection' is again the dominant one. In a discussion of policy developments over the last 20 years Parton makes the point that:

> While the focus for both assessment and possible intervention has thus considerably broadened between 1991 and 2006, *the forensic investigation of child maltreatment still inhabits the core of the system.*
>
> (Parton, 2010, p. 53, emphasis added)

Therefore all children coming in contact with the childcare system are to be considered as potentially children at risk.

While the focus in childcare policy since the 1960s has moved from an emphasis on the generic welfare approach for all children to the

targeting of specific children 'in danger' and more recently back to a focus on the overall child population, the reasons for concentrating on all children have changed. If the child welfare model emerging from the post-war welfare state was about support for families and a preventive approach the current concerns for the child population are based on much more negative concerns. All children are involved because *all children* are potentially at risk. Therefore, the issue now is how all children can be protected.

The increasing surveillance of caring relationships

If children are seen as 'at risk' then it is clearly important to identify who they might be at risk from. This was relatively easy under the 'dangerous families' approach to child protection and the solution was to target this high-risk group. However, the changes in policy thinking described previously, which sees all children as potentially at risk together with the continuing media and public outcry over the rare, but regular, cases of non-accidental child deaths, have created a more general anxiety about risks to children. This has been exacerbated by the various 'paedophile' moral panics over the years, particularly since the late 1980s (Kitzinger, 1999; Critcher, 2003). These have constructed 'stranger danger' and the external predator as a ubiquitous danger for children despite the fact it is clear from research that children are at much more danger of abuse, including sexual abuse, in their own family settings (Grubin, 1998, p. v; Jackson and Scott, 1999).

   However, as Metcalf (2008, p. 41) has pointed out, the very existence of extreme threats has been sufficient to 'justify the moral panic and heightened awareness of paedophile risk'. Such an anxiety, even though it is not based on a rational analysis of the dangers, creates the conditions for the regulation and monitoring both of children (to keep them safe) and adults (to protect children) (Kemshall, 2002). Under New Labour, there was a major increase in diverse forms of surveillance, both for adults and children. The most obvious example was New Labour's efforts to introduce a national identity card system, which caused considerable controversy but did not survive the change of government in 2010. Similarly, its plan for a national database of all children, called ContactPoint, was also discontinued by the Coalition government. The variety and diversity of New Labour's efforts to monitor and regulate both the adult and child populations in the UK, mainly using technological means, is well illustrated by Garrett's list of over a dozen different databases and monitoring systems related to children (Garrett,

2009, pp. 74–5), including ASSET, a database of all young people connected with Youth Offenders' teams; the Connexions service, which had information of all 13- to 19-year-olds; and the Integrated Children's System (ICS), an electronic social care record for all children in contact with Children's Services. The comprehensive nature of these schemes demonstrates, not only the extent of New Labour's efforts to construct and categorise 'populations' of all kinds, but also its highly optimistic view of the efficacy of electronic means to gather and store information. Although a number of the schemes mentioned before have been discontinued, the overall approach of New Labour has still left a strong legacy.

As with the shift from seeing particular children 'in danger' to regarding all children as potentially 'at risk', there has also been a major change in who is now seen as presenting risks to children. Rather than identifying specific individuals, such as abusive parents or individual paedophiles as the danger, the aim now is to identify and categorise whole 'risky' adult populations. The development and expansion of CRB checks by New Labour and the later creation of a much broader Vetting and Barring scheme (VBS), managed by the Independent Safeguarding Authority (ISA), are some of the most obvious manifestations of this process.

The development and expansion of CRB checks

The CRB was established under part five of the Police Act 1997 and was launched in March 2002. The initial policy had a fairly limited scope and mainly sought to codify and integrate a number of different Departmental lists such as those that identified people who had been judged as unsuitable to work in schools (List 99), with children elsewhere or vulnerable adults, mainly due to the fact they had received a criminal conviction. Prior to the Act coming into force in 2002, access to police checks was mainly confined to organisations in the statutory sector for staff that had, as the Department of Health described it, 'substantial unsupervised access' to children. While screening of applicants for particular employment has a long history in the UK (Thomas, 2002) it was in the 1980s that there was the first significant increase in numbers involved in screening and in particular of those working with children. A review by the Home Office proposed it was time to create a system for passing on information about potential employees' criminal convictions to employers (Thomas, 2002). It was estimated that such a system might generate about 100,000 extra checks on an annual basis (Home Office/DHSS Joint Review, 1985). Initially the focus was on ensuring that convictions that might have been

regarded as 'spent' for most occupations under the 1974 Rehabilitation of Offenders Act and therefore did not need to be disclosed, actually were disclosed in these cases. But, more significantly, the Home Office guidance also permitted the disclosure of 'soft' information which was held on file by the police and which was considered 'might be relevant', such as investigations and cases where no further action was taken (Home Office, Department of Education and Science and Department of Health and Social Security, 1986). Gradually more social welfare posts became subject to criminal record disclosure and the Home Office noted that some organisations were adopting what could be regarded as a 'prudential' risk prevention approach which 'caused [them] to seek checks on a much wider range of posts than is justified' (Home Office, 1993). The result was that by 1992, instead of the planned 100,000 checks annually, there were over 600,000 (Unell, 1992). The expansion in the number of checks is a good example of what Dingwall (1989) has called the 'definitional fallacy'. This is where the definition of the particular problem keeps being broadened, both in terms of those who are thought to be at risk and those who are considered risky, until more and more people are included in the risky population so that its boundaries become almost impossible to define.

By the early 1990s it was becoming clear that the exponential rise in the number of disclosures was a serious management problem for the police and as a result of a Home Office review the Criminal Records Bureau was set up to deal with the checks and was funded by charging individuals for them (Home Office, 1996). That there was at least some recognition that the creation of such bureaucratic procedure had implications for civil liberties was shown by the then Home Secretary's comment that it was necessary 'to strike a balance between the rights of some individuals to live down their past crimes and the need to safeguard other individuals' (Home Office, 1996, cited in Barrett, 2010, p. 7). However, the election of New Labour in May 1997 did not stop the Criminal Records Bureau becoming operational in 2002. The legislation formalised the two types of disclosure described before: hard information regarding any criminal convictions (called a standard CRB check), and 'soft' information on police files which could include material gathered from a range of sources but which had not led to court proceedings, or where the person had been acquitted (called an 'enhanced' check). The new procedure almost immediately ran into problems as the demand for checks, particularly of teachers, overwhelmed the system. It became clear that many teachers would not be checked in time for the new school year so a decision was made to temporarily suspend the full checking process (Curtis, 2003). However, another high-profile

event, the murders of two ten-year-old schoolgirls, Holly Wells and Jessica Chapman, in Soham by Ian Huntley in August 2002, forced the reversal of government policy. It emerged that Huntley had been employed as a school caretaker, though not at the school where the two children were pupils, even though there were allegations of sex crimes against him (but no convictions). Because of this, full CRB checks were reinstated with predictably chaotic results, as some schools could not open on time due to thousands of unchecked teachers.

The public impact of this high-profile event resulted in the focus being shifted to the *operation* of the CRB system rather than the civil liberties issues. This meant that having a clear CRB check was proof of being a 'safe' adult and, of course, to not have one placed the person under suspicion. Since then, the pattern of Dingwall's 'definitional fallacy' has continued with the number of CRB checks expanding rapidly, and taking in people such as volunteers, parents who help out in schools and many other groups (Manifesto Club, 2006). In statistical terms, the actual numbers of checks has nearly tripled from over 1.4 million in 2002–3 to more than four million in 2011–12 and, in total there have been over 32 million checks carried out in this time. Also, since the introduction of financial charges, there has been a huge increase in what might be called CRB 'cheques', with over one and a half billion pounds paid in fees by individuals, as well as the ongoing administrative costs (Manifesto Club Briefing Document, 2012).

One issue that caused great discussion after the Soham murders was what was seen as the 'failure' to identify that Ian Huntley might be a risk to children because he was known to the police in relation to complaints about him having sex with underage girls. It was argued that if this had been known he would never have been appointed as a school caretaker, even though he worked at a different school to the two girls. In fact, it was his partner, Maxine Carr, who worked as a teaching assistant at the girls' school and the children had called to her house to see her. So unless all partners of people who work in schools (and all other similar locations) are also checked, which would be politically and practically impossible to do, it was irrelevant to this particular case what job Huntley was in (White and Wastell, 2010). Nevertheless, the argument was that the police information systems had failed by not ensuring that his background history was made available when he applied for a job, even though the criminal records system was not in place at that time. This issue became a major focus of the Bichard Inquiry, which was set up to investigate the murders, and in the final report (Bichard Inquiry Report, 2004) it was recommended that there should be a continual

system of regulation for anyone working with children and vulnerable adults. Consequently, in 2006 a new procedure was set up called the Vetting and Barring scheme and its job was to vet all adults who might work with, or come in contact with, children or vulnerable adults, on a regular basis. A new organisation, the Independent Safeguarding Authority (ISA), was established to manage the scheme. The Authority's role was to decide who should be allowed to work with children and vulnerable adults and who should be barred, with both groups appearing on lists either permitting them to work or not. As Furedi and Bristow (2010) have described it, this was now creating a system where people needed to be 'licensed' to work with children. For the first time, a law on vetting workers created a major outcry as it was realised that potentially over 11 million adults would have to be vetted, which represented one third of the adult workforce, and this would have been the largest scheme of its kind in the world. Its aim was to include not only millions of professionals in all kinds of work related to children and vulnerable adults, but also volunteers, tradesmen, drivers, supervisors and even in some cases, ordinary parents (Manifesto Club Briefing Document, 2012).

Constructing 'safe' and 'risky' identities

As described earlier, the processes of shifting from targeting specific 'at risk' children to regarding all children as potentially at risk and moving from specific adults and specific childcare contexts as 'risky' for children to one in which millions of adults and most contexts are considered as potentially a risk to children are interrelated. As the definition of children at risk has expanded, so have the definitions of who and where might present such a risk. It was under the New Labour government that the technologies for governing these 'risks' were most highly developed, in many cases using electronic methods of regulation and control. As Garrett (2009) has discussed, the variety and range of databases developed and planned by New Labour were extensive. Haggerty and Erickson (2000) use the concept of 'the surveillant assemblage' to describe how such electronic databases and other information systems translate physical bodies into abstract data, and so create 'data doubles' that then become the basis for real action by regulatory organisations. Such a process is what Castel (1991) has described as the dissolving of the notion of the 'subject' and replacing it with 'factors', and in these cases, 'factors of risk'.

The short-lived VBS described previously, provides an excellent example of New Labour's use of technologies of governing. It was a response to the 'moral panic' in relation to 'stranger danger' and the idea of there

being a widespread risk of paedophiles preying on children, which was given particular impetus by the Soham murders. These murders reinforced the view that paedophiles were devious and manipulative and 'groomed' children by building up relationships with them in order to abuse and harm them which became one of the key principles of the VBS. An early guidance document for the scheme said that

> an activity should be a regulated activity [that is, any adult involved in it had to be vetted] if it provided an opportunity for the person carrying out the activity to develop a relationship of trust with members of the relevant vulnerable group.
>
> (VBS 'Draft Guidance', 2009, p. 143)

Therefore, it was not particular relationships that placed specific children at risk but potentially all relationships of trust were, in themselves, *risky*. As a result, the scheme needed to define what levels of contact might constitute the development of a trusting relationship. It had to attempt to concretely define an abstract concept. Not surprisingly, the attempts to define 'trust' and to quantify it in practical terms became a logistical nightmare. The scheme attempted to organise itself around two constructs: the 'frequency' and the 'intensity' of contacts between adults and children. Initially, the levels of contact with children or vulnerable adults that would require registration with the ISA was defined as an 'intensity' of three times in one week, a 'frequency' of once a month on a regular basis or, as a separate category, overnight. As White and Wastell (2010, p. 13) point out:

> In an attempt to steer between the precautionary principle, 'it must never happen again', and the threats to civil liberties, the vetting and barring scheme [had] set itself on an absurd voyage.

In many ways, this scheme brought the New Labour modernisation project in relation to childcare to a logical conclusion, as it contained within in it the key factors of individualisation, responsibilisation and monitoring that underpinned so many of New Labour's initiatives while in office. It was operating on the basis that potentially everybody was a risk and therefore all individuals must be checked. It also placed the responsibility for checking the riskiness of each individual on their employer while at the same time encouraging all employees to actively seek to be registered. The scheme greatly expanded the use of 'soft' intelligence, which was already part of the existing enhanced

CRB checks, into judgements about people's attitude and some of the suggested factors that might lead to a person being barred included examination of what was described as 'relevant conduct'. Wastell and White (2011) note that a guide for staff published in 2009 outlining reasons why someone should be barred under the scheme mentioned the use of 'informal sources', such as newspaper reports. They go on to list some of the characteristics that caseworkers making the decisions are advised to consider in relation to the person they are assessing based on the material available to them – for example, sexual preference for children, excessive/obsessive interest in sexual activity, personal gratification derived from thoughts of being in control over others. There is a similar approach to deciding what kinds of beliefs and behaviours might be regarded as relevant reasons for barring someone and these might include: 'making any remark or comment that causes distress; belief that one is entitled to breach rules and act outside of recognised safeguarding advice/guidance; strong sense of emotional congruence with children' (ISA, 2009). As Wastell and White point out, these assessments were done as 'purely a desk exercise' (2011, p. 110). In other words, what is being assessed is the actual person's 'data double'.

At the end of the process the final decision of whether to bar someone or not would be based not on 'beyond reasonable doubt' but on the 'balance of probabilities'. During its brief time of operation over 10,000 people were barred, many under the 'auto-bar' procedure. This meant that people were barred on the basis of written or computer records without the person seeing the evidence against them or having the chance to make representations. In a document promoting the scheme in March 2010, the Home Office claimed that some of the benefits were that decisions would be made by 'independent experts' and would follow a 'clear and structured judgment process which is about the risk of future harm based on the information that is known about the individual' (Home Office, 2010, p. 6). This ability to assess future risk on the basis of general and depersonalised characteristics allows for the creation of an apparently scientific procedure for identifying populations and establishing identifies of the 'safe' and the 'risky'. Consequently, many different forms of action and intervention are justified to prevent negative things happening in the future. By identifying *all* children as 'at risk' and *all* adults as 'risky', bad events can be prevented. Therefore, the world of adult/child relationships can become

> a vast hygienist utopia [which] plays on the alternate registers of fear and security, inducing a delirium of rationality, an absolute reign of

calculative reason and a no less absolute prerogative of its agents, planners and technocrats, administrators of happiness for a life to which nothing happens.

(Castel, 1991, p. 289)

This is another example of the 'utopian bias', which suggests it is possible to create a world where no danger exists and no children are abused or killed (Kearney, 2013).

The regulation of identity

When the Conservative-led coalition government came to power in 2010, it had already promised in its Programme for Government to disband some of the more grandiose regulatory schemes of New Labour, such as National Identity Cards and ContactPoint, the national database for children. It also included a commitment to 'review the criminal records and vetting and barring regime and scale it back to common sense levels' (Cabinet Office, 2010, p. 20). The review reported in February 2011 and recommended merging the CRB and ISA into a new body called the Disclosure and Barring Service (DBS). This came into being in September 2012 as a result of the passing of the Protection of Freedoms Act. While the new Act reduces the number of people who will need to be vetted from the potential 11.3 million of the original VBS to about four million, this is still a very substantial number. So while the numbers involved has been reduced, it is interesting that the core basis of the original VBS remains. As the 2011 Vetting Review stated:

We have decided to redefine regulated activities as those which provide the highest levels of risk arising from the nature of the post and access to vulnerable people. This is informed by the knowledge that those who might cause harm often do so *by developing relationships of trust with their victims.*

(Home Office, 2011, p. 17, emphasis added)

Relationships between adults and children are still regarded as risky.
Although there is now no obligation on those vetted to be registered (that is, for their name to be on a 'safe list'), those involved can choose to do so, which allows for CRB checks to be continually updated. The advantage of this is that a CRB becomes 'portable' between different jobs and so a new one is not needed each time. However, the disadvantage is that the person is voluntarily submitting to continual monitoring

and surveillance. Under New Labour, the CRB and VBS schemes were state-regulated procedures, which created a culture of registration and 'licensing' requiring people wishing to work with children to be able to prove their identity and safety as an adult. If they could not, they were automatically risky. Under the DBS, this has now become an apparent 'free choice' where people can voluntarily regulate themselves and prove their 'safe' identity by being registered. However, bearing in mind the current culture of anxiety surrounding adult/child relationships, it remains to be seen if even the system of voluntary self-registration will still continue to construct the 'safe' and the 'risky' adult.

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4

The Right to be Labelled: From Risk to Rights for Pupils with Dyslexia in 'Special Needs' Education

Stephen J. Macdonald

Introduction

In Ulrich Beck's (1992, 2001) analysis of the cultural construction of risk, he asserts that the discourse of 'rights' and 'risk' emerged from the 1970s because of the transition from 'industrial modernity' to the era of 'reflexive modernity'. According to Beck, the idea of civil rights occurred because of society's increased access to welfare and education, which resulted in 'lay' members of society questioning professional knowledge and power. Therefore, people's ability to conceptualise their own social position led to an increase in social activism and constructed a new reflexive language of 'rights' and 'risk' (Beck, 2001; Denney, 2005; Heaphy, 2007). This corresponds with the foundation of the social model of disability, which also developed out of the disability rights movement of the 1970s. The social model of disability has challenged social attitudes since that time by suggesting that people with impairments are disabled by society rather than by their bodies (Oliver, 1997; Barnes and Mercer 2010).

The social model of disability developed the new discourse of 'disablement' which discussed disabled people's experiences through the notion of disabling barriers (for example, environmental barriers, labelling, segregation and stigmatisation and so on), rather than being caused by physical limitations. This model has had a significant impact in the domains of physical impairment, yet very few studies have applied it to people with specific learning difficulties (Riddick, 2001; Mortimore and Dupree, 2008; Macdonald, 2009). Furthermore, there has been very little critique of the application of 'risk' in educational practice embedded in recent special education needs policy articulated in the Special Educational Needs and Disability Act (SENDA 2001). For this

reason, the purpose of this chapter is to illustrate connections between the concept of 'risk' (Beck, 1992, 2012; Giddens, 1991, 1999) with that of 'disability rights' applied from a social model perspective (Riddick, 2001; Danermark, 2001; Mortimore and Dupree, 2008; Oliver, 2009; Macdonald, 2009). Using both Beck and Giddens's negative and positive conceptualisations of risk (Mythen and Walklate, 2006; Tulloch, 2008; Zinn, 2008), the chapter employs a critical realist framework to discuss the concepts of 'dyslexia', 'labelling', 'identity' and 'risk' within special needs education (Danermark, 2001; Shakespeare, 2006; Riddick, 2010; Macdonald, 2009).

In this chapter the argument is made that while New Labour's (1997–2010) risk-management agenda failed many children, this was due to the implementation of the framework rather than the framework itself. Consequently, the new Conservative-led Coalition Government's plan to abandon New Labour's risk-management framework, which was underpinned by the practice of 'assessment, statement and place-ment', is rejected. Instead this chapter suggests that New Labour's risk-management agenda should be replaced with a rights agenda that constructs disabled children's needs as entitling them to organisational changes ensuring their equal inclusion in the education system. The chapter concludes by implying that a social model-led rights-based approach is required in order to remove disabling barriers from within the UK education system (Riddick, 2001; Mortimore and Dupree, 2008; Oliver, 2009; Macdonald, 2009).

A brief history of educational dominance in dyslexia

Unlike other impairments, which are diagnosed and 'treated' within a medical environment, people with dyslexia are diagnosed and supported entirely within an educational setting. According to the National Health Service, a parent who is concerned that their child might have dyslexia must contact a teacher (rather than a GP) who *should* refer the child to an educational psychologist (SENDA 2001; Riddick, 2010; NHS, 2012). Historically, it was research by Samuel Orton (1937) which led to dyslexia being defined within psycho-educational discourses rather than in biomedical ones. Orton (1937) transformed the understanding of dyslexia by developing specific teaching methods to minimise symp-toms of this condition. He argued that dyslexia is the product of both neurological and environmental processes which will respond to, and can be treated through, specific educational training methods aimed at dyslexic learning needs.

As a result of Orton's (1925–46) research, dyslexia became dominated by educational rather than medical discourses. This had implications for the provision of support to those identified as having dyslexia. For example, during the 1970s in the UK, discussions were held by the General Certificate of Education Examination Board, school councils and the British Medical Council in an attempt to agree on how dyslexia should be defined and what effect it has on pupils in education (Osmond, 1996). They failed to reach agreement on a dual medical–educational classification of dyslexia, which consequently led to no improvement either to the administration of special needs education or the quality of teaching for children with this condition. Although the Chronically Sick and Disabled Persons Act (1974) categorised dyslexia as an educational disability, it was not compulsory for local authorities to offer provision. During the 1980s and early 1990s the British education system did not consider dyslexia as a legitimate neurological condition, and pupils with this learning difficulty were dealt with in ill-equipped special needs classes (Cole, 2005).

In 1995 dyslexia was officially recognised in social policy appearing in the Disability Discrimination Act (DDA, 1995). This led to the formulation of a 'positivist risk management framework' (see Zinn, 2008) during the 1990s by both Conservative and Labour governments. The risk-management agenda, in educational terms, was established within the Education Act (1996) which gave people with dyslexia educational rights equal to those held by non-disabled children, since it stated that children with special educational needs were entitled to 'assessment, statement and placement' (Konur, 2006, p. 53). This was reinforced by SENDA (2001), which developed a three-stage system to ensure that a child at risk of having special needs (such as dyslexia) received appropriate support. However, because dyslexia was also recognised within the DDA (1995), a number of educational definitions have been produced. The most commonly used within education is the British Dyslexia Association (BDA) classification of the label, which states:

> Dyslexia is a complex neurological condition which is constitutional in origin. The symptoms may affect many areas of learning and function, and may be described as a specific difficulty in reading, spelling and written language. One or more of these areas may be affected. Numeracy, notational skills (music), motor function and organisational skills may also be involved. However, it is particularly related to mastering written language, although oral language may be affected to some degree.
>
> (Pritchard, 2009, p. 62)

This medical definition of dyslexia was used in New Labour legislation (SENDA 2001) and made it illegal for educators to discriminate against individuals on the basis of their impairment if they have received a diagnosis. Local education authorities have had a responsibility, by law, to identify specific learning difficulties as well as to provide adequate support within mainstream education for all disabled pupils. This led to the formulation of a risk-management framework (referred to as School Action) to support children with learning difficulties and disabilities within the education system. Hence, the School Action framework led to a risk-management strategy inspired by Third Way thinking (see Giddens, 1999). This aimed to support, individually and collectively, children at risk of educational failure who had dyslexia and thus promote the reflexive self-actualisation of each child.

The educational model and the rejection of the label 'dyslexia'

The policy of 'assessment, statement and placement' for children with dyslexia has generated criticism, not only from the current Coalition Government, but also from within educational practice (Elliot and Gibbs, 2008). This criticism is founded on the argument against labelling children with dyslexia. Due to the Education Act (1996) and SENDA (2001), there has been an increase in children labelled as having dyslexia within education (Pollak, 2005). Elliot and Place's (2004) critical approach to dyslexia raises concerns over the reliability of research that defines dyslexia as a 'valid' neurological disorder (Presland, 1991; Sternberg, 2000; Rice and Brooks, 2004). As well as raising concerns over labelling with reference to stigmatisation, there are also concerns raised about the usefulness of the term 'dyslexia' in contemporary education (Elliot and Place, 2004; Elliot, 2005). This approach is especially critical about the credibility of methods to distinguish between poor readers and people with dyslexia.

The 'anti-labelling' line of enquiry (see Macdonald, 2010) critically investigates the neurological origins of dyslexia on the basis of an assumed lack of 'scientific' evidence (Presland, 1991; Rice and Brooks, 2004). Rice and Brooks (2004) state that contemporary educational research has often exaggerated the dyslexic problem by stating that there is at least one child with dyslexia in each classroom (estimated at 4–10 ten per cent of the population; BDA, 2012, p. 6). Their research suggests that there is no scientific basis for the current diagnostic process or prevalence. Therefore, they claim that no distinction can be made

between dyslexia and poor readers, especially in those from lower socio-economic backgrounds; and that links can be made between reading difficulties and socio-economic disadvantage, for example that the quality of language in working-class homes may not prepare children for school (Rice and Brooks, 2004). There are many similarities between this argument and the position of Elliot (2005) who says that dyslexia is a social construct in spite of it having a genetic and neurological basis. He also states that there is little distinction between poor readers and individuals labelled as dyslexic. This work dismisses other symptoms of dyslexia such as short-term memory defects, clumsiness, speech and language difficulties and letter reversal (Elliot and Place, 2004). They suggest instead that these are symptoms that can be found in any group put under scrutiny. Elliot and Gibbs (2008) firmly believe that the label of dyslexia has no use within contemporary education, as interventions for both dyslexic pupils and poor-reader pupils are the same. Elliot high-lights this by referring to his educational psychologist training:

> While training as an educational psychologist (EP), I had occasion to talk with a very experienced EP colleague [who] told me that he had spent a considerable amount of time that day trying to assess whether the child he was screening was dyslexic … [H]e replied that he thought she was. I then asked him what his treatment recommendations had been. He replied that he had placed her on a … teaching programme in which phonic knowledge and skills are closely assessed … I then asked him what he would have suggested if he had concluded that the child was not dyslexic. Grinning sheepishly, he confessed that he would have made the same recommendations anyway.
>
> (Elliot, 2005, p. 19)

Elliot concludes that dyslexia has little meaning within education and he suggests that parents actively attempt to have their children labelled as dyslexic because of the stereotype that dyslexic individuals are exceptionally bright. He argues that this provides children and parents a confidence boost and creates an elite group of poor readers within education. Consequently, he continues, this alienates and further stigmatises poor readers who do not have a diagnosis. Elliot's (2005) solution is to tailor education for the individual as children learn at different rates. On first reading Elliot's work appears progressive because, firstly, if children are not labelled this might reduce stigma and, secondly, it acknowledges that not all children are academic achievers. Hence, he provides a rationale for encouraging parents to have a realistic recognition of their

children's individual abilities and inabilities within an educational context (Shakespeare, 2006).

Yet the question must be asked whether discontinuing diagnoses really improves the experience of children with dyslexia? What Elliot is offering is an alternative educational framework (for example, an educational model) based on an individualist approach such that each child can be monitored and supported individually in order to achieve their potential. More importantly, in this framework, no child (with dyslexia) will be given an unfair advantage as a result of having access to technology or extra time in exams compared with their (non-dyslexic) peers. This argument is underpinned by an ideological belief that percolates throughout education (Elliot and Place, 2004) that children should succeed due to their 'individual intellectual' ability and not due to an unfair educational advantage (for example, extra time in exams, access to a PC with assistive software, personal teaching assistance and so on). Hence, it is believed that support for pupils with dyslexia disrupts educational progression, and claims are made that children are succeeding due to an unfair advantage (or conversely, that all children would improve their exam results if they could use a PC or have an extra 30 minutes in exams) (Elliot and Place, 2004). However, Elliot's critique of the 'reality' of dyslexia is not a new discourse, but a regurgitated version of the individualist, deficit model of dyslexia and learning impairments in general (Oliver, 2009). It makes assumptions about what people labelled with dyslexia can and cannot do in terms of their 'natural' academic abilities, and about educational 'fairness'. Both sets of assumptions neglect the complexities of equality in education, and in turn stigmatises students receiving extra educational support. Far from being radical, Elliot's work, in fact, reinforces traditional teaching assumptions about intellect and ability that strengthen existing disabling barriers in education and in wider society (Riddick, 2000, 2001; Mortimore and Dupree, 2008; Cooper, 2009; Macdonald, 2009).

