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Responding to bereavement, grief and loss: Charting the troubled relationship between research and practice in youth offending services.

Abstract

This paper is concerned with the professional response to bereavement, grief and loss experienced by children and young people subject to criminal justice interventions. It looks at the most common responses within the youth offending service and secure estate to this 'need' and asks what this says about the nexus between theory, research and practice. Here the authors draw on both criminological research and the literature around death and dying to discuss what is appropriate, what is ethical, and 'what works' – if anything - in such interventions. They argue that interpretations of the Risk Factor Prevention Paradigm (RFPP) – the currently dominant 'mode of understanding' in youth justice – and risk management can result in the relative neglect of bereavement and loss as 'welfare issues' beyond the remit of those engaged in offender rehabilitation. The paradigm's focus on individual pathology also tends to militate against youth practitioner involvement in more social and community-orientated responses to bereavement and loss, despite growing evidence from around the world of the efficacy of such restorative approaches. The authors conclude by reflecting on the call to 'bridge the gap' (Bridging Work Group, 