Dyslexia, disability and identity

Current debates over labelling children with dyslexia in education have exclusively focused on stigma or legitimacy and have excluded research on the concept of social (and disability) identity. Within reflexive modernity, the construction of identity has developed into reflexive techniques that mediate the relationship between the individual and the social (Beck, 2001). Yet, the concept of identity has been widely ignored within studies on dyslexia. Although Giddens (1991) and Beck

(2007) consider identity to be essential in shaping self-perception, educationalists have focused on debating the 'meanings' of dyslexia within the education system rather than consider how dyslexia is understood, represented and consumed by the people with this condition (Morgan and Klein, 2000; Rice and Brooks, 2004; Elliot and Gibbs, 2008). The general argument has emerged from within education, yet within these educational studies no attempt has been made to move from labelling into an understanding of dyslexic identity through reflexive social processes. Hence, labelling is viewed in education as predominantly negative, because an affliction is believed to become attached to a person's identity, rather than positively where labelling is understood as an essential part of a person's constructed self (Riddick, 2000).

From Giddens (1991) and Beck's (2000, 2007) perspective, institutions shape our understanding of the social world and produce a number of social identities. If we relate this to society's understanding of dyslexia it is psychology and education which shape an understanding of the term 'dyslexia'. Giddens states that the construction of personal identity is 'an action system' (Giddens, 1991, p. 99), which is a tool for personal interaction and the display of particular social identities. This is not to say that social institutions control our identity, as Giddens and Beck argue for self-reflection. Giddens suggests that society has become individualised, which allows individual control over personal identity. From this perspective, dyslexia is not only a product of institutional categorisation but also a constructed reflection of 'self' which is re-established under personal control.

Jenkins (2008) expands on these ideas and implies that social identity is the key concept in what makes us human. He rejects the concept of personal and social identity being separate and asserts not only that they are fundamentally the same concept but also that separation is impossible. The term 'social identity' relates to any constructed identity within society, whether it is individually, collectively or politically motivated which is central to the notion of embodiment. Jenkins (2008) emphasises that individuality is about differences and collectiveness is about similarities, but they both interact and construct one another:

> Individual identity – embodied in the selfhood – is not meaningful in isolation from the social world of other people. Individuals are unique and variable, selfhood is thoroughly socially constructed.
>
> (Jenkins, 2008, p. 20)

He suggests that the individual and the cultural/collective aspects of identity are constructed separately, but are fundamental elements of

embodiment which constructs the person. Beck (2000, 2007) implies that social identities are interpreted as having a collective meaning – for example, the disabled or dyslexic community, which has the potential to become politically mobile. They are also interpreted in an individual context where being dyslexic or a disabled person is just one of a multitude of identities which define us as being individual. If we use dyslexia as an example, individuals with dyslexia share a collective identity owing to their experiences within society, which is shaped by other collective identities (class, gender, ethnicity and so on.). This does not mean that the individual, collective and biological are separate identities, but that all are sub-categories that simultaneously interact and construct social identities and embodiment.

Once a labelling process has taken place the original label is transformed into a collective and reflexive understanding of self by the people who have been labelled. Because of this, ownership is no longer in the hands of the educational professionals and politicians but within the labelled community. Recent debate around the risk of labelling makes reference to its usefulness for practitioners within an educational setting (Elliot and Place, 2004; Ho, 2004; Rice and Brooks, 2004; Elliot and Gibbs, 2008), however, educational practitioners and politicians must recognise that dyslexia has now been reflexively reproduced and consumed by the dyslexic community as a form of identity (Beck, 2000; 2007). To discover if dyslexia has a use within society, research must refer to how useful it is to the dyslexic individual's reflexive notion of self rather than refer to it only in terms of the education system. As the term 'dyslexia' has been passed into the social arena it has now become politicised and is representative of a particular group. The debate around dyslexia should not focus on diagnosis or even the labelling process, but on the reflexive production of social identity from the dyslexic person's point of view rather than from the educationalists' perspective. Reflexive identities have the potential to elicit or act as a catalyst to empower social activism in the negotiation of 'self' and 'society' (Giddens, 1990; Beck, 2007). Thus, from a social model perspective, individuals with dyslexia can use labelling positively as a reflexive technique in order to confront risk and inequality within their lives (Beck, 2000; Denney, 2005).

Dyslexia, reflexivity and critical realism

When discussing the notion of labelling children and adults, this leads us to engage in a theoretical discussion of the concept of dyslexia.

Riddick (2010) suggests that labelling individuals with dyslexia is not a straightforward process. The consequences of labelling or not labelling are often thought of as either positive or negative, but in fact they have both positive and negative outcomes. In Riddick (2000) and Macdonald's (2010) research, they recognise that the labelling process can lead to stigmatisation and discrimination. Nevertheless, owing to the nature of dyslexia, which is a hidden impairment, many of their research participants report that it was not the label of dyslexia which they felt had stigmatised them but their actual literacy problems. For many the label has helped to transform their concept of 'self' and deconstruct their original assumption that they had restricted intellectual abilities.

To conceptualise the complexities of the label of 'dyslexia', issues of ownership do not arise when applying a critical realist perspective to the condition. Within the sociology of disability, critical realism grounded in the writings of Roy Bhaskar has begun to emerge as a significant theoretical framework (Thomas, 2007). Critical realism allows a critique of the education model which suggests that dyslexia is a social myth. Critical realism, led by the social model of disability, steers us to an understanding of dyslexia as both a social construct as well as being a neurological difference. Furthermore, critical realism, as a theoretical framework, has recently been associated with the concept of reflexive modernity and in particular within the work of Ulrich Beck (Mythen and Walklate, 2006; Tulloch, 2008). For Beck, the shift from 'traditional modernity' to 'reflexive modernity' has transformed how we view social problems within contemporary society. Beck (2000) states that he often receives criticism that his work is defined by a realist position, yet he situates his philosophical perspective within a constructionist approach. He states:

> If constructionism makes a positive problem shift possible and if it allows us to raise important questions that realists do not ask, then I am content to be a constructionist. [However] I do not restrict my analysis to one perspective or conceptual dogma: I am both a realist and constructionist.
>
> (Beck, 2000, p. 212)

Parallels can be drawn between Beck's ideas of risk being both real and constructed and the condition/concept of dyslexia. In recent research Macdonald (2010) suggests that when defining dyslexia within a social context, research must look beyond the social constructionist versus biological determinist debate. If we refer to the work of Danermark

(2001), we find that dyslexia is socially constructed, but it is also produced within the physical world (outlined by neurology). From this perspective biology shapes the embodied experience, but it is how the embodied experience is defined, excluded, segregated and is rejected by society that constructs disabling barriers and shapes the fundamental experiences of disability. Danermark (2001) states:

> In order to be able to speak of dyslexia, we need to live in a society based on reading and writing. In this sense, Gutenberg can be said not only to have invented the art of printing, but also conditions for dyslexia. However, this does not mean that dyslexia is merely a social construct. Both the brain dysfunctions [variations] and the characteristics of our society constitute necessary conditions for the phenomenon we call dyslexia.
>
> (Danermark, 2001)

Danermark (2001) maintains that dyslexia is a social construct (defined through disabling barriers) which is produced by social conditions. Nevertheless he also recognises that dyslexia has a biological and a molecular existence, which interact to produce the phenomenon of dyslexia. As dyslexia is a hidden impairment, labelling occurs with or without a diagnosis because of the interaction between the social and the biological. It could be implied that by developing a critical–realist approach it is possible to recognise the embodied experience of dyslexia as well as acknowledging the importance of removing disabling barriers. With this in mind, dyslexia can be understood through ontology (reality) and epistemology (knowledge) (Shakespeare, 2006). Using this critical–realist approach we can understand the phenomenon of dyslexia, as relating to the social experience of living with a condition that is underpinned by a biological reality. Hence, Danermark (2001, p. 57) suggests:

> [Ontology] is comprised of our experiences of what actually happens, i.e. it is the domain of experiences. [And] is constituted by all the things which happen independently of whether they are observed or not, i.e. events.
>
> (Danermark, 2001, p. 57)

This refers to the processes of personal interaction and internalisation of this syndrome. The embodied experience refers to dyslexia as an 'actual' biological reality relating to neurological pathways or brain

differences. As he implies, this reality can happen 'independently of whether they are observed or not'. Therefore it is in the epistemological domain where disabling barriers are constructed – for example, in education for children and in employment for adults (Macdonald, 2009; Williams, 2013). In order to construct a theoretical understanding of dyslexia we cannot refer to a single ontological approach (such as social constructionism or biological determinism) but we must comprehend each simultaneously (Beck, 2000). This requires a framework acknowledging that dyslexia is lived both through the embodied experience of impairment and also the discriminatory forces of disability (revealed through the social model of disability). Hence, the recognition of these discriminatory forces can lead to barrier removal, as well as access to learning support which is the first step to improving the life chances of people with this condition.

From educational risk management to the educational 'rights' of children with dyslexia

The social model of disability has transformed contemporary understandings of disability through the idea of a disabling society rather than the traditional medical discourse of a dysfunctional body (Campbell and Oliver, 1996; Oliver, 2009; Barnes and Mercer, 2010). By applying Antony Giddens' (1991, 2000) approach to 'risk and society', the social model could be described as a reflexive ideology which empowers disabled people to conceptualise their own position in society. Unfortunately, for people with dyslexia, Giddens and Beck's notion of a reflexive society has not materialised into a 'rights'-based discourse in educational practice. Reflexive modernity, rather than resulting in Giddens's notion of 'empowerment' for people with specific learning difficulties, has progressed into Beck's negative view of risk through bureaucratic systems of 'risk management' within education (Kemshall, 2002; Gill, 2007; Mortimore and Dupree, 2008; Beck, 2012). Hence the notion of 'risk', rather than 'empowerment of choice', is used in professional practice to manage risky identities.

This is illustrated within the Education Act (1996) and in SENDA (2001). Both aimed to promote equality and reduce discriminatory practices through the notion of 'rights', but in practice these policies have resulted in a 'risk'-management framework that has classified dyslexic children as having 'risky identities' in need of managing. A key theme within these policies has been to develop an inclusive education system where pupils with a range of abilities can learn in one environment.

This suggested that all students, including children with disabilities, could and should be taught the national curriculum in (if possible) a mainstream school. The policies stated that if pupils with disabilities experience difficulties in education through issues of impairment, schools have a legal responsibility to support them in overcoming their educational barriers (Mortimore and Dupree, 2008).

In order to support children with impairments the government released guidelines for head teachers which specified that every school should have a Special Educational Needs Co-ordinator (SENCo) to support children at risk of falling behind in mainstream schooling (Glazzard et al., 2010). If difficulties arise students must be processed through three stages of support, in the form of School Action, School Action Plus and a statement of Special Educational Needs (Mortimore and Dupree, 2008; Hall, 2009; Glazzard et al., 2010). School Action denotes that the school endeavours to support a child internally using what is called an Individual Education Plan (IEP). The IEP is a risk-assessment plan written and delivered by the class teacher with the help of support staff in order to meet the needs of a child. After a child has an IEP the impact of it is monitored over an unspecified period of time in order to reduce the risk of the child falling behind other children. If the IEP is unsuccessful, the school will move towards School Action Plus.

School Action Plus involves outside agencies supporting a pupil experiencing difficulties (Mortimore and Dupree, 2008; Glazzard et al., 2010). At the present time, pupils with dyslexia should have increased individual support from a teaching assistant, extra time for class exercises and exams, access to assistive technology, a reader if necessary and have contact with outside agencies (for example, educational psychologist, speech therapist, specialist teacher trained in dyslexic support and so on) (Mortimore and Dupree, 2008; Glazzard et al., 2010). This should be closely monitored by the SENCo, and if the child continues to fall behind, this should result in them receiving a 'Statement of Needs'. The statement allows a pupil to receive appropriate support (both internal and external) which is intended to enable the child to study in mainstream education (Glazzard et al., 2010). If the school does not comply with the statement, parents can take legal action to enforce it. However, it should be noted that if a child does not proceed to School Action Plus they would not receive a diagnosis for dyslexia unless they pay for one from a private educational psychologist.[1]

Under this system most children with learning needs (11.4 per cent of the total) are processed and supported under School Action in the form of an Individual Education Plan (DoE, 2011). A further 6.2 per cent of

children at risk of falling further behind are supported through School Action Plus (DoE, 2011). Only 2.7 per cent of school children receive a Statement of Special Educational Needs (DoE, 2011). Hence, in real terms the vast majority of children on an IEP (11.4 per cent) do not receive a specific diagnosis for conditions such as dyslexia and are supported by teachers in a mainstream classroom (DoE, 2011). It is worth noting that not all students on School Action have a neurological/learning impairment and might receive support due to socio-economic factors or emotional reasons. Hence, these students will not need a medical diagnosis or further support under School Action Plus. However, this system of support has been described by the Conservative-led Coalition Government as being ineffective, expensive and not reaching the children who need it most (DoE, 2011). Furthermore, this system has been described as 'stigmatising' with no real beneficial outcomes for parents or children (DoE, 2011, p. 57; Riddick, 2000; Rice and Brooks, 2004; Macdonald, 2010; Keslair, Maurin and McNally, 2011). The School Action framework is to be abolished under the government's new Green Paper on special education needs (DoE, 2011).

The current special needs framework will be replaced with the Education, Health and Care Plan (DoE, 2011). Rather than the current system of identifying children with additional needs in order to manage children at risk of falling behind their peers, this will target children identified through the NHS or the social care system. It is worth noting here that dyslexia, at this current time, does not get identified through the NHS or social services. Children can only receive access to a diagnosis through the education system (for example, Educational Psychologist). This seems to suggest that children with dyslexia will no longer be eligible for support under the new system. Rather the aim will be to increase spending on the 2.7 per cent of children, who have a statement of needs (the vast majority of children with dyslexia do not) (see Riddick, 2010). The 17.6 per cent of children that currently receive support under School Action or School Action Plus will now only receive support within a classroom setting, although what support they will receive is unclear (see Green Paper on Education, Health and Care Plan in DoE, 2011). Consequently, it appears, that when this policy commences, the real losers are those children who, under the old system, would have been supported by the School Action Plus framework.

As we can see, there has been growing criticism of New Labour's educational strategies which can be particularly observed in relation to the risk-management aspects of the School Action framework (DoE, 2011).

However, this chapter suggests that the failure of School Action is not entirely due to the framework itself but rather due to the practice attached to the implementation of the framework. This is underpinned by the notion of risks other than the risk to the child of falling behind at school. For instance, children supported through the School Action framework are often held at the School Action stage and do not proceed to School Action Plus because of the focused cost (or risk) to school budgets (Penfold et al., 2009; Williams et al., 2009). For children with dyslexia it is often during School Action Plus when children will receive a diagnosis as they have access to professionals outside of school, such as educational psychologists and specialised support staff. This is demonstrated in the statistical analysis as far less children get supported through School Action Plus (6.2 per cent) compared with School Action (11.4 per cent). Even less children receive a Statement of Special Educational Needs (2.7 per cent) which gives parents and children legal rights to make demands of their school (DoE, 2011). Research also suggests that parents are often advised by teaching staff not to apply for a statement, as this will permanently label their child throughout their educational biographies (Penfold et al., 2009; Williams et al., 2009; Keslair, Maurin and McNally, 2011).

Hence, the failure in the School Action framework is due to the negotiation of risk by teaching practitioners and schools that constructs barriers rather than the School Action Framework itself. These barriers are firstly economic, where schools keep children on School Action when they should be moved onto School Action Plus to save on school budgets, and secondly, barriers of perceived stigmatisation. The latter is due to teachers and parents' fears about the risks to children of labelling them with having learning or other disabilities, including dyslexia. There is also a problem with the ideology of the risk-management approach, as this suggests that children with dyslexia can never truly be completely included within mainstream education and the best option is to manage their needs as much as possible. This explains away educational failure as being a result of impairment, rather than a dysfunctional educational system which excludes disabled children (Oliver, 2009; Barnes and Mercer, 2010).

Conclusion

It has been suggested in this chapter that New Labour's educational policy constructed a system which had good intentions, but resulted in

children with dyslexia being constructed as having 'risky educational identities'. However, it should be noted that the Conservative-led Coalition Government's proposal of removing this framework will not assist in removing disabling barriers in education for children with this condition. Instead special needs support seems likely to revert to the pre-1996 system, where in order for a child to gain a diagnosis and adequate support parents will have to pay through private means (NHS, 2012). The current government approach, by rejecting labelling, will reinforce the traditional ideology which underpins the educational model of Elliot (2005) and Rice and Brooks (2004). Under the new system children will not receive any form of specialised support unless they have a statement (which most people with dyslexia will not receive). Furthermore, due to government cuts, it is unlikely that Elliot's individualised approach to teaching and learning will be adopted (where children are taught in groups of three to four). Hence, the new Green Paper seems to remove any form of support for children with dyslexia (DoE, 2011). Based on this evidence, it can be surmised that the government's motivation is not to be educationally progressive, but to reduce budgets through targeting those identified as being at the most risk of being socially excluded through the education system. It is argued that this will have a negative impact on children with dyslexia who are rarely identified in this way.

Dyslexia is a complex condition and not an educational administrative label owned by educational practitioners. Dyslexia is a social identity and needs to be theoretically conceptualised in such a way that incorporates the lived experiences of people with this condition. In order to improve the current system, the argument in this chapter is not to remove Giddens's ideologically inspired School Action framework, which attempted to encourage the self-actualisation of those with learning needs such that they could achieve their potential with support provided through the education system, but rather there must be a change in thinking around the notion of 'risk'. In order to improve support for children with dyslexia, the discourse of 'risk' needs to be replaced with the social model discourse of 'rights' (Riddick, 2001; Oliver, 2009; Macdonald, 2009; Barnes and Mercer, 2010). A rights-realisation framework must be adopted where children with dyslexia have the right to a diagnosis, a right to be included in mainstream education, a right to appropriate teaching and learning support, and a right to assistive technologies. From a rights-based approach the focus must be on removing barriers rather than managing risky identities.

Note

1. At the time of writing the fee for an assessment by a private educational psychologist is at least £350.

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5
Lesbian Mothering and Risky Choices: 'Dangerous' New Forms of Love and Kinship

Sheila Quaid

Introduction

During the last four decades new forms of family have been emerging in Western liberal democracies that have presented challenges to thinking about what family is. In this chapter, drawing on Douglas's ideas about purity and danger, there will be an exploration of how families headed by lesbians have been constructed both in public discourses and legislation as presenting risks to social order. The responses to these perceived risks have led to, variously, recognition, exclusion and regulation. In their work on non-heterosexual families of choice, Weeks, Heaphy and Donovan (2001) argued that lesbian and gay parenting provides a litmus test of how far a society has come in tolerating non-heterosexual identities and intimate lives. In this chapter it is argued that lesbian-headed families have been constructed as representing an antithetical family to that most desired and idealized in society: the heterosexual nuclear family. This ideal is based on a heterosexual couple enacting gendered roles in which motherhood is constructed as the most important role for women. Thus it will be shown that different constructions of lesbians have been used and continue to be used, to reinforce the risks they pose to the social order of intimate life as well as, by extension, to society as a whole.

In general, public discussions about lesbian and gay parenting can be divided into three main areas: bio ethics, related to the use of medicalised assisted fertility techniques; the welfare, including economic welfare, of the children; and parental rights (Gabb, 2010). In each of these, lesbian-headed families have been presented as risky and dangerous. Subsequently the state has responded with legislation and policy to both the reality of lesbian-led families and the fears of danger and

moral degeneracy. This chapter looks back over the last 40 years to provide an historical snapshot of the ways in which various discourses about risk have used examples of lesbian-headed families in attempts not only to reinforce the privileging of the heterosexual ideal but also to censure families living outside that ideal. While during this period equal/human rights arguments have achieved a measure of success in enshrining the authenticity of lesbian-headed families in legislation, it is still the case that the discourses of risk percolate in society. Most recently these have been evidenced in arguments against same-sex couple adoption and same-sex marriage and as such indicate the power of these discourses to continue the positioning of these families as a threat to 'normal' family life and a functioning society. In other words, while the perceived 'danger' of love and kinship enacted in lesbian-headed families has been made 'safer' with regulation and legislation, the role of 'danger' and 'risk' in public discussions has had and continues to have a powerful impact. In the following sections I discuss the social landscape and context of change in which lesbian motherhood has occurred, the perceived dangers and, in particular the fears surrounding the absence of fathers in these families. The strength of objections against it is also considered by looking at historical legacies from the 19th century when the 'lesbian' was constructed as 'sick' and 'abnormal'. In order to look at the complexity involved, I will consider the emergent issues in terms of danger, risk, unnaturalness and safety.

Danger/pollution/risk

Douglas's concept of the 'other' explicates circumstances in which people or groups become constructed as 'outside of the patterning of society' (1966/9) and the subsequent positioning as outsiders creates inequality and differential socio-positioning. Her ideas about the conceptual use of 'danger' and 'pollution' can be used to explore societal reactions to lesbian motherhood, which position lesbians as 'risky' and 'dangerous'. Douglas (1966/9; 1985; 1992) utilised a cultural symbolic approach to risk and danger. She argued that the word 'risk' could be replaced with 'danger' in many circumstances. This chapter examines how ideological and discursive processes deploy ideas of 'danger' in a powerful way to position lesbian mothers as the 'other'. In *Purity and Danger*, Douglas (1996) discusses the cultural role of 'risk' as a tool of regulation in society. In deploying concepts of purity, pollution, taboo and risk, she identifies 'risk' as a strategy for dealing with social order (Lupton, 1999). Both Douglas (1985) and Beck (1992) position 'risk' as

an outcome of globalisation in a world where old certainties and moral frameworks, including in intimate life, have come under scrutiny. During these times of change and uncertainty Beck (1992) suggested that increased divorce and separation rates open up new and different choices. He positions the family as a keystone of society but in late modernity it carries much uncertainty. For Beck risks are understood as actual, albeit products of, human behaviours. For Douglas, on the other hand, risk is linked with social stability and her social constructionist approach to the concept examines how the concepts have been used to deal with perceived threats to order. Douglas (1966/9) argues that rituals around cleanliness and purity (1966/9) are prevalent in many societies and connected to the control of social, including intimate, disorder. She also suggests that ideas of pollution and contamination are used symbolically to maintain social order. 'Risk' has replaced 'sin', she argues (1985), and when social order is threatened, beliefs about pollution underpin the role of 'risk' particularly, as Lupton puts it, in 'blaming and marginalising an "Other" who is positioned as posing a threat to the integrity of self' (Lupton, 1999, p. 40).

The pertinence of this argument is evident in the aforementioned reactions and fears to lesbian mothers as well as in contemporary debates about gay marriage. Although the identity of 'lesbian' has been positively reclaimed, historically it was invented as a disease (Richardson, 1996). The 19th century medical model approach to same-sex desire between women explained that the 'diseased' central nervous system of some females led them to 'unnatural' desires (Richardson, 1996). Within dominant scientific discourses the 'lesbian' continued to be seen in the 20th century as an abnormal woman. She was the opposite of feminine and had a 'sick' sexuality. Constructions of 'normal' female sexuality have been passive and heterosexual. Lesbians, defined by their sexuality and therefore 'active' by definition, presented a dangerous sexuality that was outside of marriage and the heternormative reproductive function. Thus from the start lesbians have been considered to be outside society and a threat to its (sexual, reproductive, family) order. Since the invention of the term in the late 19th century, the 'lesbian woman' in dominant thought has been the non-reproductive woman. To be lesbian has been polarised from the role of mother: binaries of normal and abnormal have pivoted for women around their heternormative femininity and reproductive role.

The emergence of feminism and sexual politics in the 1970s challenged the 'diseased homosexual' model of sexual minorities and asserted the right to an identity, and later intimate and family relationships (Weeks,

Heaphy and Donovan, 2001). Despite such challenges and the relative success in terms of the legislative landscape referred to earlier, the legacy of lesbians as 'sick women', presenting 'danger' and 'risk' have been and remain powerful. While ideas of lesbians as 'diseased' have been refuted, lesbians remain positioned as the 'other' and outside of usual definers of 'normal' femininity (Hallett, 1998). In relation to family, their presence in a parental role with children has been, and for some continues to be, seen as dangerous. Thus, Douglas's ideas (1966/9) about symbolic pollution can be utilised to consider the reaction to lesbian motherhood where we see objections contextualised within ideas of polluting family forms, polluting the 'natural order' and polluting 'natural' heterosexual love. What is important to consider in this use of risk is not that there is an actual risk, but what purpose is served for society in arguing that there is.

Context of change in family life

In the realm of family life, many of the old certainties such as lifelong monogamous marriage and relatively set gender roles are shifting so much so that Morgan (1997) has argued it is no longer relevant or useful to talk about and analyse family structure. He suggests this is because it inevitably leads to a discussion involving the heterosexual nuclear family rather than the ways in which actual intimate and familial lives are lived. Instead he offers family practices as a way of reflecting the ways in which intimate and familial lives are varied, complex and diverse (Morgan, 1997; Smart and Neale, 1999). During the past 40 years or so, there has been a growing sense in some parts of society that the heterosexual nuclear family is in crisis, particularly because of a lack of a father in many families. This has been highlighted by some as a major social problem (Murray, 1990; Erdos and Dennis, 1993). More nuanced sociological approaches, however, present new and emerging family formations as an aspect of living in the context of wider transformations of contemporary society (Giddens, 1992). Factors leading to these transformations in social and economic life include the impact of feminist scholarship and activism on the lives of women in the public and private sphere, the influence of deindustrialisation on the role of men, increased social mobility, globalisation and the revolution in communication technologies. What became evident in the 1980s and 1990s was that the idealised heterosexual nuclear model of family, which assumed a gendered dichotomy (male breadwinner versus female nurturer) between women and men could no longer be relied upon as an inevitable arrangement. It was as a result of

analysing these social changes that led to Beck's assertion that one of the major consequences was the individualisation process wherein individuals live their own lives and 'become progressively freer from structure' (Beck, 1992, p. 2). Others have also argued that these social changes, along with the development of state welfare systems, increased urbanisation and social movements have weakened traditional ties to family, kin, employment and geographical places. Increased social mobility and the increased opportunities that exist for living financially and materially independent of family and community have created spaces in which different ways of living sexual, familial, parental and domestic lives can be explored (Gabb, 2010; Giddens, 1992).

Demands from lesbians and lesbian-headed families have included rights to state-recognised coupledom, access to processes for creating families (for example, adoption, fostering, licensed assisted conception technologies) and the right to become parents. Weeks, Heaphy and Donovan (2001) have suggested there are three stories that can be told about lesbian and gay male-headed parenting: those of exclusion, those of opportunity and those of choice. In stories of exclusion, lesbians and gay men understand that their sexuality precludes parenting unless they enter heterosexual relationships. In stories of opportunities, lesbians and gay men have begun to feel able to leave heterosexual relationships, come out and remain parenting their children, so challenging constructions of themselves as unfit to parent. In stories of choice lesbians and gay men have felt able to opt into parenting as out lesbians and gay men. Each of these stories can be mapped onto historical eras: up until the 1970s for stories of exclusion, starting in the 1970s but continuing today for stories of opportunity and starting in the 1980s but continuing today for the stories of choice. However, it is also the case that these stories might be told by any lesbians and gay men depending on where and when they come out and the local community knowledges that exist about the possibilities for lesbian and gay parenting. In this chapter these three eras will be used to organise the analysis of when and where discourses about the risk and danger were presented. However, it is important to recognise that though the content of the discourses change to accommodate different kinds of arguments, they can also all operate alongside each other depending on how useful their effect is believed to be.

Data sources

This chapter draws on two sources of data. The first is an analysis of public discourses characterising lesbian mothers in relation to custody

post-divorce during the 1970s, having access to donor insemination during the 1980s and 1990s and becoming adoptive parents in the early 1990s and more recently. This analysis enables a discussion about the ways in which risks are differently constructed over time to support an ideological position that 'others' a particular group, in this case, lesbian mothers. The second source of data is interviews with nine lesbian couples who, as couples, had negotiated and become joint parents in the UK between 1998 and 2003 before any of the aforementioned changes in the law such as the Civil Partnerships Act 2004, the Adoption and Children Act 2002 and changes to rules for donor insemination under the Human Fertilisation and Embryology Act 2008. At the time of the interviews nothing was legally in place to protect the parental position of the lesbian couple. The negotiations between lesbian parental partners in five UK cities about motherhood, parenthood and family formed the focus of the qualitative interviews conducted with couples together or separately depending on their preference. The research was designed to explore and elucidate the respondents' ideas about fatherhood, kinship and co-parenting that looked at family practices rather than family structures but with a focus on family identity formation. The respondents all identified as lesbian and created families which are legally fatherless and parented by two women.

The era of exclusion

The respondents in the study described above, while being part of a marginalised group in society, had acquired some acceptance within their own networks and neighbourhoods as lesbians. However, their declared aims to become mothers as lesbians and in a same-sex relationship evoked debates within and between themselves about the danger and immorality of lesbianism, which had their roots a century earlier. Sexuality outside of marriage and the reproductive function has often been outlawed in religious teachings and cultural norms of most societies (Hallett, 1998). The legacy of 19th century discourses that utilised ideas about danger and purity in relation to the social and moral order of society created the basis for more recent ideological justifications for the exclusion and/or punishments of those seen to pollute society: danger has been associated with moral degeneracy (Denney, 2011, p. 7). These ideas have proliferated throughout the 20th century and have contributed to the exclusion from society of many different groups including black people, for example (Denney, 2011).

The creation of dangerous sexual categories became explicit in statute when the Contagious Diseases Act 1855 outlawed homosexuality for

men (Weeks, 1977). The term 'lesbian' in early 19th century sexology was used to describe a malfunction of women's sexuality. The word was therefore closely associated with ideas of unnaturalness, and lesbian motherhood since its inception has been positioned as opposite to 'real', for example, heterosexual motherhood (Hallett, 1998). The 'lesbian woman' in dominant thought has been the non-reproductive woman, and to be lesbian has been separated from the role of mother. These discourses overlaying ideas about sexuality, reproduction and gender have pervaded perceptions of the lesbian for most of the 20th century (Rich, 1977). Women perceived as living outside binary models of gender have been perceived as 'against nature' and dangerous for the social order. Later in the 20th century the emergence of second-wave feminism and sexual politics challenged the diseased homosexual model of sexual minorities and asserted the right to an identity (Richardson, 1996). The era of identity politics brought new understandings of human sexuality, as Richardson explains:

> The female body was constituted as no longer sexually passive and 'disciplined'/ordered; the homosexual body as no longer diseased and sexually dis-ordered; the lesbian body as no longer non-reproductive.
>
> (1996, p. 4)

However, these discourses that construct lesbians as dangerous to society, family life and children still have currency and can be evidenced in the narratives of respondents in the study as they described when they came out and/or when they started to consider becoming parents. For example,

> I came out at 20 and just thought, I'll never have children … when I told my mum that Corrine and I were planning to have a child she said to me that was the worst thing I could ever do as a lesbian, to have a child.
>
> (Lesley, biological mother)

Lesley's initial understanding of herself as a lesbian had meant she thought she would not be able to have children even though she had grown up through a time when counter discourses were being constructed that challenged the construction of lesbian mothers as unfit mothers (for example, Tasker and Golombok, 1997). Her sense of identity as a lesbian was understood primarily as a barrier to being a mother and, as her mother's response to Lesley's announcement of her pregnancy

suggests, those discourses that demanded the exclusion from mother-hood of lesbians were extremely current in her social relationships.

To position lesbians and lesbian motherhood as 'dangerous' evokes fear. However, this fear is not only experienced by opponents but also by lesbians themselves. Some lesbian mothers in this study talked of how fearful they were at certain times and in this sense homophobia has a powerful impact on both sexual minorities and majorities. For example, Maura (co-parent) expressed her difficulty in coming to terms with her own sexuality and the fears she experienced:

> I suppose the traumas of identifying myself in those early years, children didn't even come into it, and being a lesbian, well that terrified me for the child. We need to be able to exist as a lesbian couple on top of all this.

Laura's 'trauma' experienced as she came out included the belief not only that children were out of the question but also later, when parenting became more of a possibility, that she should fear for her children. Stories of exclusion, while based on ideas that can be characterised as from a bygone age, nonetheless retain a certain cache and can still have tangible impacts on the lives of lesbians. Douglas's concept of 'danger' as an ideological construct which can be deployed culturally in order to position the 'other' can be taken further in these stories where lesbian mothers struggle with such ideas in their aspirations to create their own lives in their chosen families.

The era of opportunity

During the 1970s and 1980s in the UK pronouncements against lesbian mothers focused on the dangers presented to children emanating from lesbian sexuality and was most often aired publicly in custody cases (Hanscombe and Forster, 1982; Martin, 1993; Tasker and Golombok, 1997). Women who had 'come out' as lesbians and left heterosexual marriages began to take the opportunities provided in a society that was beginning to shift in its position towards minority sexualities and argue they should retain custody (as it was then) of their children. However what marked these cases out from the usual custody cases involving heterosexual women and men was that counter to the typical deci-sion-making that favoured heterosexual mothers being given custody of children, when lesbians were involved they could automatically lose their children to their fathers because of their sexuality (Hanscombe

and Forster, 1982; Golombok, Tasker and Murray, 1997). The Children Act 1989 promotes joint parenthood but there have still been cases where decisions about lesbian mothers buck the trend of favouring mothers in the family courts (Tasker and Golombok, 1997). It is in the decisions given in courts that risk discourses are prevalent, harking back to constructions of lesbians as a threat to family life and the welfare of children. Those earlier medical discourses constructing binaries of normality and abnormality mapped onto heterosexuality and homosexuality respectively and combined with concerns about moral degeneracy left a legacy. This is illustrated in embedded beliefs about the unsuitability of lesbians as mothers. The underpinning ideology promoting the 'right' (heterosexual, nuclear) family has been applied across discipline boundaries of medicine, law and social policy (Williams, 1989; Carabine, 1996). The attitude of the courts is exemplified in this House of Lords judgement in 1976:

> Changes in public attitudes should not entitle the courts to relax in any degree the vigilance and severity with which they should regard the risk of children at critical stages being exposed or introduced to ways of life which may lead to severance from normal society, to psychological stresses and unhappiness and possibly even to physical experience which may scar them for life.
>
> (Hanscombe and Forster, 1982, p. 67)

This judgement encapsulates the fears of social disorder Douglas discusses in her arguments about risk, purity and danger. The lesbian mother represents social chaos and here the court is establishing their duty to impose social order by protecting family life and children from the risks that are understood to be embedded in lesbian sexuality. In other judgements Judge L. J. Watkins stated:

> This is neither the time nor the place to moralise or philosophise about sexual deviance and its consequences on those who practice it but possible effects on a young child living in proximity to that practice is of crucial importance to that child, and the public interest.
> (cited in Rights of Women, Lesbian Custody Group, 1986, p. 121).[1]

Here the judge makes clear that while it might be thought inappropriate to use a courtroom to make moral judgements about how adults behave in private, the fact that children are involved makes it necessary – morally and legally – to bring the issue into the public sphere in order

to safeguard the child. Where children are concerned there is no private sphere because, the argument is made, children are the concern of everyone. In British legal practice, judges are often informed by experts. The legal profession relies heavily on the 'scientific', moral and ethical judgements of the psychiatric and medical professions in cases where parenthood is contested (Daniels and Haimes, 1998). Concerns about the risk posed by lesbian mothers to their children were able to gain priority in influencing judgements even in the absence of any evidence to support those concerns. Even the expert evidence sought for and used to construct lesbian mothers as potentially harmful to children were not based on evidence of actual harm but of the imagined harm of living with somebody whose sexuality was constructed psychologically or psychoanalytically as dysfunctional, abnormal or in other ways dangerous (Tasker and Golombok, 1997).

During the 1980s and 1990s there began to emerge a counter discourse that challenged the idea that being a lesbian precluded being a mother. As a result of changes in society, developments in gay and lesbian politics, and in feminism, increasing numbers of women were coming out of marriages as lesbians and fighting for custody. The evidence illustrated in judges' comments (previously) suggests that ideas of lesbians presenting a risk to children proliferated in this period. In the UK, Tasker and Golombok (1997), pioneers in research on lesbian mothers revealed that children of lesbians were not harmed emotionally or psychologically by their parents. This evidence-based research became significant in allaying fears, shifting legal perceptions and providing a strong counterbalance to claims of lesbians being 'unfit' to mother.

The era of choice

During the 1980s there was increasing evidence that lesbians were making positive choices to mother and create families of choice (Weeks, Heaphy and Donovan, 2001). During this period, denouncements of lesbian mothers focused simultaneously on the dangers to children of growing up without fathers and the normalising benefits for them of growing up in heterosexual families. At the time of the study discussed here (Quaid, 2008), the overriding assumption in public discourse was that children were better off in families with a mother and a father rather than either one or two mothers. As Carabine said:

> Applying the normalising judgment means it is commonly felt that it is 'normal' to be heterosexual and that it is 'abnormal' to be lesbian

and it is natural and 'normal' for women to want to be mothers albeit in certain contexts. By the same token, it is considered 'natural' for children to have both a female and a male parent – a father and a mother.

(1996, p. 61)

Thus the assumption of heterosexuality pervades the regulatory aspects of social policy resulting in the 'normalisation of heterosexuality' (Carabine, 1996). The new reproductive technologies provided new choices about conception including self-insemination that could be organised without fertility clinics (Donovan, 1992); and more lesbians visibly began to opt into motherhood as out lesbians. At the same time, as has been shown before, the New Right conservative governments of Margaret Thatcher attempted to reinforce the heterosexual nuclear family, in large part by demonising other family forms. While the use of donor insemination by lesbians increased during this decade there had been pioneers who had done so in the 1970s. Janis Hetherington became not only front-page news but also a topic for parliamentary debate, as *The Guardian* newspaper reported in 1998:

The first openly lesbian mother to go public about having a child by AID,[2] Janis Hetherington, now 53, was denounced as unnatural and became the subject of parliamentary debate with MPs calling for the practice to be banned among homosexuals. Hetherington had her son Nicky with the help of a sympathetic doctor who artificially inseminated her with his own sperm.

(Wheelwright, 1998, p. 8)

Such a response to one person's decision is explicable only through understanding what her actions represented. The use of the term 'unnatural' indicates again how lesbians were understood to present a threat to family and societal life, which provided justification for a call to ban access to techniques that assist conception. Donor insemination and the other assisted-conception techniques represented what Giddens (1977) has called a 'fateful moment': a moment in history when fundamental ways of thinking about the organisation of social life are changed. In relation to reproductive medicine, it has been argued that the separation of sex from conception was one of these moments (Donovan, 2006). In her work, Donovan argued that donated gametes, but particularly sperm, represent what Douglas has called matter out of place and as such pose a threat to the boundaries around family and

kinship. The Human Fertilisation and Embryology Act 1990 was an attempt to redraw the boundaries to reinforce the heterosexual nuclear family structure. During the years from 1988 to 1991 public discussion about family was at its height and resulted in several pieces of legislation and proposed policy changes that sought to re-establish the primacy of the heterosexual nuclear family and the importance of fathers in children's lives. The discourse of danger is explicit in the wording of the Local Government Act 1988.

> A local authority shall not a) intentionally promote homosexuality or publish material with the intention of promoting homosexuality b) promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship.
>
> (II (a) 1988)

Section 28, as this became known, was aimed at 'protecting' the young against the influence of homosexuality, and seen widely as a concerted effort on the part of the New Right actively to construct opposition to gay and lesbian people being parents (Weeks, 1991).

The Human Fertilisation and Embryology Act 1990 attempted to give a similar message while not being as explicit. Here, the 'welfare clause' required those providing licensed services to take into account the need for any child(ren) of a father. This amendment was made in direct response to the realisation that lesbians and single heterosexual women were using donor insemination to achieve motherhood (Donovan, 2006). This requirement has now been changed (for those who choose licensed clinics). However, at the time it was a dominant tenor of public discussion concerned with the threat posed by lesbian mothers to what was presented as 'normal' family life.

The supposed 'unfitness' of lesbians and gay men to be assessed as parents also became clear in rules for assessment in relation to fostering and adoption (Hicks, 1998). In 1990, as a result of a national outcry in response to a local newspaper story of a lesbian couple in Newcastle-upon-Tyne who had been allowed to adopt a disabled child, the Department of Health issued draft guidance on who should be eligible as foster or adoptive parents. The guidance stated that

> No one has a 'right' to be a foster parent. 'Equal rights' and 'gay rights' have no place in fostering services.
>
> (Donovan, 1997, p. 221)

A concerted campaign, including national children's charities such as Barnardos and Save the Children, forced a change so that the final guidance did not include these words. However, objections to lesbian and gay foster carers have continued to be couched in terms of 'risks' to the child, and Hicks (1998) has argued that consequent procedures for assessing potential foster carers carry inherent biases against lesbian and gay men.

Notwithstanding these public debates, policy and legislative changes, during the 1980s there were real opportunities for lesbians' desires for motherhood to be turned into reality and lesbians have consistently 'opted into motherhood' (Dunne, 2000). Visibility of lesbians' choices to become parents increased, so did those voices that opposed lesbian motherhood and sought to deny parenthood to lesbian women. For example, Adrian Rogers of the Family Institute exemplified the New Right in his views that lesbians disadvantage their children by providing only one lifestyle option and that it is unnatural to allow lesbians to have children without male partners or husbands (Clarke, 2001). However, things were changing and the combination of social change and medical advances in assisted conception technologies created moments of choice and possibility for lesbian couples to imagine and create families with each other (Donovan and Wilson, 2008). These choices also began to be represented in feminist campaigns and in feminist theoretical literature (Hanscombe and Forster, 1982; Lewin, 1993; Martin, 1993).

By the 1990s, shifts in the discourses defending heterosexual nuclear family life can be discerned and the focus became fears about the role of men as (absent) fathers and the implications for children (and society) of them growing up without fathers. The Child Support Act 1990 was passed to reinforce the importance of fathers as providers to their children including post-separation from their mothers. In an article in *The Independent* newspaper, titled 'Baby Talk? It's Gobbledygook' (Freeley, 1994, p. 8), the Child Support Agency (CSA) was reported to be pursuing lesbian mothers. They were expected to name the donors (if insemination has been carried out informally), as the expectation was that men should pay for their genetic offspring. Here the objection to lesbians choosing motherhood concentrates on the assumed economic role of fathers and this was therefore believed to be absent in lesbian-headed families. The nature of the objections appeared to be about the need for someone to take financial responsibility in a way that could be tracked by the state. *The Independent* covered the passing of the Child Support Act 1991 and the particular issues of pursuing

donors to pay for children born from informal insemination. Freeley's position was clear:

> More than one quarter of live births outside marriage, marginalising the father in the family, the role of breadwinner is under threat and the final nail in the coffin is women who want to become pregnant through artificial insemination. This could represent a departure from the old fashioned male–female relationship.
>
> <div align="right">(Freeley, The Independent, 17 June 1995)</div>

The main fears encapsulated here were about the potential costs to the state of fatherless families but is closely followed with concerns that men will be marginalised in intimate, family and parental relationships. The CSA differentiated between children born from licensed donor insemination and children born from informal Donor Insemination (DI). The latter were seen to be the business of the CSA. The rule stated that if a woman in receipt of state benefits arranged DI informally then the 'father' should be tracked to pay maintenance. The role of men as providers in these debates remains unreconstructed and unquestioned in this particular method of state regulation of parenthood.

Since the 1990s the legislative landscape has changed dramatically to recognise and include lesbian and gay relationships and families on a par with heterosexual relationships and families. But lesbian mothers such as the respondents in the study embarked upon a risky form of motherhood and family which (at the time of interviews) had no frame of reference in tradition or policy frameworks for parenting. Themes of risk and danger for themselves and for their children were evident in their own narratives and they told stories of negative reactions and discrimination. For example, Laura (co-parent) said:

> As for coming out, you do it in different ways for different situations. I told the child-minder that had booked us a place for Joshua, and then was told the place had been filled … I thought the hell it has.

Laura went on to explain that while she did not know if the place had gone or no, she felt it was discrimination from the woman's tone of voice. This exemplifies many experiences of negativity experienced by respondents to their motherhood as lesbians. As discussed earlier, such was the strength of opposition to lesbian-led families that respondents in the study also experienced doubt because of the 'danger' they considered may exist in the future for themselves and their children. Many

had experienced being treated differently because of their sexuality. For example, Marion (co-parent) said about the clinic procedures:

> The fertility sisters quizzed us for hours on a social level along the lines of 'Why are you doing this?' 'What's your thinking?' And lots of questions about how we would explain the lack of a father to a child. It was necessary to go through these hoops, but a heterosexual couple would not have been asked these questions.

The respondents' decisions to create families and have children were made after 'coming out' as lesbians. From that point it was their lesbian identity that was problematised, particularly from those who were in a position to assist the couples in their routes to conception or adoption. Marion's point illustrates this general experience. The respondents spoke about negative attitudes which were sometimes held by consultants, general practitioners, family, friends and health professionals.

Conclusion

The underlying objections made to lesbian mothers are based on key fears: for children, for family life and for society. Many have believed that children of lesbian couples would be harmed in terms of their psychological stability, gender development and by having no identified and/or known father figure. Furthermore, many have feared for the untold consequences of allowing 'unnatural' conceptions for society. On a more pragmatic platform many have been concerned about the potential economic cost to the state as women without male partners increasingly produce dependent children. The rhetoric of previous governments in Britain during the 1980s and 1990s around 'back to basics' and the need for a 'return to family values', together with public discourses promoting the morality of traditional heterosexual family life, can be seen as part of the attempts to redraw the boundaries around what could count as family so as to defend it and society from the perceived threat from lesbian mothers (and other different families). In this period, legislation such as Section 28, the Child Support Act 1990, The Children's Act 1989 and the Human Embryology and Fertilisation Act 1990 explicitly and implicitly suggested that heterosexual parenthood was best. In the late 1990s the rhetoric about family appeared to be replaced with a concern for the children particularly since the Children Act 1989 which included the phrase 'in the best interests of the child'. Media coverage of the new phenomena of lesbian motherhood

highlighted the belief that the sexual identity of out lesbian women was centrally important in the lack of acceptance of their parenthood.

The symbolic/cultural approach to 'risk' and 'danger' and particularly 'pollution' as concepts used by Douglas (1966/9) help to tell a story of social change where the phenomenon of lesbian motherhood has been seen as a danger for society. Furthermore, her approach assists us to delve into the discursive process which positions lesbian mothers as dangerous and offers a framework through which the complexities can be unpacked. Pollution beliefs, she argued, work in both practical and ideological ways. Societies have many rituals around cleanliness and purity but there are the political uses of 'pollution beliefs': for example, '[w]hen moral principles come into conflict, a pollution rule can reduce confusion by giving a simple focus for concern' (Douglas, 1966/9, p. 133). She pointed to stigmatisation of people who are seen to transgress the cultural norms of any given society:

> Polluting people … are seen as wicked both because they have transgressed cultural norms or taboos and because they place others in danger by their actions.
>
> (Douglas, 1966/9, p. 113)

Notions of risk and danger are used by communities to create boundaries of cohesion and morality. Similarly, she emphasised that this leads to the attribution of blame when danger threatens the community (Douglas, 1992). When lesbian mothers have been described as unnatural, dangerous, risky and unfit to mother, they have been positioned in opposition to 'normal' and 'natural' women. The language used in public debates, and in legislation and policy relating to family, during the eras of opportunity and choice, illustrate discourses of fear, including fear of pollution: that the children of lesbian mothers have to be protected from contamination by their mothers' 'otherness'. The strength and force of reaction and opposition in society suggests that ideas of pollution and contamination have been used symbolically to maintain social order (Douglas, 1966/9). When considering the three eras discussed previously (Weeks, Heaphy and Donovan, 2001) it could be argued that Douglas's concepts of 'danger', 'risk' and 'pollution' can be usefully used in analysing in the eras of exclusion, opportunity and choice. Yet perceived dangers posed by lesbian mothers were not realised, many were unfounded and the state has stepped in to make this particular 'dangerous and risky' group 'safer' with a new legislative framework. Thus, fears about the diluting or polluting (Douglas, 1966/9) of the normative family model

in the era of choice have been addressed by imposing similar regula-tory frameworks around lesbian-led families as those that exist around heterosexual families. In considering the strength of reaction and anger against, and fear of, lesbian mothers, there is a resonance with many of Douglas's ideas about the use 'risk' and 'danger' as ideological tools that are discursively employed, both to resist and oppose, and then uneasily include the emergence of a new family form.

Notes

1. The Rights of Women Lesbian Custody Group was formed in 1982 to cam-paign and research the difficulties lesbian mothers faced in retaining cus-tody of their children (*Lesbian Mothers' Legal Handbook*, The Women's Press, 1986).
2. AID, Artificial Insemination by Donor, was the name first given to this tech-nique. It was renamed as a response to the confusion caused between this acronym and that of AIDS.

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6
Troubled Youth: Risk, Individualisation and Social Structure

Jacqueline Merchant

Introduction

For many in contemporary society, key aspects of young people's lives are now thought about and responded to through the lens of 'risk' (see also Chapter 9 in this collection by Bowler). This chapter explores how the emphasis on risk thinking has individualised young people and made them responsible for the outcomes of their behaviour, while at the same time ignoring the often more influential structural factors that affect their lives.

   The first section of the chapter presents an historical perspective on how young people have been viewed by society, suggesting that little has changed over time. Young people have always been seen as troublesome, dangerous and presenting risks to society. As Pearson (1983) has suggested, the history of youth can be thought of as 'a history of respectable fears', with young people acting as harbingers of change which typically, in society's view, has been perceived as an indicator of moral decline. In the second section, there is a discussion of a more recent attempt to understand and predict young people's behaviour via risk factor analysis (Farrington and West, 1990). This approach has been influential in the field of criminal and youth justice policy, and is based on the idea that a range of early risk indicators can identify and help predict which young people might later become involved in offending behaviour or experience other forms of social exclusion. Some of the limitations of this approach are also discussed. In the third section, the chapter reviews in brief the influence of Ulrich Beck's thesis of *Risk Society* (1992) on youth studies and, specifically, the way that youth transitions have become understood as more individualised and risky. Personal biographies are now said to be less predetermined by social

origins and more individualised, and therefore more open to individual choice and agency. On the other hand, such an individualised approach can create feelings of self-blame among young people if the outcomes of such choices are experienced as negative. It is argued that, in some ways, Beck's risk society analysis plays down the influence of structural factors on personal choice and decision-making. In conclusion, it is proposed that this tension between personal agency and social structure, and the tendency to elevate the former over the latter in seeking to understand risk and young people, is one of the key debates in youth studies at the current time. This debate mirrors those elsewhere where the construction of the responsibilised citizen facilitates an economic goal to minimise the role of the state and change the nature of public services.

Young people as 'trouble': Then and now

Everyday representations of young people can often conjure up images of liveliness, energy, fun, vibrancy and exuberance. Yet researchers have charted how the dominant political and public rhetoric about youth and young people has been one that consistently casts 'youth as trouble'. Indeed, examples of this dominant representation of the troublesomeness of youth, and of the risks they pose, can be seen across history. In many ways the worries of contemporary commentators merely repeat age-old manifestations. Byron (2009) reports a variety of voices throughout history lamenting the behaviour of young people:

> 'We live in a decaying age. Young people no longer respect their parents. They are rude and impatient. They frequently inhabit taverns and have no self-control.'
>
> (inscription on a 6000 year old Egyptian tomb)

> 'What is happening to our young people? They disrespect their elders, they disobey their parents. They ignore the law. They riot in the streets, inflamed with wild notions. Their morals are decaying. What is to become of them?'
>
> (Plato: 4th Century BC)

> 'The young people of today think of nothing but themselves. They have no reverence for parents or old age. They are impatient of all restraint … As for the girls; they are forward, immodest and unladylike in speech, behaviour and dress.'
>
> (Peter the Hermit, 1274)

Similar sentiments can be heard in the words of more contemporary commentators. For example, a *Daily Mail* columnist stated in the late 1990s:

> Generations of children are roaming run-down council estates like packs of wild dogs … they are growing up without any kind of code that might help them turn into decent human beings. They know how to milk the system and how to dominate their mothers. They have sex at an increasingly early age and repeat the pattern of their unknown, long-gone, idle fathers.
>
> (Lee-Potter, 1997)

Analysing the 'mugging crisis' and juvenile delinquency which was said to be affecting Britain in the 1970s and 1980s, Geoff Pearson, in his classic text *Hooligan: A History of Respectable Fears* (1983, p. 12), documented the striking correspondence between newspaper coverage of those events and of the problem of street gang violence in the late 1880s. As he described it, 'Hooliganism may be news, but it is not new.' A key contention of Pearson's book is that, in every age, society constructs and repeats dominant tropes about young people being *newly* and *unusually* out of control, disorderly and troublesome, while, at the same time, harking back to a mythical golden age of youthful order, obedience and civility. In other words, the history of youth is a history of the fears of respectable, middle-aged society about the risks posed by young people. As MacDonald and Marsh (2005) have pointed out, media and political commentary, and resulting policy initiatives, have a tendency to shuttle between the two poles of 'youth *as*' and 'youth *in*' trouble (see also Hebdige, 1988).

It has been argued that youthful behaviour has given rise to a whole series of 'moral panics', particularly since the emergence in the post-war period of a medley of distinctive and stylistically spectacular youth sub-cultures (Cohen, 1972, 2011). Cohen's focus was on the 'Mods and Rockers' of the mid-1960s and how media coverage served to construct these as new 'folk devils', amplifying the threat they were said to pose to 'normal', orderly society. Since then further numerous examples can be cited. Indeed Geoffrey Pearson, writing in *The Guardian* (2006) recalls similarly echoed complaints of troublesome youths from Victorian England, the 1920s, 1930s and beyond. Referring to a 'profound historical amnesia' by the media in respect of their recounting stories of misspent youth, he writes:

> What are we to make of these stubborn continuities between past and present that disturb our accustomed ways of relating to youth

crime and disorder? We are in the midst of a 'moral panic' concerning hoodies, knife attacks, gangsta rap, gun culture, antisocial behaviour orders, 'chavs' and 'bling' … What is wrong with government and media responses to youth crime and antisocial behaviour is its emphasis on the unprecedented nature of the problem, while losing its grip on the actual social and historical background.

(Pearson, 2006)

Christine Griffin (1993) also sees 'youth as trouble' as a dominant representation of youth, understanding this in terms of how young people, as a social group, act as a metaphor for social change. She argues that young people are seen as a moral barometer of the state of the nation and a weather vane for society's ills. In 1993 *The Economist* described the furore and soul-searching surrounding the murder of two-year-old James Bulger by two ten-year-old boys, Robert Thompson and Jon Venables, as another case of moral panic (Cohen, 1972, 2011). Similarly, the death of Leah Betts in 1995, originally associated with her use of the drug Ecstasy, signalled a wave of moral panic about young people's drug-using behaviour and the *threat to* young people of this new drug. In both cases public anxiety was amplified by publicity in the press, which portrayed these events as signifying a widespread and deeper moral malaise and as signs of social disintegration. Of course, one aspect of a moral panic is just this tendency to exaggerate the threat of the problem in hand. In reality, murders of children by children are extremely rare, as are deaths from Ecstasy use. Yet the consequences can be far-reaching as with the change in the age of criminal responsibility to ten years of age as a result of the Bulger murder.

Griffin (2004, p. 10) talked of how

the treatment and management of 'youth' is expected to provide the solution to a nation's 'problems', from 'drug abuse', 'hooliganism', and 'teenage pregnancy' to inner city 'riots'.

A much more contemporary example demonstrates that the 'youth as trouble' discourse continues to shape how young people are viewed in society. In August 2011, several English cities were subjected to a spate of serious and violent disturbances, often referred to now as the English riots because though they spread from London to many cities in the South East and Midlands, both Scotland and Wales remained peaceful. The youthfulness of protagonists (with most being in their teens and twenties) was at least one point of agreement among observers and commentators. Sparked

by the police killing of Mark Duggan, a young black man in Tottenham, violent rioting, looting and arson spread quickly to other districts of London and then other towns in deprived neighbourhoods.

Although more measured and evidence-based analyses emerged in the months following the riots – for example, in relationship to social inequality, poverty, racist policing and the perceived lack of prospects and opportunities for young adults (for example, see Briggs, 2012; National Centre for Social Research, 2011; LSE/*The Guardian*, 2011–12), it is worth considering the dominant message delivered by politicians and media commentators in the immediate aftermath. On 9 August 2011, Prime Minister David Cameron insisted that the riots were about 'criminality pure and simple [and] it has to be confronted and defeated' (*The Guardian*, 9 August 2011) and this was a verdict reiterated over the following days. He went further and blamed this 'simple criminality' on 'the slow-motion moral collapse that has taken place in parts of our country these past few generations' (Kirkup, Whitehead and Gilligan, 2011). Writing in the *Daily Mail*, columnist Max Hastings picked up the baton, blaming the riots on

> a large, amoral, brutalised sub-culture of young British people who lack education because they have no will to learn, and [sic] skills which might make them employable.
>
> (Hastings, 2011)

In turn, Ken Clarke, the then Justice Minister, described rioters as 'a feral underclass, cut off from the mainstream in everything but its materialism' (*The Guardian*, 5 September, 2011).

In these comments can be seen the return of a theory of an underclass (first proposed by Charles Murray (1990) to describe 'feckless' and often absent young fathers in deprived estates of parts of the UK) to frame these riots, which again demonstrated societal fears about the risk posed by supposedly immoral, dangerous and in this case 'feral' youth. In relation to this, MacDonald and Marsh (2005) make the argument that such theories, imported to the UK from the US in the 1990s, about a dangerous, 'new rabble' underclass, were firstly theories about youth and secondly that they were archetypal examples of a more general predisposition to see youth as 'trouble'.

Risk factors and risk prediction

The competing discourses circulating in relation to young people, either portraying them as 'trouble' or 'troubled', continue to exert

influence over current social policy and particularly in relation to criminal justice and social work. Risk thinking has resulted in the proliferation of 'risk factor analysis' theory (Farrington and West, 1990) as a way of organising strategies of redress and prevention. The basic premise is a positivistic one: that researchers and practitioners can predict the likelihood of an individual having a range of 'poor outcomes' later in their lives on the basis of various 'risks' that a person is said to face or possess as part of their personality and/or past experience. The approach is based on wide and long-term quantitative research that has sought to identify the factors that differentiate those who, for instance, face experiences of social exclusion from those who do not, or those individuals who criminally offend from those who do not. Some of the most influential work in this area has been led by David Farrington and is associated with the Cambridge Study of Delinquent Development (Farrington, 2007). This produced a probabilistic theory, based on early risk factors in a child's life, which sought to predict and explain how and why some became offenders. For instance, they influenced the development by the New Labour government of 'Youth Inclusion Projects' (Ministry of Justice, 2000), which were targeted at young people in particular localities deemed most *at risk* of offending and social exclusion. Participants were selected on the basis of the risk factors they were deemed to possess. This risk factor approach has also shaped the assessment instruments that probation officers use in assessing the risks posed by offenders and their criminogenic needs (Robinson, 2002).

Farrington and Welsh (2007) concluded that socio-economic factors and individualised notions of potential in personality or family relationships in childhood predict later forms of anti-social behaviour and crime. Such risk factors include, for instance, high impulsivity, low intelligence, parental conflict or separation, school disengagement and poor educational qualifications, delinquent peer influences, community disorganisation and low socio-economic status. Clearly, each of these 'risks' can be critiqued in and of themselves, yet the great promise of risk factor analysis is that it says we can know who might become at risk of offending on the basis of the risks they face in their early life. Farrington argues that a small group of offenders are responsible for a large proportion of crime and 'these chronics might have been identified with reasonable accuracy at age ten' (Farrington, 1992, p. 531). If this is accurate, then one option is to intervene at an early stage to divert these likely offenders away from crime (which was the key motivation of Youth Inclusion Projects).

The popularity of 'early intervention' (Easton and Gee, 2012) with governments of different hue over the past 15 years has, in part, resulted from the claims of risk factor theory. In essence, Farrington and Coid (2003, P. 7) argue there is a strong predictability about offending, with 'criminal careers' escalating and developing from childhood:

> Hyperactivity at two may lead to cruelty to animals at six, shoplifting at ten, burglary at 15, robbery at 20 and eventually spouse assault, child abuse and neglect, alcohol abuse and employment and accommodations problems in later life.

Notwithstanding the high repute and influence of Farrington and colleagues' work on risk factor analysis, a strong critique has emerged (for example, MacDonald, 2006). This work challenges what it sees as the overly deterministic approach of risk factor analysis and the lack of emphasis given to social actors' own interpretations and accounts of their offending behaviour. For instance, MacDonald (2006), drawing on a range of longitudinal, qualitative and biographically focused studies of young people growing up in some of England's most deprived neighbourhoods on Teesside in the North of England, identifies several potential problems for risk factor analysis (Johnston et al., 2000; MacDonald and Marsh, 2005; Webster, MacDonald and Simpson, 2006 for the original studies). While the Teesside studies found that commonly identified risk factors were *associated with* 'negative' activities and outcomes, there did not, however, appear to be a clearly deterministic relationship. For instance, the majority of young people in the studies with sustained criminal careers had been 'frequent truants' from school but on the other hand, many frequent truants reported zero offending. Similarly, all serious offenders in the studies had low educational qualifications, but so did the overall majority of young people involved, most of whom did not offend. Overall, in the severely deprived localities the researchers studied, the vast majority of participants were identified as having common risk factors, but only a minority developed criminal careers. In other words, MacDonald (2006) argues that the predictive power of risk factors in these studies was weak.

In addition, MacDonald (2006) suggests that it was difficult to define the relative weight or importance of multiple risk factors and, indeed, sometimes risks seemed to generate quite different outcomes. For instance, the loss of a parent or other close family member through bereavement could have different biographical meanings and outcomes for different young people (for example, sometimes turning people towards, sometimes away,

from crime). In other words, 'criminal' and more 'conventional' destinies were not set in stone in childhood, or in youth. Finally, MacDonald (2006) argues that classic risk factor orthodoxy overplays individual- and family-level risk factors and tends to downplay historical, geographic and economic risks. He suggests that the most serious 'risks' facing the young people in the Teesside studies emanated from the fact of being born in and growing up in a locality which had undergone dramatic, severe deindustrialisation. As a result, the stable economic base upon which secure, progressive transitions to adulthood were made, had been removed. In other words, it was structural not individual events, which largely shaped these young people's outcomes.

The debate between structural factors and individual responsibility was also played out in relation to social exclusion and young people. The risk factor approach was influential on the New Labour government in its policymaking in this area, particularly through the Social Exclusion Unit (see Coles, 2000; MacDonald and Marsh, 2005). Some research for the Department of Education and Skills focused on trying to estimate the lifetime costs of young people being 'not in education, employment and training' (NEET) (Coles et al., 2002). As part of their literature review for this project, Coles and his colleagues looked 'at the main risk factors associated with being NEET and the major routes into disengagement' (2002, p. 7). They identified the following: family disadvantage and poverty; having a special educational need; truancy and exclusion from school before the age of 16; low, or no, educational achievements at the age of 16; having poor health (including mental health problems); teenage pregnancy; having parent(s) who are unemployed; membership of some minority ethnic groups; drop out from post-16 education; drop out from government-sponsored training (Coles et al., 2002, pp. 7–8). The researchers pointed out that

> young people from unskilled manual backgrounds were more than five times more likely to be NEET than young people from manage-rial/professional backgrounds, one in four young people living on 'difficult to let' estates gained no GCSEs, five times the national average [and] members of African Caribbean, Pakistani and Bangladeshi ethnic groups were more likely to be NEET than their white contemporaries.
>
> (Coles et al., 2002, p. 8)

Here we see an example of a set of risk factors that, in contrast to some approaches to young people and offending, gives greater primacy

to social structural factors, such as inequalities by social class and by ethnicity. Regardless of research like this, government approaches in the UK continue to prioritise individual- and family-level explanations of 'NEET' (for example, MacDonald and Marsh, 2005), for instance, as evidenced by a recent parliamentary select committee investigation into the problem of 'NEET' (DCFC, 2010).

Youth transitions and the 'risk society'

The work of Ulrich Beck on 'risk society' is another key area that has influenced research and debates in youth studies (Roberts, 2010; Woodman, 2010; Threadgold, 2011). Beck has argued that social and economic change means that the late modern age is one characterised by uncertainty and risks to the extent that we can now talk of a 'risk society'. From his perspective, 'detraditionalisation' has weakened the predictabilities of the modern industrial era so that the influence of social structures in society has waned and class and gender 'scripts' no longer work as life guides. For instance, rather than working-class young people moving smoothly from schooling into working-class jobs (as in Willis's classic 1977 study), the normal class-based transitions from childhood to adulthood have disappeared for many young people. Some writers now claim that working-class young people do not have to inevitably end up in working-class jobs, but they can and do enter higher education, holiday abroad, have access to the consumer items and material goods which more deprived populations were once denied (Furlong and Cartmel, 2007). As a result, society has opened up, options have grown, choices have multiplied, but so too have the risks involved in these unpredictable life courses. It is argued now that 'choice biographies' have replaced 'normal biographies' and in this new world of risk individuals are *required* to become 'the centre of action, the planning office … [of] his/her own biography' (Beck, 1992, p. 135).

Although new choices and opportunities (and risks) face young people in their transitions to adulthood, these have become increasingly individualised and young people now often feel personally responsible for the success or failure of these transitions (Furlong and Cartmel, 2007). However, some writers have challenged aspects of Beck's analysis as it has been applied to young people. Furlong and Cartmel (2007, p. 12) suggest that it can encourage a 'tendency to exaggerate changes and to understate many significant sources of continuity' [in relation to young people's transitions]. In their work, Furlong and Cartmel (1997, 2007) borrow and extend a metaphor from Ken Roberts (1995) of

a train or car journey to capture the idea of how youth transitions are being restructured in late modernity. They suggest that, in the 1950s and 1960s, young people with different class, ethnic or gender 'tickets' boarded trains bound for predetermined destinations. The opportunities for personal decision-making, to switch track and/or destination, were limited. By and large, transitions to adulthood were socially structured, and outcomes were predetermined. However, Furlong and Cartmel argue that now the modern era is so different 'we can best describe the changes occurring over the last 20 years as the wholesale closure of the railways' (1997, p. 6). By this they mean that previously clear routes to adulthood have disappeared and the more individualised transitions of the risk society can now best be compared to a car journey. From this perspective they say that

> the 'driver' is able to select his or her route from a vast number of alternatives … the experience of driving one's own car rather than travelling as a passenger on public transport leads to the impression that individual skills and decisions are crucial to the determination of outcomes.
>
> (Furlong and Cartmel, 1997, p. 7)

In some senses, the expansion of choices for young people in their transitions to adulthood, particularly the options to stay on in post-16 education or training, has created more individualised transitions and a greater sense of choice and agency among young people. But while more choices have been created so have a greater number of risks. If a young person makes the wrong choice, then they feel greater responsibility for that failure. However, Furlong and Cartmel refer to this as the 'the epistemological fallacy of late modernity', where people blame themselves for failings which are not, in fact, their own fault. The apparent opening up of possibilities for young people in their transitions to adulthood has created a false sense of choice and personal agency. Extending the image of the car driver, Furlong and Cartmel go on to argue that

> what many of the drivers fail to realise is that the type of car which they have been allocated at the start of the journey [for example, their class] is the most significant predictor of the ultimate outcome.
>
> (1997, p. 7)

The authors' arguments have been supported by research carried out during the 1990s and 2000s (see Jones, 2002, for a review of research

projects conducted for the Joseph Rowntree Foundation). This has demonstrated that while young people may have an exaggerated sense of choice and personal agency, they also are prone to individualise what are, in effect, structural problems with youth transitions. Consequently, they are inclined to blame structural difficulties, such as becoming unemployed, on their own personal failings. It is Furlong and Cartmel's (2007, p. 2) view that the old inequalities are reproduced in new ways:

> [W]hile structures appear to have fragmented, changed their form and become increasingly obscure … life chances and experiences can still largely be predicted using knowledge of individuals' locations within social structures: despite arguments to the contrary, class and gender divisions remain central to an understanding of life experiences.

A parallel can perhaps be drawn to Furlong and Cartmel's work by examining research on working-class students' experiences of new opportunities in higher education (see Forsyth and Furlong, 2000). Reay and his colleagues (2006, 2010) found that the working-class experience of higher education differs enormously from that of their middle-class peers. Reay and colleagues draw on Bourdieu's (1993) ideas of 'habitus' of embodied cultural capital and Bernstein's (1975) 'expressive order of institutions'. These are, the authors argue, 'embodied in the collectivity of students, in their dress, demeanour and attitudes, in particular, their attitudes towards learning and their degree of confidence and entitlement in relation to academic knowledge' (Reay, Crozier and Clayton, 2010, p. 109). In their study, which explored the experiences of working-class students in UK higher education, the researchers highlight the importance of 'learner identities and social identities of class' as well as the continuing impact of widely differing levels of resources and support. Differences between student experiences based upon their class background and the type of university they attended were substantial and echoed previous American research which indicated that 'social class has an impact on levels of integration and the extent to which students feel that they "fit in"' (Aries and Seider, 2005, 2007). Thomas and Quinn (2007) similarly found that non-traditional students were relatively unprepared for the university experience and lacked a sense of entitlement.

The sense of 'choice' in postmodern society, in relation to particular types of universities, is necessarily constrained and navigated

through tendencies of students from working class and/or minority ethnic groups in the UK to choose post-1992 universities (the former Polytechnics) as suppliers of higher education (Reay, David and Ball, 2006). For it is in these institutions they are most likely to feel comfortable in, and find 'people like us' (Bourdieu and Passeron, 1990). In other words, as with different youth transitions described earlier, the playing field is not level at all, and where you come from will necessarily affect the choices that are made. The choices are not individual choices, but in reality are shaped largely by social structural constraints.

Conclusion

Throughout the contexts discussed before it is possible to detect what psychologist Tanya Byron (2009) calls 'ephebiphobia' or a 'fear of young people'. Young people are situated in these examples as unusual, noteworthy and different (for instance, to adults and/or to how young people used to be). They signify and carry risks not only to themselves but also to society at large. Rarely are the *continuities* between youthful generations noted or the *similarities* between younger and older people the topic of research and commentary. As MacDonald (2011, p. 428) notes, 'the shock of the new' grabs more headlines than 'same as it ever was'. A more important theme cross-cutting these discourses is the way that they tend to individualise young people's behaviours and situations. Contemporary orthodox approaches to understanding youth offending and social exclusion, or in interpreting youth transitions, have a tendency to see young people as *individuals* who are responsible for the risks they pose and for dealing with the risks they face. The wider social and economic pressures, constraints and opportunities that create a greater preponderance of risks *for* some young people, or which create classes or groups of young people perceived as more risky, are too often absent from these sorts of orthodox approach. This chapter has hinted that this need not be the case. MacDonald's (2006) critique of risk factor approaches to youth crime, Coles et al.'s (2002) analysis of risk factors and the 'NEET' problem and Furlong and Cartmel's (1997, 2007) critique of Beck's risk society and the individualisation thesis, all critically engage with the concept of risk and young people's lives. At the same time, they also present an account that pays due attention to the way that structural factors continue to constrain or open up the choices and agency of individual young people. However, it is worth noting that

in *Risk Society* Beck himself discusses the relationship between class inequality and risk:

> Like wealth, risks adhere to the class pattern, only inversely: wealth accumulates at the top, risks at the bottom. To that extent, risks seem to strengthen, not abolish, the class society. Poverty attracts an unfortunate abundance of risks. By contrast, the wealthy (in income, power or education) can purchase safety and freedom from risk.
>
> (1992, p. 35)

In conclusion, it is suggested that structural inequalities play a significant role in shaping, not only the *representation* of who is at risk, nor just the *preponderance* of risk that individuals face, but also the ability of people to cope with such risks. In this sense, risk is not just an individualised or random category of late or postmodern society affecting all equally, but it is also is a socially structured one. Under neoliberal governments in contemporary times – particularly those now rolling back the welfare state under the flag of 'austerity' – we might predict that the risks young people face will increase, as will the 'victim-blaming' that seeks to further individualise the problems of risk for young people.

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Part II
Constructing Risky and 'At Risk' Individuals

7
Redefining Domestic Violence and Abuse: Unintended Consequences of Risk Assessment

Catherine Donovan

Introduction

As neoliberalism increasingly defines the political context within which health, social care and criminal justice agencies are provided in Western democracies so does risk. Its assessment, management, targeting and minimisation is increasingly emerging as defining and organising features of that provision (for example, Hoyle, 2007; Kemshall, 2010; O'Malley, 2010). The approach taken in this chapter is one that critiques those who have characterised late modernity as the 'risk society' (Beck, 1992). Instead it combines the analytical tool box of governmentality (Rose, O'Malley and Valverde, 2006) with cultural approaches to risk (Douglas, 1992) and seeks to unpack the contradiction inherent in current policies for domestic violence and abuse (DVA); and the implications of this for understanding DVA, practice in response to it and victim/survivors. This contradiction on the one hand defines DVA as a social problem that anyone might be at risk of, while on the other hand produces a particular heteronormative intimate-partner relationship as the dominant model through which the highest risk (for instance, of domestic homicide) is experienced. The socially constructed and contingent nature of risk in this context underpins the argument. At the same time it is asserted that, while the risk factors identified as associated with the highest risk are problematised, the social behaviours experienced as DVA are understood to be real in their effects. In the case of DVA, this is demonstrated in embodied as well as other material ways.

In order to develop this argument there is first a discussion about the role of risk in contemporary UK governments' approaches to addressing what can be broadly called social problems and DVA in particular. This is followed by an overview of the central paradox referred to previously,

that while the most recent cross-government definition of DVA suggests the universality of its risk, the utilisation of risk-assessment tools reproduces a particular relationship as representing the 'real' – that is, the highest – risk. There is then a short explanation about two empirical studies that the section following on draws from to discuss the key themes. In the conclusion the implications of the contradiction are considered.

Risk as the guiding principle for social action

Rose (2000, p. 4) argues that Western democracies are becoming governed 'at a distance'. The state has been castigated for creating dependency cultures and so, he argues, self-regulation, autonomy and responsibilisation are being fostered and promoted by a state that stays as far away from individual (and local) decision-making as possible. Instead of the state, individuals and localities are encouraged to consult with experts and the market to get the best deal and/or decision for themselves and their family. This neoliberal approach covers every aspect of life from education and health through to security and pensions. Alongside these developments, risk discourses have emerged to shape and influence the decisions that individuals and localities can make with their budgets and other resources. Expert analysis is drawn on to provide information about how to avoid risks that could result in penury, disease, early death, victimisation and so on. At the same time, as Garland (1996) has argued, the state has also been engaged in a rethinking and re-forming of its approach to what can be generally termed 'deviance'. Here the state has conceded that it is no longer able to fulfil its side of the contract with its citizens: there has been a move away from the goals of rehabilitation and decreasing deviant behaviours to an acceptance of deviance and the need to manage and/or accommodate it better within society (see Chapter 10 by Ballantyne in this volume). Thus, Garland argues, while the state retains its commitment to respond in the harshest ways possible to those offenders who present the very highest risk to society, it also expects 'ordinary' citizens to be responsible for their own financial and personal security. Again, the discourse of risk is central to these developments as citizens are exhorted to pay attention to the risks of becoming victimised through crime while the state introduces measures to identify those who present the highest risk at whom resources can be targeted.

Unlike the approaches of Beck and Giddens (1999), Rose and Garland's arguments are not applied in absolute terms. For example, there is

evidence that rehabilitation is still attempted with some offenders, as is prevention, particularly with young people (see O'Malley, 2010). In addition, the police are still the first port of call for many people when they are experiencing what they understand to be an emergency, regardless of the extent to which they might have taken more responsibility for their predicament. However, notions of risk have come to be central in many parts of the criminal justice system as a way of naming, and responding to those who might, or do, engage in risky behaviour. In fact, as Rose (2000, p. 12) argues, many professionals across health, social care and criminal justice system agencies have been challenged to think differently, to engage in 'risk thinking' in which they act in the present to avoid the results of their calculations about what could happen in the future. And herein lies the fundamental problem: whether or not the identified risk constitutes something 'real', tangible and/or identifiable; whether the risk can be measured or quantified in ways that professionals can recognise and discuss; and whether these calculable risks are actually dependable for making predictions about future behaviours and/or consequences.

For Beck (1992) the very attributes of the enlightenment project – reason, the pursuit of truth and the progress of humanity to improve their situation on earth – have created a new world in which uncertainty, ambiguity and the management of risk have become the defining features of everyday life at individual and collective levels. Heaphy (2007) argues that Beck and Giddens, by slightly different routes, reach similar conclusions: that contrary to the arguments outlined previously, late modernity or the risk society has seen the discrediting of experts – since they can no longer be trusted to know 'the truth' – and a corresponding increasing emphasis on self-reliance and the 'do-it-yourself' biography. Both authors imply that the risks are 'real' and 'man-made', yet while the phenomena under investigation might be real in its effects on individuals, groups and society, it is debatable the extent to which the risks extrapolated from them are real or socially constructed. The argument is increasingly made that risk, calculated as a statistical probability, is inherently problematic, not least because it constructs the aggregate of a group of people's behaviours rather than 'real' behaviours and is, therefore, actually a poor predicator of individuals' behaviours in the future (Simon, 1988; see also Walklate and Mythen, 2011). In other words, risk factors and risky behaviours are too often assumed to define a forensic concept (Walklate, 1997), particular kinds of people or groups of people who present risks without allowance being made for how far away from an actual individual's behaviour or experiences they might be.

These arguments suggest that the construction and perception about what and who is risky are the consequence of particular historical, social and cultural contexts (Douglas, 1992). This reminds us that they can be transitory, contingent and often politically expedient. Particular groups of experts have emerged whose epistemological and ontological approach both reflect and contribute to the politically desired agenda of the neoliberal state. This agenda intends to diminish the role of the state, particularly in terms of welfare and crime control and is underpinned by both economic and ideological drivers. To achieve this goal, risk assessment as a mode of practice has been introduced across many education, health, social care and criminal justice system contexts, both within agencies and across them as social problems are increasingly understood as multifaceted requiring partnership working. Professionals are expected to systematically apply risk assessments of potential service users which can be seen to achieve several regulatory aims: economic, insofar as targeting and rationing of diminishing resources is enabled; and for surveillance of professionals, insofar as they are intended to promote consistency of practice and accountability. Yet through these practices it is also the case that the social problems being assessed can be reproduced in particular ways that reinforce an understanding of them through specific behaviours, types of people and relationships. This can have, albeit unintended, consequences for those actual and potential service users excluded from provision as a result. In the domestic violence context, the changes these policies have provoked in practice also tend to contradict and undermine broader understandings of DVA.

Defining and redefining DVA through risk

DVA remains the crime with the highest repeat victimisation rates and it is this that often distinguishes between women and men's experiences of violence from an intimate partner (Smith et al., 2010). One in four women will experience DVA in their lifetime (Walby and Allen, 2004) and in the UK, on average, two women a week are killed by a current or ex-partner. Heterosexual women are most likely to be the victims of domestic homicide and DVA and, compared with men, are most likely to suffer the most severe of physical injuries along with long-term mental health problems. Children also can sustain physical and mental, educational and behavioural consequences. In the past 20 years domestic violence has been transformed from being understood primarily as a private trouble to a public concern (Wright-Mills, 1959). This shift is in

no large part due to the efforts of the women's movement that, through the development of practice, activism, scholarship and politics, have challenged the traditional view of domestic violence as an inevitable and private aspect of heterosexual relationships. As a result of a recent public consultation (Home Office, 2011a) a new, cross-government definition has adopted the term 'domestic violence and abuse' which is used in this chapter. The new definition of DVA gives an indication of how far changes in understanding have gone outlining not just the range of behaviours that can be included as DVA but also the range of relationships in which DVA might take place, and the range of people who might be domestically violent:

> Any incident or pattern of incidents of controlling, coercive or threat-ening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial, emotional.
>
> (Home Office, 2013)

These changes in understanding the issue and accompanying changes in policy directed at addressing DVA began in earnest with the New Labour Governments from 1997 when, as one aspect of violence against women and girls, it emerged as a key policy issue and was given a Home Office Lead Officer for the first time. National targets dedicated to making perpetrators accountable and prioritizing the safety of victim/survivors and their children were also established and audited through local authority best performance indicators. As with other areas of health, social care and criminal justice in late 20th/early 21st-century UK, the policy approach focused on risk as the key organising con-cept: as a way to promote multi-agency working through information exchange about the risky behaviours of perpetrators; to develop safety planning with victim/survivors and their children; and to encourage better use of the criminal justice system in calling perpetrators to account (see Hoyle, 2007 for a detailed discussion of the developments in policy). Yet the changes in practice these policies have promoted tend to contra-dict the aforesaid understanding of DVA.

In DVA a risk-assessment industry has emerged which relies on quantitative research to identify factors correlated with domestic homi-cide and attempted homicide (see, for example, Campbell, Webster and Glass, 2009 in the US and Richards, 2003 in the UK). As a result,

particular behaviours, socio-economic characteristics and experiences of heterosexual female victim/survivors and heterosexual male perpetrators have been grouped together and represent a threat to societal moral, cultural, social and legal norms in relation to how people should behave in their intimate lives. However, in spite of the 'scientific' production of these risk factors there is evidence that they are deeply unstable as representative of 'real' life. As Ballantyne argues in this volume, they are based on what is known about convicted perpetrators of DVA and/or domestic homicide and the accounts of heterosexual female victim/survivors of attempted homicide, which is a very small proportion of those who actually engage in DVA (Hester, 2005).

In addition, Hoyle (2007) has shown how different risk-assessment tools include different factors and leave out others such that there is inconsistency both about what constitutes an exhaustive list of risk factors and their relative importance. The changeable nature of risk (regardless of whether the dangerous behaviours from which risk is extrapolated are real or not) then adds to its insecure and sometimes suspect position as an organising concept for practice. In addition there is mixed evidence about how risk-assessment tools are used in practice. On the one hand risk-assessment tools can inhibit practitioners' exercise of professional judgement or are used inconsistently because they are subjectively applied by each practitioner (for example, Walklate and Mythen, 2011). On the other hand risk-assessment tools can be usefully employed to standardise practice and ensure accountability (Hoyle, 2007; Walklate and Mythen, 2011), particularly within the police who, in relation to DVA, have historically had a poor track record (see Robinson and Rowlands, 2009). There is also evidence, in other contexts, that many practitioners resist relying solely on risk-assessment procedures in favour of using other kinds of intelligence about an individual or a situation alongside the risk assessments and thus draw on a more holistic approach to making decisions (for instance, Kemshall, 2010). The impact of different organisational, professional and situational factors further underlines the ways in which risks are not only in themselves socially constructed but also, through their utilisation, (re)construct professional and partnership practice, as well as, in this case, what can be 'known' about DVA.

The studies

This chapter draws on empirical data from two studies conducted in the North East of England and Cumbria. The first was an evaluation

of two early intervention projects (one in an urban area and one in a rural area), which provided a holistic service to perpetrators of domestic violence, victim/survivors and their children in crisis (see Donovan et al., 2010). The evaluation took place between 2004 and 2008 and the data focussed on here relates to the different outcomes in terms of risk reduction, time spent in the project, and needs of different groups of victim/survivors (N=276) in the rural Project. The second study was of the barriers and facilitators of referrals of lesbian, gay, bisexual and transgender (LGBT) DVA victim/survivors to Multi-Agency Risk Assessment Conferences (MARACs) in three police units in one police force area in the North East (Donovan, 2010). In this study interviews (N=7) were undertaken with MARAC Coordinators, Independent Domestic Violence Advocates (IDVAs) and Senior Police Officers in the Public Protection Units in the three force units; and data collected on the numbers of LGBT victim/survivors referred to the three MARACs since they had begun in each force unit.

Addressing the risk of domestic violence: The practice and policy context

The national domestic violence agenda has at its heart a triumvirate of interventions: MARACs and IDVAs which are the focus of this chapter, and Specialist Domestic Violence Courts (SDVC). These were embedded in the National Domestic Violence Strategy in 2006/7 (Home Office, 2006/7). This so-called Coordinated Community Response (CCR) has at its core the MARACs, led by the police and recognised as a homicide or femicide (Regan et al., 2007) prevention tool. These bring together practitioners from core partner agencies to consider victim/survivors of domestic violence who are at the highest risk as assessed by a risk-assessment tool. IDVAs support the victim/survivors considered at MARACs as well as undertaking risk assessments and making referrals to the MARACs where appropriate. Evaluations of these interventions show they have contributed to favourable outcomes for victim/survivors of domestic violence. Robinson (2004) demonstrated evidence of the effectiveness of MARACs over a one-year period with six in ten victim/survivors reporting cessation of repeat victimisation at six months and four in ten remaining free from abuse at 12 months (see also Robinson and Tregidga, 2007). Howarth et al. (2009) showed evidence of the effectiveness of IDVAs in reducing risk for victim/survivors over a one-year follow-up period, and Community Action Against Domestic Abuse (CAADA, 2012) found that IDVAs report that 76 per cent of victim/survivors

experienced a reduction in risk level by case closure. Coy and Kelly (2011, p.110) found that IDVAs rather than MARACs 'made the most contribution to reducing risk'. There are now upwards of 250 MARACs across England and Wales even without comprehensive evidence of their effectiveness (see Steel, Blakeborough and Nicholas, 2011). Yet the Violence Against Women and Girls Action Plan (Home Office, 2011b, p.15) specifically sets aside money to support their maintenance and some development.

A risk-assessment tool for DVA has been promoted by CAADA, the national agency providing accredited training, policy and protocol templates for IDVAs and MARACs. The tool is a 'live' one insofar as it is reviewed and redeveloped in order to best assess the risk presented to those victim/survivors experiencing DVA, forced marriage, and stalking. However, the rate at which a new version of the tool can be adopted by MARACs is dependent on many factors. For instance, during the study exploring the barriers to and facilitators of LGBT victim/survivor referrals to MARACs, it became clear that the latest version of the tool, for example, the Risk-DASH (Domestic Abuse, Stalking and Harassment) had not been adopted by the police force. Reasons given were because they had only very recently invested in a computer database which was designed around the earlier version of the risk-assessment tool. While the new version had 24 questions, the earlier version had 20, but the police force believed that latter was sufficient (Donovan and Rowlands, 2011). This illustrates the ways in which risk-assessment tools which are understood as dynamic by their creators become static when adopted within a budget-strapped bureaucracy that is unable to respond more flexibly to change. This also has implications for how behaviours translated into risk factors can come to be reified as constituting real DVA, and as a consequence, who is at risk. Operationalising the risk-assessment tool can also have this effect through the habitual use of the tool in everyday working practices.

A close examination of the 20 questions in the risk-assessment tool illustrates how a particular account of DVA emerges defining the circumstances that pose the highest risk to victim/survivors. For instance, eight of the 20 questions foreground the importance of actual or threatened physical violence, including sexual violence and whether there has been recent escalation in the abuse. Four questions concentrate attention on exacerbating factors in the abuser's life (whether they have a prior criminal record for violence or drugs, or recent financial difficulties) and aggravating problems (such as mental health or substance use). The fourth question asks whether either the abusive

partner or the victim/survivor has threatened or attempted suicide. Only four questions focus on emotional abuse (the abuser's jealous and controlling behaviour, the victim/survivor's isolation from family and friends, their suspicions about being stalked and whether, and of what or whom, they are very afraid). Four questions also include references to children or focus on issues related to children (whether there is conflict over contact, whether the victim/survivor is pregnant). Taken together with the emphasis on physical violence and a prior record for serious crime, both predominantly associated with masculinity, the questions about children could be seen as reinforcing a heteronormative model of DVA. A final question considers a further trigger factor for DVA which is whether the victim/survivor has recently separated from the abusive partner.

Five of the 20 items are identified as 'significant concerns' and have a separate weighting. As three out of these five refer to physical violence and escalation, this reinforces the construction of physical violence as the most important characteristic of the DVA experience. The other two refer to whether the abusive partner has a criminal record (for violence/drugs/breach of injunction), and whether the perpetrator behaved in jealous/controlling ways. A third calculation of risk rests on the number of times a victim/survivor has reported their experiences to the police and consolidates the positioning of the DVA experience within the criminal justice system – an incident-based model of prior reports and previous convictions. The final risk level allocated corresponds to the number of ticks given to the 20 questions, the number of significant concern ticks achieved or the number of reports made to the police in specific time periods. Taken together, these three ways provide a calculation of the risk posed to a victim/survivor by a perpetrator of DVA constructed primarily as an experience of actual or threatened physical violence enacted by a partner with a particular kind of criminal record. Putting aside the implications of the arbitrary nature of how different tick scores have been equated to particular risk levels, the broader point is made that risk-assessment tools can be both restrictive and constitutive of understandings of DVA and agency responses to it.

The risk-assessment tool is restrictive in several ways, not least of which relates to what happens to those assessed below the highest risk. It is not clear nationally what processes exist for responding to those assessed as being at standard and/or medium and/or high risk other than referrals to local partner agencies, such as Victim Support (Hoyle, 2007; Home Office, 2011a). However, it is also not clear that the risk-assessment process correctly identifies those who actually

face the highest risk. The criterion identified as a core definer of risk – that is, repeat reports to the police for DVA – is not universally accepted as a stable risk factor (see Campbell, 2004; Hoyle, 2007; Coy and Kelly, 2011). For example, Walklate and Mythen (2011) cite a reference in Westmoreland to a review of 13 domestic violence homicides which found that seven had no reports to the police for domestic violence prior to the homicide and that, of those who had been risk assessed using Risk-DASH, none had been identified as being at the highest risk. Yet, Campbell's (2004, p. 1471) analysis suggested that it is among women at the highest risk that prior reporting to the police 'was strongly protective', while for those at the lowest risk it 'increased the risk of murder or attempted murder'. Campbell's findings while seeming to support the inclusion of repeat reporting to the police as a core definer of those at the highest risk also confound the usefulness of repeat reporting as a risk factor. Those who would be allocated a lower risk level might actually be safer because they do not report their experiences to the police which suggests that the help-seeking behaviors of victim/survivors need further investigation in order to best assess risk levels. If somebody's risk of being murdered or experiencing an attempt of murder might be increased if they make a report to the police, it would suggest that, should they report to another agency, they should be allocated the very highest risk level.

In fact, only a small proportion of DVA victim/survivors make a report to the police. In the UK, the British Crime Survey (Smith et al., 2012) describes only 29 per cent of women experiencing DVA doing so. It is therefore entirely possible that not enough is known about the circumstances in which victim/survivors live to have any certainty about risk factors. In the study exploring the barriers and facilitators to LGBT victim/survivors being referred to MARACs, it became clear that it would be almost impossible to include these victim/survivors because they so rarely report DVA to the police. In their study of same-sex DVA, which included help seeking, Donovan and Hester (2011) found that the police were the least likely agency for victim/survivors to report to, whereas for heterosexual women they are the first (Walby and Allen, 2004). Thus the criteria itself excludes potential victim/survivors from being understood to experience the highest risk. Yet, in one of the police units, prior reporting to the police of four incidents in the previous six months had become the key criterion for a referral to the MARAC as a device to manage capacity at the MARACs (Donovan and Rowlands, 2011). The resulting exclusion both positions LGBT victim/survivors

outside the constructed typical DVA relationship and reinforces that relationship as heterosexual.

The focus on physical violence is also a cause for concern in the risk-assessment tool. In their review of homicides in one county in England, Regan et al. (2007, p. 8) found that

> cases reveal the limitations of a narrow crime/incident-based approach to [DVA] which emphasises physical assaults potentially leading to a lack of focus on cases that do not fit risk management priorities. Understanding of the dynamics of coercive control was more revealing in these cases than risk-assessment models.

The risk-assessment tool only includes three questions about emotional abuse: the abusive partner's jealousy and controlling behaviours, the victim/survivor's sense of isolation and their suspicion that they might be being stalked. A question asks whether the abusive partner has recently experienced financial difficulties suggesting this is understood as a trigger to abusive behaviours. There are no questions asking whether and how an abusive partner controls the money in the relationship despite the cross-government definition which names both emotional and financial abuse as part of the range of abusive behaviours constituting DVA. The risk-assessment tool seems at odds with this and remains, as Regan and colleagues argue, focused on an incident-based approach to understanding DVA.

Another outcome of using a risk-assessment tool is the potential it has to regulate normative practice. In the rural Project it was possible to undergo some in-depth investigation of those victim/survivors in adult intimate relationships (N=276) who had engaged with the Project to ascertain whether there were any correlations between demographic factors and risk reduction. In the event three core groups of victim/survivors emerged that are of interest here: *Typical* (50 per cent of the total, n=137) were heterosexual women experiencing domestic violence from their male partners or ex-partners; *Complex Typical* (38 per cent, n=106) were heterosexual women experiencing domestic violence from their male partners who were also characterised by one or more complex needs such as unemployment, homelessness, disability, having a child 'at risk', having substance use problems. The third category were *Complex Atypical* (12 per cent, n=33) who were either heterosexual women identified as victim/survivors and perpetrators, male victim/survivors or victim/survivors of same-sex relationships, all of whom had complex needs (Donovan et al., 2010). Those in the *Atypical Complex*

group were the least likely to experience risk reduction, stayed engaged for longer (the *Atypical* group stayed engaged for just over 13 months, the *Complex-Typical* group just over eight months and the *Typical* group just over six months) and required most project effort. Those who were *Atypical* were also most likely to experience an increase in risk.

Since most of the victim/survivors experienced complex needs this raises a serious problem for the MARAC/IDVA model of practice that is based on short to medium intervention, that is, up to four months (see also Coy and Kelly, 2011). It also raises a concern about the potential consequences for re-casting victim/survivors as being to blame for the abuse they experience if they do not make the identified changes required to reduce their risk in the time provided (see also Hoyle, 2007). It was also the case that the complex needs were not correlated with the risk-assessment tool being used. The latter focuses primarily, as described above, on the perpetrator characteristics, behaviours and trigger factors but the MARAC process focuses on the victim/survivors and the interventions that are required to keep them and their children safe without similar systematic assessment of what might be needed by the victim/survivors to do so (Donovan et al., 2010).

The outcomes for those in *Atypical* relationships also raises a more fundamental problem with the risk-assessment tool which is that 'real' DVA is equated with potential domestic homicide and constructed as a problem primarily of physical violence presented by heterosexual men to heterosexual women. In addition, these men are typically those who have come to the attention of the police before and/or have convictions for serious crimes. Given that most of those convicted of serious crimes are heterosexual men from working-class backgrounds and, depending on the locality, black men (for example, see Shaw, Tunstall and Dorling, 2005), the risk-assessment tool, notwithstanding its gender-neutral language constructs DVA as a problem of physical violence and a problem of working class, and in some localities, black, heterosexual men with a specific kind of police record.

However, it is made clear in the cross-government definition that DVA occurs in other kinds of ways and in other kinds of relationships. Participants interviewed in the study of LGBT referrals to the MARACs agreed that domestic violence is presented and understood as a heterosexual problem and that this might have consequences for LGBT victim/survivors. The study found that the MARAC process itself was constructed in such a way that LGBT victim/survivors could be excluded in at least four ways. First the risk-assessment tool constructs

DVA through a heterosexual lens and is applied by practitioners for whom that model reflects their own practice-based understanding of the problem. Second, the criterion of repeat reports to the police is rarely going to be achieved by LGBT victim/survivors. Third, the police make the most referrals to the MARAC which reinforces a criminal justice approach to DVA which excludes LGBT victim/survivors. Finally, only one MARAC included an LGBT agency on its panel, thus reducing the chances of including agencies that LGBT victim/survivors might report to. In this study, between July 2009 and June 2010 0.63 per cent (16 out of a total of 1848 cases) of those referred to MARACs were identified as being LGBT victim/survivors. None were bisexual or transgender, and most (12) were identified as lesbian (Donovan, 2010). It is not possible to say the extent to which this percentage is disproportionately small because there are no reliable national figures for same-sex domestic violence, however, it is accepted that this is unacceptably low (see also Robinson and Rowlands, 2009).

An important caveat to the aforesaid is that, in the application of the risk-assessment tool, importantly, practitioners are invited to use their professional judgement about the risk they believe the victim/survivor to be at. This input can, in theory, veto any calculations of risk. As has been found in other contexts, risk assessments have not yet displaced practitioners' skills entirely. Practitioners can and do resist relying only on risk-assessment tools in favour of a more holistic assessment that draws on their relationship with and knowledge about the clients being assessed in addition to their accumulated professional experiences, skills and knowledge (see O'Malley, 2006; Kemshall, 2010; Walklate and Mythen, 2011). Thus risk assessments are utilised often as a way of undertaking an initial screen of service users, and they may be deferred to when practitioners sense that caution should guide their decisions (Kemshall, 2010), but often in practice they are seen as a tool rather than the only process by which risk should be assessed. In the study of LGBT victim/survivor referrals to MARACs, it became clear that the professional judgement aspect of the risk-assessment tool was of great importance for the IDVAs in terms of responses to LGBT victim/survivors but they were concerned that, even when they used the text box, the police controlled the decision-making about which referrals made it into the MARAC. It is worth observing that there have been few studies of how the police work with risk-assessment tools who, in the case of DVA are the professionals most likely to make a referral to a MARAC. Hoyle (2007) found that, while officers attending the reported incident were willing to complete a risk-assessment form, they were reluctant

to go any further expecting that specialist domestic violence officers would take over the risk management. Others have argued that such tools have provided the police with processes that promote account-ability and systematic investigation of DVA incidents (see Robinson and Rowlands, 2009). It is, therefore, possible that in this professional context risk factors from the tool become reified as constructing the only ways in which DVA can be understood and experienced increas-ing the possibilities of exclusion for those victim/survivors whose accounts do not immediately fit. For example, evidence from North America shows that the police are less likely to take DVA in same-sex relationships seriously than that between men and women because of the myths that exist about it not being as serious as it is a fair fight (Pattavina et al., 2002).

Finally, in the DVA field, listening to victim/survivors' assessments of their own risk is increasingly promoted as crucial to any risk assess-ment and is embedded in the risk-assessment tool. Yet even here there is disagreement about the relative importance of victim/survivors' self-assessment of the risk they face. Some argue that victim/survivors tend to minimise the risk they face while others argue that they are in the best position to understand and assess the risk their perpetrator poses for them and their children (see Hoyle, 2007). Campbell (2004), on the other hand, has argued that the position is more complicated and that female victim/survivors should be listened to when they identify that their abusive partner poses serious risk but, if they do not perceive their partner posing any serious risk, risk-assessment tools should also be used to identify the possibility that they are underes-timating the risk they face. This further suggests that a more sophis-ticated understanding of DVA is required than the application of the risk-assessment tool in a 'tick box' approach and has implications for training which, among the police, has been shown to be patchy (see Hoyle, 2007).

Conclusion

The benefits of adopting a risk-assessment approach to DVA are numer-ous. Categorising risk can elicit a sense of control in two ways. First, over the behaviour of abusive partners and/or families who can be seen as out of control and threatening to the safety of victim/survivors. Secondly, over practitioners and/or agencies that historically have not always understood or acted on the seriousness of domestic violence. By adopt-ing a risk-assessment tool, the latter can be both skilled up in what is

important to look for and ask about in relation to domestic violence and made accountable for their professional responses to victim/survivors (Hoyle, 2007). However, the consequences, albeit unintentional, of a policy focus on those victim/survivors of DVA who are at the highest risk are fourfold. Reliance on risk factors garnered from heterosexual women's experience alone make the risk-assessment tool unreliable for identifying LGBT victim/survivors of DVA. The risk-assessment tool in itself creates/reinforces a heteronormative model of domestic violence that foregrounds physical violence and particular kinds of heterosexual male perpetrators. This includes the focus on repeat reporting to the police as a criterion for identifying those at the highest risk and those perpetrators with criminal records. The former negates the help-seeking behaviours of those experiencing DVA for whom the police is often not considered as a source of help but also the evidence which suggests that under a third of those experiencing DVA ever report their experience to the police. The latter focuses attention on a particular group of heterosexual men, which can preclude consideration of other heterosexual male or female, lesbian, gay, bisexual and/or transgender perpetrators. The predominance of physical violence in risk-assessment tools also diminishes the importance of abuses which may actually be of more importance in identifying coercive control (see Regan et al., 2007). Finally, the focus on those at the highest risk is likely to prevent attention being paid, both by practitioners and victim/survivors, to those experiences that are/might be assessed as standard, medium and high risk before it develops into a pattern of abusive behaviours that present significantly higher risk.

That the design of the risk-assessment tool has been based on heterosexual women's experience is not surprising given the overwhelming evidence that this group is the most numerically victimised in intimate-partner relationships. However, DVA is in danger of becoming 'fixed' as being a set of heteronormatively constructed behaviours enacted by a particular group of people. This does not reflect the cross-government definition of DVA. Use of professional judgement can override this bias but depends on the ability of agencies to respond flexibly to a live risk-assessment tool and practitioners being skilled up to think more fluidly about DVA and embrace the more inclusive definition.

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8
Technologies of Power? Constructing Digital Exclusion, Risk and Responsibility

John Clayton

Technology and risk

> The number one benefit of information technology is that it empowers people to do what they want to do. It lets people be creative. It lets people be productive. It lets people learn things they didn't think they could learn before, and so in a sense it is all about potential.
>
> (Steve Ballmer, Chief Executive, Microsoft, 2005)

The relationship between technology and risk is not straightforward. The current period of development in Western societies, whether conceptualised as 'late modernity' (Giddens, 1991), 'liquid modernity' (Bauman, 2000) or 'postmodernity' (Harvey, 1990), is defined by the increasing prominence of information and communication technology (ICT) in our lives. As indicated above, this is often viewed in a positive manner, with ICTs presented as empowering. At the same time society is seen to be organized around exposure to new forms of risk often brought about by technological change (Beck, 1992), including a rapidly evolving global economy and demands for an increasingly flexible workforce. New technologies have also been associated with other dangers including inappropriate content and use, surveillance and overuse (Byron, 2008). Whether the increasing proliferation of ICT facilitates the reproduction of such risks or militates against them is debatable. As a way of contributing to this debate, risk is not viewed here as a generic feature of contemporary society, but as a set of ideas which are constructed and reproduced through specific political discourses with very real consequences.

In this chapter it is contended that policy intervention and the extension of such interventions into everyday life can be problematic when framed as a tool for enforcing certain kinds of conduct and constructing new forms of risk. In this case, the ways in which neoliberal rationalities drive digital inclusion policy can be increasingly seen to construct digital exclusion as a new form of privatised risk. By reviewing policy orientations under the New Labour Governments (1997–2010) and the Coalition Government from 2010 in the UK, it is argued that the dominant discourse of digital inclusion can be understood as a technique of governmentality (Foucault, 2007) that constructs new ways of thinking about risks of exclusion from technology and from society more generally.

Governmentality is understood here as state power exercised through myriad practices (including self-regulation), which work to produce taken-for-granted constructions of truth and in so doing align behaviour with dominant political and economic positions. For example, as Lemke (2007, p. 44) points out, government interventions are rationalised and operationalised through

> the delineation of concepts, the specification of objects and borders, and the provision of arguments and justifications.

The notion of governmentality is therefore used as an entry point to understand the manner in which digital inclusion is seen as both a response to a set of objective risks, while simultaneously constructing new forms of risk in a 'digital age'.

From this perspective, the rationales underpinning digital inclusion require closer interrogation, particularly in terms of the extent to which policies reinforce or disrupt established socio-economic relations. Therefore, this chapter firstly reviews the principles underpinning digital inclusion policy under New Labour, the first government to make it a cornerstone of their social policy initiatives. Then follows a discussion of some recent research based on the experiences of socially excluded communities in the North East of England, which shows that the potential of technology alone to achieve transformational outcomes presented as part of the digital inclusion agenda is questionable. Putting faith in technology as a 'magic bullet' (Warschauer, 2003) also presents an ideal opportunity for further dispensing with wider social and state-led responsibility for broader socio-economic challenges. This is further explored through an analysis of more recent policy developments under the Coalition Government that came to power in 2010. This

Government has looked to shift responsibility for the digital agenda on to other non-state-based actors, and the conceptual lens of governmentality allows us to highlight the continuing but distanced reach of the state in supporting a certain version of inclusion. It is argued that the capacity of technology in and of 'itself' to act as a transformational tool, the individualised rhetoric around computer access and ownership and the tendency embedded within neoliberal political practices to privatise risk, leaves more marginalised social groups exposed to blame for continued socio-economic inequalities.

New Labour: Risk reduction and risk-taking

Digital inclusion, as a branch of social inclusion, was first employed in the UK by interventionist but also broadly neoliberal (Hall, 2003) New Labour Governments from 1997 to 2010. Defined by the Social Exclusion Unit (2001, p. 10) as 'what can happen when individuals or areas suffer from a combination of linked problems', social exclusion differs from conventional definitions of deprivation, by focusing upon multidimensional processes that exclude individuals from the mainstream (Phipps, 2000). The 'socially excluded' are identified through a series of measurements and indicators based on a range of factors, generally thought to include employment, education, health, social networks and access to services. From a Foucauldian perspective, these measurement techniques render thinkable, and therefore manageable, a population which is subject to interventions at a range of levels. Importantly, exclusion is also located *within* and seen to *belong to* specific neighbourhoods, rather than resulting from uneven development inherent with capitalist relations (Cameron, 2006). Rooted within a Third Way political philosophy (Giddens, 1998), social inclusion therefore emphasises the mobilisation of 'active citizens' (Raco and Imrie, 2000) in the resolution of their own problems. This marks a continued move away from welfarism and social-democratic models of government, towards a discourse in which individuals are seen as responsible for and required to deal with the risks that modern life throws at them. Social policies driven by this philosophy 'are meant to guide people not merely toward (more) activity, but also toward the adoption of "pro-active" behaviour, understood as planned, purposive and prudential action' (Lessenich, 2011, p. 312). Under New Labour there was a clear role for the state in facilitating and overseeing this mobilisation, but accountability for socio-economic problems increasingly shifted towards citizens and communities. Through such a discourse risk-taking

is not seen as entirely negative and is actually encouraged as a necessary requirement for participation in the wider society and economy.

In tracing the development of digital inclusion policy in the UK there is a clear trend towards a form of government 'where indirect, non-coercive techniques are deployed by the state in order to guide and control individuals' behaviour, while insisting that such behaviour is the responsibility of individuals themselves' (Imrie, 2004, p. 130). Digital inclusion policy is identified here as a technique of governmentality (Foucault, 2007) and consists of a set of practices which act as a mechanism for the regulation of citizens' conduct in line with dominant, yet contestable, political goals. At the heart of the concept of governmentality is the management of populations in line with dominant understandings of what is considered desirable. As Rose and Miller explain (1992, p. 175):

> Central to the possibility of modern forms of government, we argue, are the associations formed between entities constituted as 'political' and the projects, plans and practices of those authorities – economic, legal, spiritual, medical, technical – who endeavour to administer the lives of others in the light of conceptions of what is good, healthy, normal, virtuous, efficient or profitable.

In the realm of digital inclusion policy, governmental practices have, in different ways, been driven by a range of neoliberal values including individual competitiveness, promotion of opportunity over equality, economic integration and the increasing focus on technology as the locus of individual responsibility.

While state intervention in this area has been challenged (Fink and Kenny, 2003), it is clear that market forces alone will not adequately address the unequal distribution of ICT resources (Graham, 2002). Therefore, from 1997 the UK government developed a range of policies and programmes that sought to harness computer and mobile phone technologies as inclusionary tools for those outside both the digital and socio-economic mainstream (UK Government, 2006). By 2008 the Department of Communities and Local Government was defining digital inclusion as 'the best use of digital technology, either directly or indirectly, to improve the lives and life chances of all citizens and the places in which they live' (DCLG, 2008, p. 8), placing faith in technology to overcome entrenched problems through intermediaries in the public, third and private sector. The direct reach of the state is limited and the ability to operationalise political agendas 'on the ground' requires

a range of agencies to deliver. Under the New Labour Government, the attempt was made to achieve this aim through partnership-working and community engagement (Balloch and Taylor, 2001).

A commitment to increased digital connectivity (improved access to the Internet), captured in the title of the National Digital Inclusion Conference in 2008 – 'Reaching the final third'[1] – was originally driven by three apparent aims. Informed by the desirable outcomes Rose and Miller (1992) mention previously, the aims were (i) the provision of more equitable access and resultant socio-economic benefits, (ii) the adaptation of the national workforce to an emerging knowledge economy and, (iii) what has been termed 'the business case' in the expansion of e-Government activities. All three strands were promoted through the idea that technology can act as a powerful tool for change and empowerment.

(i)   Improving access and benefits

Firstly it has been suggested that digital inclusion was driven by a moral obligation to allow access to ICT for those excluded by cost and market failure, and as a result, to include communities within mainstream society (Selwyn, 2002). This was seen as a way of addressing an uneven distribution of resources, but also as a powerful means of addressing connected issues such as health, independent living, education, employment and the building of community-based social capital framed as community cohesion.

The tangible benefits of becoming integrated into a digitally enabled society and of avoiding a whole series of potential risks include: jobs being easier to find (McQuaid, Lindsay and Greig, 2004), skills and confidence being better developed (UK Online Centres, 2009), goods and services becoming cheaper (PricewaterhouseCoopers or PwC, 2009), educational achievement being enhanced (BECTA, 2007), social skills developed (Webb, 2006), social networks extended (Hampton and Wellman, 2003), greater political participation facilitated (Digital Inclusion Team, 2007) and individuals being able to live healthier lives (Beech and Roberts, 2008). The appeal of digital inclusion as a means of managing risk is therefore clear. Embedded inequalities can be bypassed through the encouragement of ICT take-up and improving levels of digital literacy. However, such an approach fails to interrogate the nature of these 'risks' in any critical detail or to include any analysis of power relationships in the processes leading to social change (Ferreria and Rocha, 2010).

From 1998, when a commitment to universal Internet access was first outlined (PAT 15, 2000), the UK government helped to fund a

number of national initiatives which sought to address access to ICT in community-based facilities: for example, the Community Champions Fund, the Community Access to Lifelong Learning programme, which provided ICT access through City Learning Centres in some of the UK's poorest wards, and the Wired Up Communities programme (Devins, Darlow and Smith, 2003). The most comprehensive and widespread of such initiatives, a network of UK Online Centres, also began in 2000 and has grown markedly since then; however, it has received criticism for its focus on 'learning for earning' rather than delivering on a wider social and educational agenda, and for not reaching groups without any alternative access to ICT facilities (Bradbrook and Fisher, 2004). Such shortcomings are illustrative of wider critiques of the digital inclusion agenda in this period. Strategic and large-scale steps were taken to support improved *access* to technology, but awareness of the range of inequalities and barriers experienced by both users and non-users of ICT are less apparent (Selwyn, 2004).

Government publications *Transformational Government* (UK Government, 2005b), *Connecting the UK: Digital Strategy* (UK Government, 2005a), *Inclusion through Innovation* (UK Government, 2006) and *Delivering Digital Inclusion* (UK Government, 2008) detailed the ambition of achieving digital inclusion by closing the digital divide. Digital inclusion was increasingly taken seriously at the highest levels of government. By presenting a lack of access to technology as a key cause of social exclusion, the provision of technology was seen to play a vital role in the management of individual behaviour and their exposure to risk (see Shibata, 2008, p. 95). Under New Labour the interventionist state took a key role in promoting the value of improved opportunities through access to ICT but, as the later case study illustrates, there are limits to how far such an approach can go in resolving entrenched socio-economic problems.

(ii)   Adapting to the knowledge economy

The second key element of this agenda was a focus on the use of technology to facilitate employment opportunities. Levitas (1998) argues that at the heart of the New Labour social inclusion agenda was not a concern with the redistribution of wealth, attention to inequalities or the welfare of those at the margins of society, but with economic integration into the world of paid work. Underpinning this is a moral framework that constructs the behaviour of the poor as the cause of and therefore solution to their exclusion. Despite the limits of employment in addressing disadvantage (Levitas, 1999), paid employment and the development of

employability (skills, competencies and conduct) is the ultimate aim of social inclusion. This allows for the continued functioning of a market economy, provides disposable personal income, but also engenders certain work-based moral responsibilities. In relation to ICT there was an emphasis on using technology in *the right way* to become a responsible and contributing citizen. Policy has therefore not just encouraged greater access to ICT resources, but regulated the nature of appropriate use.

Peters (2001a) suggests that neoliberal practices produce a certain kind of ideal subject, one he refers to as the 'entrepreneurial self' (Peters, 2001b). The idealised citizen becomes increasingly apparent in the digital inclusion policy language of New Labour. The characteristics of this subject are summarised by Kaščák and Pupala (2011, p. 151):

> Since this subject is above all autonomous, flexible and sociable it is able to continuously learn and, on the basis of personal responsibility and autonomy, it can select appropriate learning opportunities and opportunities for continual self-development.

Thus individuals are equipped with the requisite abilities to manage the risks associated with increased job insecurity and cope in a changing economic climate. Self-development refers not only to the world of employment, but also formal education, which as Peters (2001a) suggests, is increasingly bound into a relationship with the interests of private capital through the commodification of knowledge. In what Castells (2010) calls the 'information age', certain forms of knowledge and expertise are valued as key to economic success. The prioritisation of digital inclusion is therefore a key policy mechanism for encouraging and regulating skills compatible with a post-industrial economic structure (Leitch, 2006).

There has emerged a requirement for employees in all sectors and social classes to become, technologically proficient (Clayton and Macdonald, 2013) and a pressure for individuals to skill up. As Lazzarato (2009, p. 127) explains, the nature and response to risk (such as unemployment) has become an increasingly pervasive and personal matter.

> Risks are today more endogenous than exogenous, and they partly depend on conducts. To be employable one must conduct oneself and have a lifestyle, which is in harmony with the market.

Under New Labour the policy focus was therefore on the manner in which the government, educational institutions and other providers could

offer the tools for individuals to deal with the economic implications of a new technological age. In 2000, the *Learning Age* Green Paper included a commitment to the use of technology at work, in Learning Centres, in the community and at home to drive up skills required in modern business. This was followed by the *Knowledge Economy* White Paper in 2000 and a national strategy in relation to schools, teacher training and ICT-enabled infrastructure such as libraries. Programmes rolled-out included Computers for Schools, Building Schools for the Future and, in 2008, the Home Access Programme, an initiative to provide broadband connection for all five–18-year-olds in low-income households.[2] In 2009 these developments were followed by the publication of *The Learning Revolution*, which considered the role of technology in adult education; the announcement of the national E-Champion to lead the Race Online 2012 campaign[3] and the publication of the government's wide-ranging *Digital Britain Report* (Carter, 2009).

In the latter stages of New Labour's period in office with public finances squeezed more tightly, there was a shift to promote the knowledge economy in greater partnership with the private sector. For example, the establishment of 'Britain Works' in 2009 enabled local authorities to bid to receive vouchers from Microsoft to allow individuals to access their branded training courses and exams. At this stage, the lines between the private and public realms become blurred. The character of desired outcomes and questions over whose interests are being served through improved engagement with technology also arise – the socially excluded or industry and the private sector? Such questions are also applicable in the development of what is known as e-Government.

(iii)   e-Government and the business case

Alongside improving access to ICT and developing ICT literacy, New Labour looked to enhance forms of e-Government through the use of ICT by government to interact with citizens, businesses and other governments (Margetts, 2006). This third strand was presented as a route to improving democracy, for example, through the ability to communicate more effectively with political representatives (DCLG, 2009). It was, however, also presented as a way of introducing greater efficiency into the delivery of public services by replacing face-to-face interactions with online communication. From the publication of the *Modernising Government* White Paper (UK Government, 1999) onwards, the emphasis was on improved access to public services and improving choice for citizens (increasingly characterized as customers), empowered to become

autonomous rather than reliant (Osborne and Gaebler, 1992). In 2008 with the publication of *Delivering Digital Inclusion* (UK Government, 2008), the idea that ICT could have both direct impact upon the quality of life of individuals and communities, and also indirect benefits[4] through the efficient delivery of public services, was reinforced. The delivery of services through a 'digital by default' philosophy (Lane-Fox, 2011) created an environment of *technological compulsion* while simultaneously excluding sections of society from accessing services and welfare provision entitlements. Those who cannot or do not want to conduct their lives online are 'othered' (Klecan, 2008), seen as 'second class citizens' (Bennett, 2010) and recognised as engaging in a new form of undesirable risky behaviour.

Towards the end of New Labour's period in power, expectations of the increasing use of technology as a tool for social inclusion continued, but in an era defined by constrained budgets, the overt role of the state ebbed further away. This is demonstrated by the increasing focus on 'indirect benefits', an increasing interest in e-Government initiatives and the use of technology as 'empowering' – 'passing more and more political power to more and more people, using every practical means available' (DCLG, 2009, p. 5).

This argument was presented to business, government and individual citizens as a rationale for transferring more services and experiences online. Being online was seen as a cheaper way to conduct everyday transactions if you can regularly access these facilities and if you have the skills, need and motivation (UK Online Centres, 2007). In terms of government, particularly local government, research by PwC (2009) highlights this budgetary rationale in a period of recession, by highlighting the cost savings to be made by local authorities if the UK population were digitally connected. Through the wider integration of ICT and an increasingly technologically literate workforce, businesses become more efficient and productive (Morris, 2009). Through the adoption of this business model, digital inclusion policy can be seen as part of a post-welfare-consensus to become leaner and ultimately lessen a perceived 'burden' of responsibility whereby, as Clarke (2005) argues, citizens have been simultaneously empowered and abandoned.

Throughout the development of this agenda there is a continuing focus on the management of risk for both individuals and the broader national (economic) interests in terms of quality of life improvements, economic inclusion into paid employment and efficiency savings. In all three strands there is an identifiable focus on 'future proofing' in uncertain times, but there is also an evident conflict of interest. While

there are elements of policy that suggest an interest in redistribution of resources and quality of life, this agenda is also driven by neoliberal logics. While there is no denying that some will have made life-enhancing uses of technology through the programmes mentioned (UK Online Centres, 2009), it remains the case that those households with low incomes are still far more likely to lack *adequate access* to technology (BBC, 2010). It is also suggested that a fascination with technology as a conduit for social inclusion (Phipps, 2000) has diverted attention from the enduring divides that shape our contemporary society while reinforcing social divisions through the construction of technological risk.

Technology as transformational? A case study

With this in mind, the chapter briefly turns to an evaluation of digital inclusion activity in the city of Sunderland (Clayton, Macdonald and Wilcock, 2010), in order to illustrate the limits of technology and the divisions, which continue to exist among those who may be categorized as 'digitally included'. The city is of interest because of the considerable investment made in digital infrastructure and digital inclusion projects over the last 15 years. This culminated in the city becoming the winner of the Governments' Digital Challenge competition – through which the city's local strategic partnership received finances and support to develop and showcase such initiatives. Mawson (2001) points out that a great deal, possibly too much, is expected of ICT as a catalyst for local economies and as a solution to entrenched social problems. This section focuses on the distribution of perceived benefits in relation to the use of technology in socially excluded parts of the city and indicates that these are significantly correlated with socio-economic positions. This relationship is based on analysis of data collected as part of a questionnaire distributed to socially excluded neighbourhoods in Sunderland at two points over 11 months. Respondents in some form of employment were identified as belonging to manual/routine, intermediate or managerial/professional groups based upon their stated occupations and it is these distinctions, which are of interest here.[5]

More than half of the respondents (57 per cent) in survey one (total responses = 811) saw the benefits of using technology in terms of generally improving 'the quality of their life'. Yet, a noticeable difference appeared between occupational groups, with 84 per cent of the managerial/professional group agreeing with the statement, compared with the intermediate group at 67 per cent and 53 per cent of the manual/routine group. It is the higher occupational groups who were more

likely to see the general benefits of technology. Moving from less specific benefits of technology towards the perceived benefits in terms of formal social inclusion domains, this difference between occupational groups was even more apparent. Respondents were asked to assess the impact of technology on five domains of social inclusion: educational achievement, employment and income, health, independent living and local participation and networks. While, for all socio-economic groups no more than approximately half of respondents felt that technology had strongly influenced either their educational achievements or their employment and income, occupational status was identified as a significant variable.

Of both the managerial group and the intermediate group, 46 per cent agreed that technology strongly influenced their own educational achievements. Of participants within the manual/routine group, only 22 per cent felt that technology had strongly influenced their educational achievements, qualifications and learning progression. For the manual/routine group, technology does not seem to have had the same impact on educational achievements compared to their middle-class counterparts.

Those from the managerial group also felt that technology had strongly influenced their employment, employment prospects and improved their income (at 51 per cent). These findings were comparable with the intermediate group as 49 per cent also reported that technology had a considerable impact within their working lives. This is not the case for the manual/routine group as only 26 per cent indicated that technology had any impact on their employment or income.

This brief analysis highlights several key points. Firstly, the significant, but also limited, role that technology plays in influencing the fortunes and experiences of all respondents involved in this study. For just over half of the respondents the use of technology is seen positively in relation to quality of life benefits, although a large proportion does not see these benefits. Secondly, the benefits of technology for those in employment, reflects socio-economic positions in terms of occupation, thus complicating simplistic definitions of both the digital divide and social inclusion (Selwyn, 2004). The inequalities experienced by those in more manual and routine occupations are not resolved through access to technology alone and continue within a fractured digitally included population. We can also observe the limited capacity of employment as a form of social inclusion to necessarily address both digital and socio-economic divides. One of the key motives for digital inclusion, based upon the redistribution of access,

and therefore opportunity, does not manifest itself clearly in this analysis. Thirdly, definitions of quality of life do not always relate to narrowly defined understandings of what constitutes 'inclusion' based upon the dominant discourse of social inclusion. Technology may meet more mundane desires or less easily defined needs than expressed in this language. With these points in mind, the chapter now considers the weight of the various motives and techniques of governmentality in contemporary digital inclusion exercised through the Coalition Government from 2010.

The Coalition Government and the privatisation of risk

Under the Coalition Government which came to power in 2010, one saw both a continuation of the New Labour agenda but at the same time some important shifts. There was an ongoing commitment to increase local citizen-led decision-making through technological means, although couched in terms of the 'Big Society' (New Economics Foundation, 2011), 'Localism' and rhetoric around the renewal of local democracy (Hopkin and Atkinson, 2011). The government also continued to suggest that technology remains a powerful means of achieving what the Minister for the Cabinet Office referred to as 'socially inclusive goals' (Maude, 2011). In the *Manifesto for a Networked Nation*, the Secretary of State for Work and Pensions, Ian Duncan-Smith went even further stating: 'Digital literacy is a great enabler of social mobility. It is a powerful weapon in the fight against poverty' (Lane-Fox, 2011, p. 11). These were grand claims, but not out of step with what had gone before. There was also a continued focus on attempting to provide 'access for all' in reaching the remaining nine million people yet to access the Internet.

   Changing priorities seem to be not so much about objectives as the mechanisms for achieving them. *Race Online 2012*, stated its desire to address the three main barriers to digital inclusion: access, motivation and skills, but highlighted both the role of the private sector as providers and champions of technology and the mobilisation of an 'army of volunteers' (Clarke, 2011). Significantly, this occurred alongside a reduction in the role of national and local government agencies (Francis, 2009). The capacity to deliver on digital inclusion through local government had also been severely hampered by the 2010 spending review and subsequent cuts, hitting regions such as the North East of England particularly hard (Hunt, 2010). Such changes reflect a broader decline in the principle of state responsibility to its citizens (Taylor-Gooby, 2004)

while entrenching control over citizens' conduct in relation to expectations of ICT proficiency.

While present in the language of New Labour, there was arguably an amplification of individual responsibility and the privatisation of risk under the Coalition Government. This responsibilisation through 'governance from a distance' (Thompson, 2007) can be seen through an increasing emphasis on private ownership of technology. Such thinking was the driving force behind the Home Access Programme under New Labour, but was also key to the provision of discounted laptops to these same families by companies such as Microsoft (in partnership with UK Online Centres, Post Office and BT) under the Coalition.

In both cases, through different mechanisms, citizens' are expected to manage their own risk of falling behind, but more recently this has taken place in parallel to declining investment in accessible digital public spaces (such as libraries). There is then a greater focus on expected yet voluntary participation (Lupton, 2006). However, as new products come into the market, definitions of what counts as adequate access will change and the ability of some to keep up in a constantly innovating market will be restricted (Cross, 2008). As Calhoun (2006, pp. 260–1) notes: 'Recent cuts in public financing for these [public] resources exacerbates vulnerabilities to risks for everyone, but especially for those not able to purchase private market substitutes for public goods.' Such access through ownership does not address inequalities either in terms of narrow versions of digital access but also in terms of socio-economic divisions.

The ideal of a technology owning society, where technology is imbued with transformational powers, means that individuals and social groups can no longer provide excuses for their own exclusion. It will no longer be provision to blame for growing socio-economic divides, but an individual's inability to use technology in legitimate ways. It may also be claimed that the work of the state in this area is complete once full connectivity is reached, although as much research has explored, what is of more importance is the use of technology in sustainable and meaningful ways (UK Online Centres, 2007). A sign of subsequent shifts in government's ambition is reflected in the change in title of the 'National Digital Inclusion Conference' (under New Labour) to the National Digital Conference. For all its shortcomings, the language of inclusion is beginning to seep away.

The Coalition Government continued to champion the aim of reaching all sections of society in its drive towards full digital inclusion. This was certainly the over-riding theme at the 2011 National Digital Conference

where the focus remained on reaching the last nine million (National Digital Conference, 13 May 2011). Under the Coalition Government, the Department for Communities and Local Government officially continued to champion this agenda, but the main agent for this process became the *independent* E-Champion, with the Department of Business, Innovation and Skills (BIS) taking on some of the responsibilities outlined in the *Digital Britain Report* (Carter, 2009). These developments also coincided with the removal of the post of Minister for Digital Inclusion from the government cabinet. At the same time a number of government quangos with previous responsibilities for delivering on the digital inclusion agenda were abolished, such as BECTA (British Educational Communications and Technology Agency) – previously responsible for championing the role of technology in education.

It is also possible to identify a shifting focus under the Coalition Government in terms of identifying the 'digitally excluded' as not just a group to be brought in the mainstream, but as a market segment to be targeted. At the 2011 National Digital Conference, one session titled 'Why Business Can't Afford to Ignore the 9 Million' (Klein, 2011) identified wealthy retired older people as an 'untapped market for Broadband worth at least £642m per year' (Klein, 2011). It is no surprise therefore that a number of multinationals, including Comet, BT, Google, McDonald's, Microsoft, Moneysupermarket.com, Sky, Skype and TalkTalk (Comet, 2012) were key partners in the 'Race Online 2012' campaign. While altruistic motives can be argued, the opportunities for an expanded customer base are clear: the privatisation of public services along with the privatisation of risk succeeds in creating its own market opportunities and again raises questions about underlying rationales.

Conclusion

Digital inclusion interventions need to be questioned when framed as a tool for enforcing risk-free behaviour and when acting as a technique for rendering thinkable new forms of risk. The orientations outlined previously tell us something important about the direction of neoliberal approaches to social problems and the dangers involved in unquestioned adherence to regimes of truth (Macfarlane, 2010) that aim to produce active and empowered citizens through the use of new technologies. Since New Labour came to power we have witnessed the mobilisation of active citizens, the rise of responsibilisation and the reification of those deemed to be digitally excluded. With the arrival of the Coalition Government in 2010 we have seen a move from broader

social responsibility for these activities towards an increased role for private enterprise and the enterprising individual. While there is an increasing expectation and almost compulsion that citizens become digitally engaged, self-regulation (Gillies, 2005) is identified as the key mechanism through which inclusion into a legitimised citizenry is to be achieved. What is taken seriously here are the limitations of social policy which foregrounds technology as a discreet asocial realm, the way in which neoliberal rationalities drive the policy agenda and the manner in which such policies increasingly construct digital exclusion as a new form of privatised risk.

Despite the language of power and potential that surrounds discussions of ICT, access alone cannot succeed in resolving social problems. We have seen through research conducted in Sunderland how socioeconomic positions have a crucial bearing on benefits perceived and accrued as well as the diversity of experiences within a digitally included population. There are processes, which have a greater influence on our life chances that are rarely acknowledged in digital inclusion policy discussions. As Selwyn (2008, p. 834) argues, while participation in the information age is presented as 'empowering', 'the individual "participant" is not actively self-determining (and self-empowering) but submitting themselves to be an oppressed element of a wider mode of government'. We thus see policy approaches presented as risk-reduction activities actually resulting in forms of risk creation, both in that individuals are increasingly exposed to fluctuating economic forces, but are also increasingly at risk of being blamed for their own misfortune by not adequately adapting to the digital age.

Notes

1. That is, the third of the UK population without regular access to the Internet.
2. This was stopped by the Coalition Government from 2010.
3. This was a campaign originally aiming to get the approximately 4 million socially excluded people in the UK, who were not then accessing the Internet, online by 2012.
4. The UK Government identifies two key areas of indirect benefits of using ICT on behalf of or for the benefit of socially excluded communities. These include: using digital technologies to understand the problems faced by socially disadvantaged people and better public service planning and delivery (UK Government, 2008).
5. This is based upon the three-tier NS-SEC distinction used by Rose and O'Reilly (1998). For more details on this study and the methodology of this research, see Clayton and Macdonald (2013).

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9

The Risky Business of Challenging Risk: Youth Work and Young People through the Lens of 'Race'

Rick Bowler

Introduction

In common with many other areas of educational and social welfare provision over the last three decades, the idea of risk has had a major influence on youth-work policy and practice. From this perspective, young people are now designated as either 'at risk' from a range of public and private dangers, or as 'risky' to themselves and others. In both cases, these categorisations are seen to be the result of personal, familial or communal deficiencies (CCCS, 1982; France, 2011; Dorling, 2012). As a result, the focus on young people has narrowed from a broad-based collective concern with their education and social development to an individualised approach based on risk. This has greatly limited the provision of services to young people (Wood and Hine, 2009; Ord, 2012).

Successive governments have problematised young people and targeted them with predetermined and individualised interventions but unfortunately young people's own understandings and explanations about their lived concerns are often left outside of this agenda. Consequently, the role of youth workers has also changed – from working with young people to help them reflect on and critique their current life circumstances to a much more functionalist and individualist stance. The shift from a democratic welfare agenda to an individualising risk agenda has been both ideological and practical. Under the new right 'neoliberal' market system, young people are no longer viewed as the collective concern of the democratic state (Nicholls, 2012). They are now often viewed as unproductive to market needs as a consequence of their personal deficiencies (Pitts, 1982, 2011; France, 2011). The responsibility for 'poor choices' in their personal and social lives and the inability to make appropriate 'transitions' – from education

to employment and from youth to adult – is now placed on young people as individuals, as if there are no alternative, competing ways for explaining their predicament. This ideological and economically pragmatic shift has moved the moral compass for youth workers away from the welfare of young people as a *social* responsibility and has tended to erode some core elements of the youth-worker role (Tucker, 2005; Nicholls, 2012). This is problematic for youth work and youth workers. As Banks (2010) has argued, youth workers have an ethical responsibility to work *with* young people in a process of dialogue. They should be negotiating with young people and helping them critique explanations about their concerns. Such a dialogic approach aims to help the young person question their own understandings about the issues facing them and to problematise some of their common sense ways of viewing the world. However, in the current neoliberal policy environment, the dominant construction of young people as 'risky' de-contextualises young people and their needs (Hall, 2011). It also has the effect of directing youth workers away from their collectivising educational purpose as a 'critical friend' who advocates with young people for their right to democratic participation.

The first section of the chapter outlines what youth work is and draws on Corrigan's (1982) concept of youth work as a 'democratic practice'. In doing this the youth worker as a 'democratic practitioner' is defined and the resulting implications for youth-work practice are discussed. The chapter then explores how current youth-work policy has limited the ways in which young people and risk can be viewed and identifies how the context for youth workers to engage in democratic practice with young people has changed. Particular consideration is given to one area where there are many restrictions on what youth work and youth workers can now do and this is in working with Black Asian and Minority Ethnic (BAME) young people to challenge racism. Using the lens of race, some of the consequences of a model of youth work dominated by a risk agenda are illustrated and case-study examples are used to suggest how democratic youth workers can help young people build democratic agency and challenge racism. These case studies are based on accounts about work with BAME young men in the North East of England (Imam and Bowler, 2010). The research used a qualitative and interpretive anti-racist methodology (Dei and Johal, 2005) involving interviews with white and BAME, male and female youth workers working in majority white settings.

Thomas (2011) identifies the importance for youth work of challenging racism through direct work with white and BAME young people

separately and together. This challenging of racism with young people, acknowledges that racism is produced in context and intersects with gender, class and other contested categories of social division (Yuval-Davis, 2011). A number of writers argue that youth work has a democratic duty to help young people deal with the racism they experience in a racially ordered society (Aluffi-Pentini and Lorenz, 1996; Bowler, 2006; Sallah and Howson, 2007). Bearing these issues in mind, the chapter concludes with some reflections on the risks youth workers should take if they are to maintain their professional integrity with young people and adequately address some of the personal, social and political factors which shape young people's lives.

What is democratic youth work?

The Albermarle report in 1960 (HMSO, 1973) established two primary roles for youth provision. The first was the *universal* service that has been renamed *open access* by the Department for Education (DfE). This was designed to offer social education to all young people. The second was the directing of selective resources, now called *targeting*, to deal with the 'concern' that young people were growing up in a 'new climate of crime and delinquency' (HMSO, 1973, p. 17). The report established the societal context in which concerns about youth were viewed through a balance between structural factors and individual responsibility. This suggestion of a balanced approach in youth policy between structural factors and agency was more critically considered 20 years later in the Thompson report (DES, 1982). This report looked at the wider social, cultural and political contexts in which young people lived. It acknowledged wider factors than the dominant concerns about white working-class young men and officially recognised other forms of exploitation in the contested terrains young people grow up in. The recognition here was that structure does order lives (Furlong and Cartmel, 2007) albeit across intersecting social divisions (Yuval-Davis, 2011). This was the context for Corrigan's (1982) original ideas on youth work as a democratic practice.

In his considerations about youth work as a democratic practice, Corrigan (1982), argued that young people, in different historical moments, become a concern to society and, as a consequence, they require help to address this. He identified democratic youth-work practice as a social education intervention with young people. This educational intervention was to help young people challenge the 'illusions of choice' (Amos and Parmar, 1981, p. 141) offered to them through

dominant discursive practices that *naturalise* the gendered, classed and racialised social order impacting upon their life chances. Corrigan (1982, p. 1) postulates that youth work, as a democratic practice needs to be developed through 'the operation of a simple concern' that young people get access to provision that can help them. He identified three concerns facing young people. The first was societal. He argued the state should aspire to view young people as a resource and as such have a concern to enhance the life-chances of all young people. The second concern was professional, with youth workers expected to work democratically with young people through an underpinning value base that strives for equality. Equality, Corrigan postulates, is a core element in youth work's social education interventions with young people, and in trying to achieve it in practice democratic practitioners should aim to work with young people to develop their ability to make informed decisions within a relationship based on voluntary engagement. The third concern relates to young people's agency and how they themselves understand the world, make choices and identify the issues that matter to them. Thus Corrigan was proposing an interplay between the societal and the interpersonal, where the youth worker has a duty to negotiate and engage young people in a critique of their own lived experience and to help them use the resources available to understand and change it.

Therefore, from a democratic practice perspective, while there are many different ways of working with young people, not all of these can be considered as *youth work*. Although the range of activities involving young people is potentially limitless, and can include work with young people through sport and leisure, engaging in alternative education initiatives, group activities, support through advocacy, befriending, coaching, outreach and mentoring, not all of these can be seen as constituting youth work. In terms of democratic youth-work practice, whatever the individual activity, the purpose of youth work should always be to engage in a critical process that acknowledges how social inequality can determine life chances. It is not the activities that define the work, but they provide the context from which democratic youth work takes off.

Corrigan describes how young people growing up with restricted life chances in an unequal society develop a 'subordinate consciousness' (1982, p. 3) or what has more recently been termed an 'epistemological fallacy' (Furlong and Cartmel, 2007, p. 144). In other words young people growing up in contexts of racism and/or poverty and wealth inequality develop false and subordinating explanations about their place in society. Dorling has also argued that unequal social conditions

'breed fear, distrust, angst, anger and poverty' (Dorling, 2012, p. 113). Subsequently young people can come to believe that they are to blame for their own 'poor' position and for young people the repetitive experience of everyday inequality produces a sense of insecurity. Thus inequality in the world is socially ordered and how people experience and come to know such inequality is socially produced (Hall and Jefferson, 1976). Discourses of risk have had a major influence on young people and youth policies in this regard, and Kelly (2001, 2003) argues that youth work is now dominated by a risk agenda. He says that the neoliberal approaches of individualisation and responsibilisation have marked some categories of young people as dangerous and deficient. Writing about risk and youth justice, Kemshall (2009) says that young people and risk have been inextricably enmeshed within contemporary social policy. She suggests that the social policy process is now primarily focused on the management of risk, rather than the meeting of young people's needs, in a context where the responsibility for change is located within the individual rather than the collective whole. The current concepts of risk, as Grattan (2009) maintains, simultaneously homogenise and individualise 'youth' while limiting considerations about the social conditions young people face in deprived, unequal and divided local spaces.

The risk agenda thus suggests that inequality is a personal concern driven by personal factors where these are 'identified as causal' (France, 2011, p. 65). This distorts the explanatory framework for young people and they can come to believe that the meaning of their insecurity, arising from their subordinate position, is a consequence of their individual failings. As a result, it is argued that challenging the individual impact of these subordinating conditions and helping young people to engage in raising their own consciousness is a crucial part of youth work (Chauhan, 1990; Salah and Howson, 2007). As such, it demands both a sensitivity and subtlety of understanding of the socio-cultural contexts that young people using local youth-work projects occupy. Youth workers need to be aware of the local social conditions young people grow up in and understand the impact of subordination and how young people can adopt distorted explanations about their lives.

The importance of using race as a lens

Youth work operates across terrains of practice within which there are dominant and competing discourses. These discourses impact upon youth work and youth workers' need to understand these terrains as places of struggle that are themselves contested and contradictory.

These 'terrains of struggle' (Corrigan, 1982, p. 3) contain diverse categories of young people that cut across gender, class, sexuality, disability, age, race, ethnicity and religion. However, one of the most important of these contested areas is that of *race*, especially in areas with majority white populations (Nayak, 2003; Clarke and Garner, 2010; Dorling, 2012). As Dorling argues, 'Racism permeates societies in ways that make it hard for most of us most of the time to recognise how omnipotent it is' (Dorling, 2012, p. 115). Therefore, using race as a lens to explore democratic youth-work practice is a key aspect of a critical approach. The need to challenge racism is a way to explore, through one lens, how youth workers can help young people critique social inequality and their position in relation to it. By using the idea of 'race consciousness' (Twine and Gallagher, 2008) young people can be helped to challenge their own subordinate consciousness. In this process, race consciousness is developed when youth workers critique their own relationship with race and link their thinking with an effective challenge to the forces of racism embedded within the institutions of society. This cannot be done without a critical knowledge of how society is racialised (Murji and Solomos, 2008) including how this is locally (re)produced.

Developing democratic youth-work practice

In looking through the lens of race the youth worker engaged in democratic practice aims to initiate a race-conscious practice with young people which can help them understand how their individual biographies are socially, including racially, produced. This is important if young people are going to make informed decisions about how societal concerns impact upon them. The youth worker negotiates, from the position of professional concern, between the young person's lived concerns and the dominant concerns of society. It is in these negotiations about 'concern' and 'help' that youth workers need to look to help young people critique their experiences and beliefs about themselves and others. In this way the youth worker engages in a reflexive process that raises their own consciousness about their own biography, including their consciousness about race (Bowler, 2010; Soni, 2011). The practice of the youth worker is underpinned by an educational process that 'concerns the opening of identities – exploring new ways of being that lie beyond our current state' (Wenger, 2007, p. 263). By engaging in such a process youth workers aim to help young people explore their identity, their experiences, and the logic of their decision-making. They do this by helping young people develop critical thinking skills so they

can construct richer explanations about their lives. This challenges young people to deal constructively with problems, resolve conflicts and explore alternative explanations about their place in society. So while such youth workers need to be able to 'read' policy, they should not follow it uncritically (Van de Walle, Coussee and Bouverne-De Bie, 2011).

Irrespective of the activities undertaken with young people, democratic practice can best be described as carefully 'walking with' and sensitively 'waking up' young people. Carefully 'walking with' young people identifies the importance of building relationships with young people and working slowly with them to develop trust. The purposefulness of this careful 'walk' enables the youth worker to build effective relationships with young people who voluntarily engage in a negotiation grounded in the attentive listening of both parties. This conscious practice is aimed at activating young people as democratic agents through a 'journey of discovery' (Soni, 2011, p. ix). The youth worker is also focused on the problem of subordination and insecurity arising from young people's experiences of injustice. Here the terrains of struggle become part of the everyday discussions to raise the consciousness of young people. This 'waking up' from their internalised experiences of subordination is described in the extract from an interview with a male BAME youth worker working with BAME young men:

> 'Wake up!' That is what I try to get these young men to do – you know wake up and think about what they are doing. Their social conditions, the racism, their sexism, the realities of their class position, their locality. I ask them to think about inclusion and integration and what that means in society for them today? By doing this you know I want them to think about their lives.

By embarking on the process described previously, the youth worker works to challenge the dominant risk agenda and seeks to develop with young people a cultural critique. This is not a linear process. It requires an ability to listen carefully, constantly reflecting on what is being said and the aim is to seek moments of possibility to open up more critical alternative explanations on how experience can be known. This is undertaken through a reciprocal and dynamic negotiation about meaning (Imam and Bowler, 2010). In making the process work, the youth worker needs to maintain their professional integrity by engaging in reciprocal and dynamic negotiations underpinned by an 'ethics of care' that fosters integrity and trust (Yuval-Davis, 2011). This *careful walking* and *sensitive waking up* is a purposeful practice where these processes of active listening

and negotiating meaning are not accidental, unintended consequences of the relationship: they are 'integral and endemic to it' (Davies, 2010, p. 5). The following case study is based on an interview with a male BAME youth worker and illustrates some aspects of this process in action.

Case study 1

In talking about his practice, the youth worker described the process of engaging with a group of BAME young men (Bengali and Pakistani origin) over a period of six months.[1] He outlined the process of engagement with the young men and described how, through regular contact and everyday conversations, he and his co-worker came to know the concerns these young men experienced in their lives. Consequently, they came to know and understand the contested cultural terrain of the young people (Nayak, 2003).

The young men had been brought up on a small council estate that was now predominantly BAME. Their estate was bordered by several estates that were predominantly white. Therefore, the BAME young men had grown up experiencing exclusion from the local white youth-work provision. So although the BAME young men had a distorted explanatory frame about their place in society, they knew they were racialised because of the everyday abusive reminders they experienced about their 'racial' identity. At the same time, the young men were also affected by three external realities: the backlash from the war on terror enacted through anti-Muslim racism (Thomas, 2009): the changing demographics in predominantly white localities, and the increase in hate from far right activity (Fekete, 2012). There was also the growing divide due to inequality, and the disproportionate cuts to the incomes of the poorest in society (Dorling, 2012). All of these factors put the BAME young people at risk. However, through a carefully planned process of engagement the workers developed an understanding of the contexts in which the young people lived and how this affected their daily lives. As a result, a space was created where the workers could have serious and difficult conversations with the young people. The workers described being constantly engaged in sensitive and challenging discussions that worked to counter the racialised, gendered and class-bound mindset these young men expressed.

As a result of knowing the contested reality of young people's cultural terrain, the workers described how they could differentiate between the young people's distorted, racialised and prejudicial mindset while working with them to resist the subordinating power of white racist structures and cultural norms (Twine and Gallagher, 2008). This

engagement with complexity enabled the young men to discuss with their youth workers their anger towards a white system that they believed to be neglectful. Though the young men identified religion as an important marker of identity, it quickly became clear that, in actual fact, they knew little about it. The workers became aware that the young men had limited knowledge about the historical and theological aspects to their religion and this formed the basis for a dialogue between the workers and the young people. In the aforesaid we can see the complex problems youth workers might engage with in adopting democratic youth-work practice in identifying and challenging distorted explanations produced out of subordinate consciousness (Corrigan, 1982).

In this case example, the youth workers did not pretend they were 'experts', but rather acted as 'critical friends' to the young men and as such were able to pose difficult questions, interrupt distorted beliefs and engage in a shared discovery of new learning. As the young men were not used to encountering professional workers able and willing to help them know their world better, the encounter was a learning process, both in terms of what was discussed and how it was done. The youth workers in the aforementioned scenario were creating a democratic practice which shows that engaging with young people is a relational process that is 'always a negotiated venture' (Coburn, 2010, p. 35). In thinking about democratic practice with young people, it is essential that youth workers engage in open discussions aimed to raise consciousness about the extent and impact of social and racial inequality. Such a youth worker is not just interested in what they and young people know but in how they both have come to know it. This becomes the guiding light on practice. This practice itself becomes a reflexive process questioning not only what interventions are to be done with young people, but also how young people themselves are viewed (Kelly, 2003; Hine, 2009).

The changing contexts of youth work

As discussed earlier, the context for youth work is now organised by a policy framework confined by what Hall (2011) identifies as neoliberal hegemony. In this he argues that the governance of the state has moved away from its democratic mandate to a dependence on market forces. This policy framework marginalises exploration on the structural inequality that influences choice and restricts opportunity. The difficulty for a youth worker wishing to develop a democratic practice is that it is not accepted that risk 'is a political label' (Hope, 2007, p. 36) and that the suggestion that individual choices made by young people occur as

if choice is unattached to social circumstance. It is, in itself, a distorted explanatory framework about the challenges young people face. In the organisation of youth work this narrowing of focus individualises both the concerns of young people and the causes of those concerns (Kelly, 2001) and standardises youth-work practice (Davies and Merton, 2009). These predetermined processes and distorted explanations have become embedded in the political governance overseeing the organisational management of youth work (Ord, 2012; Nicholls, 2012).

In 1997, with the inception of the Social Exclusion Unit under the then New Labour Government, the focus of youth policy shifted from a universal to a targeted approach. New Labour's approach was developed as an attempt to balance the market ideology imposed from the 1979 Thatcher Government and the social injustice this marketisation created. New Labour's work with young people was focused on those deemed at risk of social exclusion. However, by its second term of office, 'exclusion' in New Labour's political discourse had shifted further away from the structural causes for social injustice identified by Social Justice Commission (Smith, 1994) and became focused instead on an individualising responsibility discourse (Jeffs and Smith, 2006).

Following the 2010 New Labour election defeat, the Coalition Government has continued to pursue neoliberal ideas. In this policy arena, the balance New Labour had created between growing a welfare system to address social justice, and at the same time, encouraging marketisation (Welshman, 2011), has not been continued under the Coalition and their welfare cuts. Instead, it is argued that, in relation to youth policy, the Coalition Government have moved away from New Labour's social exclusion project and have returned to a discourse on 'moral inadequacy' (Pitts, 1982, 2011) and 'feral youth' (Bridges, 2012). In this context young people are not engaged democratically. They therefore do not have opportunities to consider alternative, competing discourses, for example, and that their choices are forged 'largely outwith the control of individuals' (Furlong and Cartmel, 2007, p. 144). The risk agenda contains within it not only a denial of the impact from structural factors but holds within it 'a moral crusade that is "victim-blaming"' (France, 2011. p. 65). If democratic youth-work practice is to engage young people in an educative discourse about how they can become effective self-governing citizens, then a different balance for provision is required (Wood, 2009).

The risk agenda has now restricted the space in which structural problems can be discussed and youth workers can operate a democratic practice. This restriction has served to undermine the universal offer that was founded on the principle of voluntary engagement as the means

to build meaningful relationships with young people (case study 1). A democratic practice recognises the problems inherent in an approach to young people based on risk, where they are then labelled as a concern to society. However, the universal offer of a warm stable place to socialise and learn on a cold wet night is now deemed inefficient under the current risk agenda where individual young people and their families are now targeted for help with their deficiencies (Nicholls, 2012). At the practice level this increasingly de-contextualised profession means young people are no longer viewed as 'democratic agents' in their own development. They become individually culpable for not coping responsibly with the 'choices' they have made about their lives. These neoliberal ideas are now structured and operated through modernising and standardising systems which act as the mediating force that channels government resources, including their ideas, methods of regulation, technologies of surveillance and 'expert' interventions, into the practice arena (Wood and Hine, 2009; Ord, 2012).

Case study 2: Democratic practice becomes the problem

A male BAME youth worker identified that BAME young people in his local community were not accessing any local youth provision. Although the local area had several youth projects, all of them saw themselves as 'white'.[2] The youth worker was employed on a part-time basis in one of these local 'white' youth projects and recognising the BAME young people had nowhere to go, he invited them to the 'open access' sessions at the youth project he worked in. The young people agreed to come but because of their daily experience with racist abuse, they decided to walk to the centre as a group. Therefore, on the evening of the first session the worker found 20 young BAME people had arrived. The BAME young people's attendance at the youth project generated an initial wave of anxiety among some white workers and young people which was echoed later by members of the white management committee.

In a research interview the BAME youth worker reflected on his experience of the aftermath of this incident:

> The white management and the white local authority establishment told me they were not happy. They 'blamed me'. They thought I had done it on purpose. We clearly had different understandings on the meaning of 'purpose'. I didn't know there were so many BAME young people who needed a safe space to come to. I didn't think the white provision would become so hostile. I had only identified a gap

in the service and asked the BAME young people if they wanted to come and join in. It wasn't planned to be like this. It was because there was a need. The BAME young people were no problem; they just wanted somewhere to play and let off steam and be safe. The youth sessions offered them that. Most of the 'white' young people didn't know how to mix and not one of the white workers or anyone from the management came to support me with them. The BAME young people needed support; those 'white' young people needed support; and I needed support. No one was supporting me in working with any of them. Along with the BAME young people I became seen as a threat and I was blamed.

What the youth worker is illustrating here is how, by identifying a local problem of access to youth facilities facing a group of young people, he is then deemed to be the problem, rather than the responses of the white workers and staff. Muir (2012) suggests that the current Coalition Government have reduced the State's interest in tackling racism and this is likely to increase racial illiteracy. Bridges (2012, p. 11) goes further and argues the current policy agenda ignores the political and structural alienation of 'young people in general, and black and Asian youth in particular'. In the previous scenario the BAME youth worker engaged young people in their local youth provision. The lack of race consciousness on the part of many white youth managers and leaders, and thus youth services, meant that the structural and cultural aspects of racism were not considered as concerns and risk factors. The blame for the overt and covert expressions of individual racism by some white young people towards the BAME young people and worker were focused onto them. When the BAME youth worker sought support for managing the problem, he became the problem. This lack of structural, cultural and personal support to challenge the structural, cultural and personal racism embedded in the system perpetuated the risks racism presents to young people, youth workers and democratic practice. The BAME youth worker in this example encountered an attack on his professional integrity, which demonstrates the risky business for youth workers of challenging risk, particularly in relation to race.

Conclusion

The current youth policy approach identifies the youth worker, who attempts to engage in democratic practice both as *at risk* and presenting a risk, for example, by threatening the white status quo. It has been argued

that this neoliberal policy environment creates undemocratic structures and cultures (Fuller and Ord, 2012). By this it is meant that the focus for the work of the youth worker is predetermined, grounded within a logic where the problem construction of 'concern' has already been defined. This restricts any critique about the negotiated meanings between the youth worker and the young person on what their 'concerns' are and what 'help' is required. Such a centrally defined logic pays lip service to *context* and *community*, while operating as if individuals are entirely the cause of the problems they face. This approach restricts the youth worker and young person to view risk through a prism that seeks individualist solutions to complex problems and encourages self-blame. The logic of predetermining the risks young people face marginalises scope for negotiated and emergent meanings. This also fails to identify the external constraints that restrict young people's choices. Under such a form of practice the youth worker's knowledge as a critical practitioner with the skills to engage young people in democratic relationships is demoted. Their identity is directed into a form of practice that is instructional, predetermined and monocultural. In such a framework the knowledge that underpins the drive for engagement is neutralised and depoliticised limiting professional autonomy which limits the opportunities to 'think differently' (Fuller and Ord, 2012, p. 46). In the current political and policy climate the professional integrity, critical knowledge, and collective practice at the core of the youth worker's professional identity, may all be at risk.

A race-conscious youth worker, who wishes to effectively engage young people in a critique of their place in society, is at risk from working contexts that have a 'distorted way of thinking' about race (Imam and Bowler, 2010, p. 149). I have argued that such a youth worker can become isolated if the cultural terrain is dominated by distorted ways of thinking about race. Under these blocked off conditions, race-conscious youth workers begin to lose the dynamic relationship with young people, and, as Tucker (2005, p. 207) argues, this can 'cause anxiety and stress'. The policy drive to limit the engagement of youth workers can leave young people isolated. It can also leave them without access to the socialising and educational relationships that can help them critically engage with their community contexts. This damages the youth worker identity by restricting their practice to top-down, functionalist relationships and limits the help young people get to expand their horizons. As Williamson says:

> [G]ood youth work should always be attuned to ensuring the provision of experiences which, through challenging values, views and

decision, equip young people to be better prepared for navigating and managing the increasingly complex pathways to adulthood.

(Williamson, 2005, p. 82)

The dominance of a risk perspective in youth policy has tended to disaggregate youth workers' practice leading to the fragmenting of their professional identity. Their responsibilities are 'unbundled' and regulated. As Macfarlane has argued in relation to health workers 'the unbundling process runs the risk of undermining the holistic nature of professional identity' (Macfarlane, 2011, p. 60). However, for youth workers a critical consideration of how systems of power operate is a central component of their professional ethical identity (Banks, 2010). It is therefore essential for youth workers to engage with young people in a meaningful dialogue, which explores what it means to live with and resist injustice and inequality. But in the current climate, youth workers who develop activist practices and show democratic agency and dissent against injustice, risk being marked as deficient and difficult. In other words 'risky'. Nevertheless, it is essential that youth workers committed to democratic practice continue to take risks. A critical approach to the concept of risk in youth work demands an exploration of what the concept means for young people. Democratic youth workers should be helping young people to question how their problems and concerns are constructed and defined (Webb, 1995). Once this more accurate assessment of the risk is known and both the worker and young person engage in a 'context of mutual commitment' (Williamson, 2005, p. 79), solutions can then be explored.

Ord, Moustakim and Wood (2012, p. 121) make a plea for youth-work managers to return democracy to the heart of youth work. This is essential because young people under the current crisis in society are left 'despairing at being unable to imagine a future for themselves: and lacking a politics capable of articulating any of this' (Hall, 2011, p. 727). Youth workers have the professional knowledge and community of practice (Wenger, 2007) to adequately engage young people in a democratic debate about their concerns, whether structurally, culturally or interpersonally constructed. They need support to do this, but under the current political policies this support is lacking. Despite this, it is my contention that it is better for youth workers to maintain their professional integrity, continue to be reflexive and take measured risks. In other words to engage in democratic practice.

Notes

1. As a result of the recent public spending cuts in statutory youth-work provision, this approach to developing relationships with young people over time is only likely in the voluntary and community sector. For a detailed exploration of these issues, see Nicholls (2012).
2. The local authority and the local management committees did not advertise their provision as 'white'. The provision had become this by default.

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10
Probation and Risk: The Paradox of 'Rehabilitating' Intimately Violent Men

Nicola Ballantyne

Introduction

The language of risk has impacted upon policies and practices in criminal justice in England and Wales. This has cemented the shift away from rehabilitation and a medicalised model of treatment that seeks to diagnose, treat and cure offenders to a discourse of risk and an actuarial model of assessing, managing and reducing the risks of re-offending. The traditional discourse of rehabilitation has sought to reform the offender whereas risk discourse seeks to better manage them and their offending behaviours. This chapter maps out this change in dominant discourse with a specific focus on how the probation service treats intimately violent men. Violent men are the focus because they are predominantly the perpetrators of intimate violence. Intimate violence is used here to mean male violence against female partners and ex-partners. When the term 'domestic violence' is used, this refers to literature which has defined it as violence not only in intimate relationships but also among other family members. The chapter argues that the traditional discourse of rehabilitation is a long-term strategy to challenge and change violent men's repetitive and controlling behaviours, whereas risk discourse is a short-term fix to deal with men's incident-based, discrete acts of violence. The ramifications of this are discussed because it is risk discourse that is dominant in probation policies and practices.

This chapter begins by considering both the prevalence of intimate violence and the likelihood of a violent individual being convicted for their abuse. This is important to do because the probation service only supervises convicted individuals, ordinarily men, who have been assigned to their supervision. Following on from this is an exploration of how offender's risks are assessed in the probation service. While

recent policies seek to calculate actual and probable risks of men's future violence, in practice this is much more difficult to do. This is because risk assessment is not driven just by standardised actuarial tools that socially construct risk in this context in order to assess and regulate violent men. It also involves practitioners' own judgements, making it a subjective process about a problem that is largely hidden and private. Offenders who are assessed as risky enough are allocated resources such as offending behaviour programmes. The argument will demonstrate that the strategies embedded within perpetrator programmes, onto which violent men are court mandated, serve to predominantly manage and reduce future risks of violence. Violent men learn how to manage their perceived risks of violence without being challenged much to alter the deep-seated thoughts they have about women that often underlie why they are violent in the first place. The outcome is that women continue to be at risk of violence from intimately violent men.

Risks of intimate violence

Intimate violence can include acts of abuse that are psychological, physical, financial and sexual in nature (Home Office, 2012). Women are more likely to experience intimate violence compared to men: just over one-quarter of women, aged 16 to 59, in England and Wales have experienced some form of intimate violence, compared to 14 per cent of men (Osborne, 2011). While these figures refer to incidents of violence, there is also evidence that the impact on women is more severe than for men. In England and Wales in 2010–11, of 636 offences which were recorded as homicide, 94 of these were female victims who were killed by their partners or ex-partners compared to 22 males who were killed by their partners or ex-partners (Osborne, 2012). Victims of 'domestic violence' are most likely to be repeatedly abused compared to any other victims of crime (Parfrement-Hopkins, 2011), ordinarily by the same perpetrator (Roe, 2010), which illustrates a pattern of abusive behaviours, as opposed to discrete incidents. Yet, domestic violence is thought to have the highest under-reporting rates compared to other crimes (HMCPSI and HMIC, 2004 cited in Bowen, 2011, p. 22). The 2008–9 British Crime Survey (BCS) found that only one in five women had told the police about the partner abuse they had experienced in the previous year (Roe, 2010).

Hester (2005) examined the prosecution of domestic violence perpetrators across one police force area. She found the conviction rate was less than half a per cent of all incidents recorded by the police. Since there is no legal offence to encapsulate 'intimate violence', offenders

can be prosecuted for a range of generic offences such as criminal damage, common assault, rape and murder (Gilchrist et al., 2003) drawing on Acts (Violence Against the Person Act 1861, Sexual Offences Act 2003, Protection from Harassment Act 1997) that provide generally for physical and sexual violence, as well as threats. Consequently, much abusive behaviour is not covered by the criminal law (Bowen, 2011; Harne and Radford, 2008). This has ramifications for how individuals perceive intimate violence. The 2001 BCS found that one-quarter of female victims of intimate violence did not define 'non-sexual domestic threat or force' as intimate violence (Walby and Allen, 2004, p. 39). Victims were more likely to define acts as intimate violence if they were frequent, severe and injured as a result (Walby and Allen, 2004), which reflects a pattern of abusive behaviours. Hearn's (1998) research on male intimately violent perpetrators found that they too narrowly defined physical acts of intimate violence: pushes and holding/blocking, even throwing the woman were largely omitted from such a definition. Donovan and Hester (2010, p. 279) evidence what they call 'public stories' about intimate violence that constructs it as largely physical in nature, and in doing so serves to mask other forms of such abuse for victim/survivors (see also Donovan's chapter in this volume). The perceived risks therefore of intimate violence vary from person to person and have ramifications for how risk is constructed, measured and tackled, as this chapter goes on to illustrate.

Probation and risk

The Criminal Justice System deals with a small minority of all perpetrators of intimate violence. As the research suggests, few violent men go to prison. In Hester's (2005) research, of the violent men convicted, 13 per cent were given custodial sentences and about a quarter were given Community Rehabilitation Orders (CROs) (as they were called then). Violent men who were given CROs would serve their sentences in the community under the supervision of probation officers working in the Probation Service. Currently, the probation service is served by 35 probation trusts accountable to the National Offender Management Service (NOMS) (NOMS, 2011a). NOMS aims to protect the public and reduce re-offending as well as to support rehabilitation by helping offenders reform (NOMS, 2011b). These aims have not changed particularly since the inception of the National Probation Service in 2001 when the then newly unified service also sought to protect the public, reduce re-offending and rehabilitate offenders (NPS, 2001).

Over the past 20 years, however, the official rhetoric about the supervision of offenders in the community has become less specific about the aims of community sentences moving towards a more generic language about the purpose of sentencing. The aims of a Probation Order (as it was known then) during the mid-1990s was, as stipulated in National Standards (which lays out the minimum standards of practice to be met when supervising offenders in the community), '*securing* the rehabilitation of the offender, protecting the public from harm from the offender, or *preventing* the offender from committing further offences' (Home Office, 1996, p. 17; author's emphasis). In 2000, the aims of community sentences began to shift away from a focus on rehabilitation and the prevention of crime to an emphasis on an effort to '*reduce* the likelihood of re-offending' and 'rehabilitate the offender, *where possible*' (Home Office, 2000; author's emphasis). Two years later, '*minimise risk* of harm to the public' was added to these aims of community sentences (Home Office, 2002; author's emphasis). The 2011 *National Standards for the Management of Offenders* say that the activities outlined in the standards, for example, of assessment and enforcing the sentence, are carried out with the purposes of sentencing in mind, which include punishing offenders, crime reduction, rehabilitating offenders and public protection (Ministry of Justice, 2011). So while the rhetoric about the supervision of offenders in the community illustrates a shift away from rehabilitation and the prevention of crime to a focus on reducing re-offending by lessening the risks of harm, the language has also become more generically aligned to the overall purpose of sentencing. Not only is it now unclear what the purpose of a community order is but it presupposes that all these sentencing aims are mutually compatible. The essence of the argument in this chapter illustrates how some of the aims of sentencing are not entirely compatible: namely protecting the public, reducing re-offending and 'rehabilitating' offenders.

Feeley and Simon (1996, p. 368) termed the permeation of the language of risk in criminal justice the 'new penology', which they said 'is neither about punishing nor about rehabilitating individuals. It is about identifying and managing unruly groups. … Its goal is not to eliminate crime but to make it tolerable through systemic coordination.' Under this 'new penology', community sentences have developed, evidenced in the Criminal Justice Acts 1991 and 2003. Under the former Act, the Probation Order became part of the sentencing framework (Worrall and Hoy, 2005), and as such, part of 'the continuum of control for more efficient risk management' (Feeley and Simon, 1996, p. 372) of offenders,

who are now classified 'according to the degree of control warranted by their risk profiles' (Feeley and Simon, 1996, p. 370). Prison provides maximum security for high-risk offenders whereas probation offers surveillance for offenders posing less of a risk (Feeley and Simon, 1996). It is important to the argument in this chapter to illustrate further how the discursive shift from rehabilitation to risk came about.

Probation and a 'new rehabilitation'

In the last two decades, the Probation Service has undergone considerable change motivated in large part by a decline in public spending on the Criminal Justice System. This reduced spending on prisons and refocused the work of the probation service (see Mair and Burke, 2012): from an organisation that aimed to help offenders to a law-enforcement agency that sought to control them (Worrall and Hoy, 2005). One of the key initiatives underpinning the refocusing of probation was 'What Works' in reducing re-offending, which began with the Conservative Governments in the 1990s, continued with the New Labour Government from 1997 (see Robinson, 2001) and now the Coalition Government from 2010 (see Grimwood and Berman, 2012). The 'What Works' debate grew largely as a reaction to the 'Nothing Works' ethos of the 1970s (McGuire and Priestley, 1995, p. 7). Then, and contributing in part to the demise of traditional rehabilitation and the medicalised model of treatment, reviews of studies carried out on the treatment of offenders suggested that nothing worked in changing their behaviours (McGuire, 2000; McIvor, 1997). In the 1990s, the 'What Works' initiative was viewed as a 'renewed commitment to rehabilitative work with offenders' (Burnett and Roberts, 2004, p. 3) because the findings from meta-analytic reviews of studies on the treatment of offenders were interpreted as providing clear guidelines about what works in reducing re-offending behaviours. Some of these guidelines include the allocation of offenders to appropriate services based on their assessed level of risk of re-offending; targeting (risk) factors which are thought to be related to the offending behaviour; and employing skills-based techniques with a cognitive-behavioural focus in perpetrator programmes (McGuire, 2000).

The rhetoric of 'What Works' was about a 'new rehabilitation' to reduce crime (Robinson, 1999, p. 430, 2002), and this still seems to be the case (see Grimwood and Berman, 2012), since perceptions have changed about the possibility of ending crime (Robinson, 1999, 2002). Optimism about ending crime was part of traditional rehabilitation during the 1950s and 1960s where the goal was to diagnose, treat and cure criminals. This

rehabilitation involved working with offenders (see Hudson, 1987) but 'modern [new] rehabilitation' is not concerned with the welfare of the offender (Worrall and Hoy, 2005, p. 31). Instead, 'a central feature of the new [risk] discourse is the replacement of a moral or clinical description of the individual with an actuarial language or probabilistic calculations and statistical distributions applied to populations' (Feeley and Simon, 1996, p. 366). As such, 'new rehabilitation' has been recast as a regulatory mechanism for managing risk, reducing crime and protecting the public (Garland, 1997; Robinson, 1999, p. 430).

Risky calculations: Assessing risk

Under the 'What Works' agenda, accurate and systematic assessment of offenders is crucial if they are to be matched appropriately to interventions that can control them in accordance with their risk profiles. The National Probation Service (as it was then) accredited and rolled-out nationally OASys: the Offender Assessment System (Mair and Burke, 2012) from 2001 to 2004. Offenders were assessed before sentence, at the start of community and custodial sentences, and periodically during their sentence. OASys assesses 'offending-related needs, likelihood of re-conviction and risk of serious harm' in order to 'aid effective management of offenders … to *reduce* re-conviction' (Howard, 2006, p. 1, author's emphasis). OASys includes 12 offending-related factors to assess the risk of re-conviction. Some of these are misuse of alcohol, psychological factors, thinking style, criminal history, current offence and relationships. Assessors have to provide evidence of the link between these risk factors, the risk of serious harm and the re-offending behaviour. The 'current offence' and 'relationships' subsection of OASys can identify intimate violence. The former category considers whether there was a physical attack against a partner and the latter category assesses whether the offender has a history of intimately violent relationships (Bowen, 2011).

   The research, on which this chapter is based, analysed the ways in which the treatment of intimately violent men were constructed in the probation service, using a discourse analysis approach (see Ballantyne, 2004). The author analysed discourses in (i) the tools used to assess intimately violent men, (ii) the supervision of intimately violent men, (iii) the Domestic Violence Programme (DVP[1]) and (iv) the violent men's narratives. Data was gathered in one probation area (as they were then) from 2002 to 2003 using a variety of methods: pre-interview and periodic questionnaires with practitioners and the violent men;

35 in-depth semi-structured interviews with ten practitioners and 11 male perpetrators of intimate violence some of whom were interviewed more than once and some three times (25 interviews altogether with perpetrators); analysis of the case files of 11 violent men who were on the DVP;[2] direct observations of the DVP over a year; and analysis of the programme manual.

The following extract from an interview with a probation practitioner, Denis,[3] illustrates the use of OASys (Ballantyne, 2004).

> You see what this thing [OASys] allows you to do is, this tool, I mean I've put medium risk to his partner … So that's the good thing about this tool, is that for everything that you write down, you have to kind of provide some evidence to why you think that he is a risk to his partner. In this case, his offences, the ones that he has been convicted of and the ones he hasn't been convicted of, the two of them are against his partner, and clearly there was alcohol involved in all three. So obviously he's more of, in terms of risk, is medium risk to his partner, and that risk would increase should he start abusing alcohol, you know, getting drunk and stuff.

OASys identifies four risk of harm categories: low, medium, high and very high. Medium risk of harm is defined as identifiable factors but harm is unlikely unless there is a change in circumstances (Bowen, 2011). Denis talks about the actuarial calculation of a medium risk of harm the offender presents to his partner by considering how alcohol and previous intimate violence, as offence-related factors, are linked to the offender's increased risk of harm. He has drawn on OASys to learn about how to assess offender risk in order to define the risk of harm category the offender matches. In doing so, he has positioned himself within the dominant risk discourse of the probation service.

Given the serious risk of harm that could result from intimate violence, much rests 'upon the accurate prediction and safe management of risk' (Kemshall, 1996, p. 135). Implementing OASys was thought to increase the likelihood that offenders' risks were consistently measured (Chapman and Hough, 1998; Kemshall, 1998; NPS, 2001). Kemshall (1998) sought to understand the meaning of risk and how it was interpreted by probation officers. She administered six vignettes that illustrated different offenders' cases to probation officers. She then interviewed officers about their views on each scenario. Findings indicate that probation officers defined and identified risk in different ways, and the use of standardised risk-assessment methods (such as OASys) did not guarantee agreed

concepts about risk. There was a difference in the perceived types of risk present, the level of risks posed, and the appropriate intervention required to manage risks. Defining and predicting risks is thus problematic. Kemshall (2002, p. 14) argues that while the dominant discourse of risk presents risk as a calculable concept, paradoxically, a discourse of risk as 'risk as uncertainty' has emerged.

Bowen (2011, p. 104) illustrates this further by analysing the two approaches of 'actuarial' and 'structured professional judgements' in assessing risk. The 'actuarial' approach involves the use of statistical methods to assess risk. 'Structured professional judgements' relies on the systematic application of a risk-assessment tool aided by detailed guidance but also requires the practitioner, who may not be trained clinically (for example, in the medical/psychological approaches to treatment) to assess risks posed by the offender based on their overall 'clinical' understanding of the case (Douglas and Kropp, 2002 cited in Bowen, 2011, p. 104). In contrast to Denis's narrative, Henry, another probation officer, illustrates the difficulties in assessing risk of intimate violence when he talked about revoking a violent man's CRO (Ballantyne, 2004).

> If I genuinely think risk's been [sic] reduced, then yeah I do it [revoke an order]. I have to say I do it less for domestic violence people, but that's because it's, you never really know, the indicators have changed so they're debatable aren't they? Risk, because it's one of those well kept secrets isn't it? Like incest and that, you don't really know the depth of it, you don't get the feeling. I feel less confident and less safe revoking domestic violence, but I have done it in the past … I use it [revoking an order] as a recognition that they've worked hard and the main thing is that the risk has fallen. So in a revocation for good progress, I would have to be able to say with hand on my heart that I believe that the risk has been reduced. So you know, I would need hard evidence for that, and, it may be that they're divorced and moved away. You know that sort of evidence would be acceptable, but if they're still living with their wives then that's very difficult. I'm more likely to say, 'well look, you know it's only monthly now [contact with the probation service], stick with it'.

Henry relies on his overall understanding of the case to assess risk by considering whether the couple are living together or whether they are divorced. He also seems to be drawing on his own gut feelings to

assess whether risk has reduced. Appleton (2004) noted that probation officers in her research used their gut feelings to inform decisions about risk management. But Henry's feelings and overall understanding of this case means that his views about the future risks of violence the man continues to present to his partner or ex-partner are not wholly reliable. Research shows that intimate violence occurs in various types of relationships, not just of the marital kind (Mirrlees-Black, 1999), as Henry implies. Moreover, men who have divorced and who have moved away from their former partners may not reduce an offender's risk of harm because violence can escalate after separation (Hester, Pearson and Harwin, 2000; Morley and Mullender, 1994) and sometimes, though not often, culminating in homicide (Dobash, Dobash and Cavanagh, 2009). Furthermore, Henry refers only to the risk presented to current or former partners. He neglects to assess the riskiness of the offender's future violent behaviours against other women in intimate relationships. Men might be violent in a number of relationships, as Gondolf (1987) has noted.[4]

The discourse of risk is well-embedded in government policy and criminal justice settings are based on assumptions about actuarial calculations of risk: that they calculate 'real', identifiable behaviours in (potential re-)offenders; that they are accurate; and that they can be and are consistently and reliably used by practitioners across different contexts and with different offenders. However, the evidence suggests otherwise: actuarially calculated risk provides a statistical result pertaining to probability; its accuracy is unstable because of the input of practitioners themselves who use their own personal and professional judgements to apply and interpret risk assessments. While risk is presented as real, it is revealed as a constructed concept with a multitude of meanings dependent on multiple perceptions about risk (Kemshall, 2002). Hence why women do not define what has happened to them as intimate violence and why men do not consider they commit intimate violence: it is a matter of meaning rather than denial. In addition, the hidden and private nature of intimate violence fundamentally undermines the risk-assessment tools that are used by practitioners (Harne and Radford, 2008) since they are based on what is believed to be known about offenders. Given the small chance intimately violent offenders are reported to the police, arrested, charged and convicted for their violent acts (see Hester, 2005), those risks are based on relatively small samples thus assessing the risks of harm, and re-offending and re-conviction of such offenders is incredibly difficult, sometimes impossible, and probably inaccurate.

Managing and reducing risks

Even if there were some usefulness in the tools to assess future risks and gauge the appropriate level of risk-management strategies needed to tackle the risk assessed, they provide little information about the precise nature of the risk management approaches themselves (Bowen, 2011). As part of the 'What Works' agenda, an accreditation panel, consisting of experts within the field of criminal justice, was formed to accredit effective offending behaviour programmes to reduce re-offending (Hollin et al., 2002a, 2002b; Rex et al., 2003). In line with the 'What Works' guidelines, programmes must address risk factors identified in the offender population for which the intervention has been designed, employ effective methods, often thought to be cognitive behavioural therapies (CBTs), and should be evaluated to assess whether risk is targeted and reduced (Bowen, 2011).

Both the accredited domestic violence programmes rolled out nationally by the probation service at the beginning of this century, the Integrated Domestic Abuse Programme (IDAP) and the Community Domestic Violence Programme (CDVP) adopted CBT (Bowen, 2011). CBT assumes that criminal behaviour is the outcome of an individual's faulty thinking (Kendall, 2004). Used in a treatment programme, CBT focuses on changing an individual's thinking, which in turn is thought to effect emotions and ultimately behaviours (Scourfield and Dobash, 1999). To facilitate this, Kendall (2004) suggests that there are two central strands to CBT. One is restructuring cognitions, which seeks to replace faulty thinking with alternative thoughts by teaching skills of 'self-talk' (Bowen, 2011, p. 116). The other strand to CBT is training in cognitive skills such as managing anger (Kendall, 2004) by teaching the skill of 'time-out' (Bowen, 2011, p. 116). These CBTs can be grouped into self-instructional and self-management training (McGuire and Priestley, 1995; McGuire, 2000).

Using Bowen's (2011) analysis of programme documentation, the following explores the two accredited domestic violence programmes used by the probation service. The IDAP is based on the Duluth model of change: a pro-feminist intervention, which aims for male perpetrators of intimate violence to accept how they use violence as a means of control and to show them how they can use non-controlling and non-abusive behaviours in their relationships with women. The CDVP, while recognising some beneficial aspects of a feminist approach, includes patriarchy as one of many factors that cause intimate violence.

Both the CDVP and the IDAP aim to end men's violence against women (Bowen, 2011). The DVP in the author's study also aimed to

help men end their violence. It was explicitly a pro-feminist programme that similarly employed CBT to achieve this aim by encouraging men to accept responsibility for their violence (Ballantyne, 2004; Bowen, 2011). A feminist perspective of change is premised upon men owning their abusive behaviours so that they can engage in the process of changing to end their violence (Dobash et al., 2000). However, another way these programmes seek to realise the aim is for men to be aware of their risk factors for violence (Ballantyne, 2004; Bowen, 2011). These two objectives of men owning their violence and having awareness of their risk factors are theoretically incompatible in serving to end men's violence, as the following explains.

The IDAP, CDVP and the DVP use CBT techniques, such as self-instructional and self-management training to teach self-talk and time-outs. Modules covered, for example, suggest that men (i) identify risk factors linked to their intimate violence; (ii) recognise situations in which there is a high risk of enacting intimate violence; (iii) are trained in the use of techniques to control their emotions (such as anger), which in turn should manage their behaviours; and (iv) devise risk-management plans (Bowen, 2011). Using observational field notes of the DVP (Ballantyne, 2004), the following illustrates how such sessions might play out in practice. In one of the early sessions of the DVP, men were asked to identify factors that increased their risk of violence and consider risk-management strategies.

> Risk factors given by men include alcohol by two men … With reference to the two men that mentioned alcohol as a risk factor, one man suggested he would manage this by controlling his drinking, whereas the other said he would have no alcohol.

While these two men recognised alcohol was a factor that increased their risk of violence, and despite providing strategies to manage the risk posed, they are not accepting responsibility for their violence rather they are blaming the alcohol for their violence. Holloway (1998, p. 238) uses the term 'investments' to illustrate how individuals take up positions within certain discourses and out with other discourses because there is some satisfaction or pay-off, which is neither necessarily tangible nor the result of any rational or conscious process. Investments for the men to do so include that they appear to assess, manage and reduce their risks of violence, without having to accept responsibility for such abuse. Additionally, their narratives echo, in part, those of probation practitioners, like Denis (mentioned earlier). Consequently, violent men

can indicate compliance with their court order (see Bottoms, 2001), and present a positive image of the self to others and themselves (see Goffman, 1968, 1971, 1972; Sykes and Matza, 1957). Court-mandated men would have been exposed to a narrative about factors like alcohol increasing the risks of violence in their individual supervision sessions with their probation officers using OASys to assess them during and after the programme. As such dominant official risk discourse is drawn on by practitioners and offenders alike (Hearn, 1998) and gains legitimacy (for example, authority) and influence within institutions (see Foucault, 1981, 1989). The probation service with its documentation about the aims of the organisation, its minimum standards of practice, the assessment tools, perpetrator programmes, the probation officers who work within the organisation, and the violent men who are treated there, all reinforce and reproduce treatment of intimately violent men within the realms of a dominant discourse of risk to reducing intimately violent behaviour.

Indicating compliance with their court order and thereby presenting a positive image of the self is the crux of the matter here for convicted offenders. Tony illustrates this in his interview carried out midway through the DVP (Ballantyne, 2004), when he talked about how he progressed from not being able to manage his violence to being able to adopt the skills he had learned on the programme in order to manage and reduce his violence.

> I've tried 'time-out' but it's [the argument] still being carried on. The only way to stop it is to get that one better [win the argument or be violent]. I would say that's how it was. But now, it's like to have the 'time-out' and make a bit more space, because it was still in the same room [previously], it was still there [tension]. If you leave the room and go back in, there's always a bit of fresh air when you walk back in.

Tony illustrates a sought-after change in behaviours by the probation service as a result of their intervention by talking about managing violence using a technique taught on the DVP. In doing so, he has complied with his court order.

Like Tony, other men talked about using the strategy of a time-out to assess, manage and reduce their risks of violence. They are taught to use a time-out when they feel their anger increasing to reduce the likelihood of physical violence (Ganley, 1981). Teaching men skills such as recognising anger and taking time-outs to manage such anger interrupt

incident-based violence in the short-term but they do very little about ending repetitive violence long-term (Gondolf, 1988, 2000; Gondolf and Russell, 1986). This is because such risk-management techniques do not fundamentally address why men are violent in the first place. Feminist-based techniques in these programmes emphasise re-educating men about the roles and identities of men and women, and address the deliberate and repetitive tactics that men use to gain positions of power in intimate relationships (Scourfield and Dobash, 1999) in order to change men to end violence against women (Dobash et al., 2000). This is a different discourse, a more traditional rehabilitative approach using a more medical model of intervention to end men's violent behaviour. In the author's research, rehabilitation discourse was a less dominant discourse, featuring minimally in the assessment tools, in the supervision of offenders, and in violent men's narratives, and surfacing more in the DVP. However, it was risk discourse that was dominant throughout all these domains of the probation service (Ballantyne, 2004).

So the paradox is that the IDAP, CDVP and the DVP all aimed to end men's violence against women (rehabilitative discourses), but they were set within a wider dominant organisational discourse of risk management and reduction. Empirically, there is no conclusive evidence to suggest that the accredited domestic violence programmes end violence against women (Bowen, 2011): theoretically it seems they are not likely to because of the competing, dominant discourse that emphasises dealing with offenders using short-term fixes for violence that is constructed as incident based. The investments for violent men, particularly court-mandated men, to take up a position within risk discourse to talk about their violence are attractive because they illustrate men's compliance with their court order. In doing so they present a positive image of the self to others and themselves without having to fundamentally work to accept responsibility for violence and potentially make long-term changes to their attitudes about and violence towards women.

Conclusion

Risk discourse about how to assess, manage and reduce risks of re-offending and harm is dominant in the probation service. Fundamental to this discourse is the accurate prediction of risks so that resources can be appropriately targeted towards risky offenders in order to protect the public. However, it has been argued that contrary to the use of actuarial risk assessments, risk is a socially constructed concept mediated by a host of social and cultural factors that invariably impact upon individual

perceptions about the nature and meaning of risk. Moreover, the primacy of risk discourse in the probation service means that men's violence is dealt with as though it were incident-based, rather than working with men's repetitive abusive behaviours long term to enable fundamental change in men themselves to end violence. Risk discourse has gained such legitimacy within the probation service in policies and practices that there are many investments for violent men to draw on this narrative to construct how they assess, manage and reduce their intimate violence.

On the horizon for the probation service is the planned phase-out of both IDAP and CDVP in favour of a Building Better Relationships Programme (Ministry of Justice, 2012). The rationale for this programme also rejects patriarchy as the sole cause of intimate violence. Instead other more individualistic causes are focussed on as risky behaviours, such as alcohol abuse. It seems that the lack of robust evidence about the effectiveness of IDAP and CDVP was one of the drivers to phase out these programmes (Weatherstone, 2012). In these planned changes, rehabilitation discourse must be used in parallel with risk discourse, rather than as a residual discourse, which currently seems to be the case. Relying solely on risk discourse gives men excuses for violence and accepts that violence against women is inevitable. It can also lead to inaccurate predictions about the future risks of hidden and private violence, which in turn, leads to interventions that are not able to adequately guarantee women's protection from intimately violent men.

Notes

1. The DVP was the precursor to the accredited programmes described later in this chapter. This was probation-led in partnership with a voluntary sector agency.
2. A small minority of these men were not court-mandated to attend the DVP. They were self-referred onto the DVP through the partnership agency, who at that time the probation area worked with to deliver the DVP. As such, these men were not supervised by the probation service.
3. All names are pseudonyms.
4. Currently, the probation service use further assessments to assess risk of domestic violence because OASys can only moderately predict re-offending, and this predictive ability is reduced when assessing risk of violent re-offending (Bowen, 2011). OASys Violence Predictor (OVP) is used as well as a more specialised tool: the Spousal Assault Risk Assessment (SARA) (Howard, 2011).

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11
Conclusion: Reflections on Risk, Identity and the State

Catherine Donovan and Jeremy Kearney

The chapters in this volume have demonstrated the range and diversity of sites where risk discourses now dominate both policymaking and practice interventions across social welfare services. Whether examining the construction of risky individuals or populations, the processes of identifying, categorising and regulating people's private and public lives are well established and, to a large extent, ubiquitous. At the same time, a number of the authors have shown how the risk discourses can also be beneficial in creating spaces where discriminated groups can create a positive identity and access support and resources.

Looking to the future, a number of interlinked themes have been raised by the contributors to this volume. The first is how, within a neoliberal context, risk agendas can be used as tools for justifying the rationing and targeting of services, particularly welfare provision. A second theme that has emerged is the power of risk agendas to redefine what is constituted as a social problem and affect how such problems are understood. Whether a risk is regarded as real or hypothesised as a future possibility, the way that individuals and societies respond to such risks, the policy discussions around the particular issue can have very real affects on those involved. The third theme relates to this and is about how the changing definitions of whom and what is risky can, in turn, reconstruct how practitioners and managers act in their day-to-day work. Finally, the chapters have illustrated the effect of risk discourses and the changing nature of practice on constructing the identities of the 'safe/risky', 'responsible/irresponsible' and 'good/bad' citizen.

A recent controversy over cuts to local public services illustrates these themes and brings to life debates about how a risk agenda is being enacted across different welfare and criminal justice contexts. At the time of writing (early 2013), the Labour-led council of Newcastle-upon-Tyne in the

North East of England is being heavily criticised by leading campaigners in the local Arts community for proposing to make 100 per cent cuts to the Arts budget over the next three years. This is as part of total proposed funding cutbacks within the Council of £100 million. However, in an article in *The Guardian*, the response of the Leader of the Council to the criticisms illustrates how risk thinking can provide both a defence for the Council's budget plans, while at the same time, be presented as an attack on the Coalition Government for creating the need for such spending cuts. The article reports:

> [the Leader of the Council says] 'we have *predicted* that by 2018 the council won't even have the resources to provide its legal statutory services … By 2016, even the city's relatively protected adult and children's social care budgets will be limited to *critical interventions only* … Newcastle has *modelled* the likely impact of the cuts over three years – a kind of local comprehensive spending review – producing a possibly more alarming picture than would be the case if it limited its inquiry to just one year ahead'.
>
> (Butler, 2013, p. 37, emphasis added)

In this example, the modelling of budgets and spending cuts has been used to project into the future what risks the Council faces in setting and meeting particular financial targets. Unlike the precautionary approach, the aim is not to try and avoid future harm but, due to Government restraints, Newcastle Council must recognise the future situation and act to pre-empt it. In this particular case, the cuts proposed by the council may or may not prove necessary three years hence, but they will have already been implemented.

In a later interview the Council Leader framed the situation in Newcastle rather well by saying, 'The proposed 100% cut to the city's culture budget was … a reflection of *austerity in practic*e' (Higgins, 2013, emphasis added).

The changing definition of risk can also be seen here as the Council Leader also predicts that by 2016 only 'critical interventions' for children and adults will be available, yet what is not explained is how 'critical' will be defined. The use of the word critical to mean 'most risky' is regarded as sufficient in itself to justify the action. As well as the cuts to the Arts budget, the Council proposed severe cuts to youth provision and respite care for parents of disabled children. Consequently, practice must alter, and the ways in which the local authority has assessed the needs of those groups of young people, disabled children and their

families will have to be reconstructed by practitioners and agencies as they are forced to adapt to larger caseloads and reduced resources. Finally, in order to access services or resources in the new Newcastle context, service users and carers will have to manipulate their identities and present themselves as the most at risk or most vulnerable, if they are to get a response.

In this example, it is possible to see, in microcosm, how risk thinking is now embedded in the Council's approach and can be used to justify cuts, redefine social problems, alter practice and reconstruct identities. Drawing on the chapters in this book these themes can be observed right across social welfare contexts.

1 Risk as an instrument of austerity

A common thread through many of the chapters is how the arrival of the New Labour government in 1997 marked the emergence of a broad risk agenda underpinning many areas of government policy. Many of these initiatives adopted a totalising approach and looked to embrace whole populations within their remit. Donovan illustrates how the Coordinated Community Response sought to risk assess all victim/survivors of domestic violence and abuse in order to secure homicide prevention, while Kearney points out how all non-family relationships between adults and children have been problematised. Similarly, in Clayton's chapter, all of those who do not have computers and/or not connected to the Internet, are constructed as being at risk of digital and, therefore, social exclusion.

On the other hand, some other New Labour policy initiatives were individualising and took a prudential approach to risk, permitting early intervention with those who exhibited particular risky characteristics in order to avoid future harm taking place, such as Anti-Social Behaviour Orders (ASBOs) that often involved curfews and restrictions on travel and interactions with others, or Controls Orders, established under the Prevention of Terrorism Act 2005 that placed people not charged with any offence under the equivalent of house arrest. In both of these types of policy responses to perceived risks, New Labour took a very overt approach to presenting these initiatives and as a result, in many cases experienced considerable political and public resistance (see bigbrotherwatch.org.uk). However, with the defeat of New Labour in 2010 and the entry into government of the Coalition, a new approach was adopted to how such risk-dominated policies were presented to the public. Some of the more controversial and grandiose schemes were abandoned

(for example, the National Identity Card scheme which would have included the whole adult population of the UK and ContactPoint, a database of all children under 18 in England) and other policies were reviewed and toned down. As the contributors to this volume have shown, the shift in tone from New Labour to the Coalition did not mean that the risk agenda was no longer dominant but rather that it had become embedded in the policies and practices of the State. The ideological commitment of the Coalition to austerity policies and to overturn the 'dependency' culture perceived to attach to the welfare state has resulted in severe cuts in public spending and changed the focus of attention to financial constraints.

As Donovan discusses in relation to domestic violence and abuse, and Bowler in relation to youth work, the targeting of the most 'high risk' or most 'at risk' can lead to the exclusion from service provision of many who are not deemed to fall into these categories. Similarly, as Clayton shows, the provision of access to services by only one means such as digital technology can also lead to exclusion and rationalisation.

2   Redefining social problems

The lens of risk itself can also have a constructive effect and can redefine what is constituted as a social problem and how such problems are understood. In this context risk then becomes a relative concept, which may incorporate either more or fewer individuals within its compass, depending on how the social problem is defined in relation to risk. Both Quaid, in relation to constructions of lesbian mothering, and Kearney, in his analysis of the expanding definitions of children at risk and risky adults, demonstrate that definitions of risk can change in response to political and social circumstances with major implications for those involved. Rushton, in his historical analysis, illustrates the ways in which the nature of risk, and how it has been understood, has changed over time and this, in turn, has altered the understanding of recurrent social problems, such as urban riots.

Donovan argues that the risk-assessment tool itself acts to produce and reinforce a particular model of domestic violence and abuse. In reality, this model is not only heteronormative, but also likely to emphasise attention on particular groups of heterosexual men, and thus excludes attention being paid to those victim/survivors whose experiences sit outside this model. In such cases, risk management becomes exclusionary and so creates new risks for those not involved. In a similar vein, Merchant's chapter points that although young people have been

consistently identified as a threat to adult society, the specific risks they pose changes as the political context is redefined. The focus on individual responsibility rather than social welfare provision means the risk agenda has created an opportunity for experts in the identification of risk factors related to youth offending to propose that it can be prevented by concentrating on risk factors identifiable in the early childhood experiences of young people. Youth problems are defined as the result of individual pathology rather than structural disadvantage.

3   Re-constructing practice and practitioners

A number of the chapters illustrate how approaches to practice have changed in response to particular risk agendas. Ballantyne argues that the risk agenda has resulted in a reframing of the purpose of probation: away from efforts to rehabilitate the perpetrators of domestic violence and to end their abusive behaviour, to aim to manage the risk they pose and minimise the impact on their (ex-)partners and children. Following on the same theme, Bowler discusses how the nature of youth work itself has changed in response to the risk agenda. He argues that youth workers themselves can be as much at risk as the young people they work with. The current context of youth work means they can be deskilled and expected to focus on individualistic approaches to working with those young people identified as most at risk. Donovan suggests that the practice responses to domestic violence and abuse are also being changed to focus on those assessed as most at risk, with resultant consequences for those who do not meet this criterion. The risk-assessment process produces a particular group of behaviours and people, who are likely to present the most risk, thus shaping the ways in which practitioners can identify, understand and respond to domestic violence and abuse.

4   Identity in the context of risk

The chapters by Clayton, Macdonald, Rushton and Kearney delineate the explicit nature through which risk thinking can be used to identify features such as gaps in provision, technology deficits, thresholds for access to services, and surveillance techniques so to leave opportunities for the market to provide for them through private-sector providers. The creation of criteria by which need or risk is defined act to produce identities of entitlement and/or stigmatisation. The former may become embedded and positively embraced as socially produced identities of being (for example, those with learning disabilities in Macdonald's

chapter). The latter may be used politically to reinforce rationales for continuing to address the 'dependency culture' such that, as Clayton says, those at risk of being digitally excluded are subject to e-policies that expect self-learning as a route to (re-)employment and (re)training. As Kearney explores, stigmatised identities can also be used to encourage the responsibilised employee to voluntarily register as 'safe' in order to signal the lack of risk they pose to children in the occupation of their choice. Quaid's discussion of lesbian-led families shows how, even with the changing position of such families in society, their identity is still constructed as 'polluted' and as the 'other', even though the reasons for such negative identification have changed over time. Therefore, the acceptance or rejection of 'asserted' or 'imposed' identities can have major consequences for the individuals and groups concerned.

Concluding comments

The arguments developed in this volume suggest that risk, while seeming to be everywhere and affecting everyone, is not universal in its employment or impact. Instead, as we have argued earlier, risk can be used in a range of ways to deploy and reinforce different, and indeed opposing, political and ideological agendas. The neoliberal turn in welfare suggests that the language of risk can be a useful tool to reassure people that the safety net still exists for those in most need and that those who present most risk to society's values and social mores will be dealt with appropriately. However, elsewhere risk thinking has enabled some groups in society to develop an agenda for resistance to these forces. Instead, change, both collectively in terms of campaigning for rights to access resources and individually, in terms of developing minoritised identities, can be fought for by adopting a language of risk of exclusion from society. Such variety in the utilisation of risk as a theoretical and practice-based concept for understanding suggests that there are still fruitful outcomes to be had by interrogating risk across society.

References

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Index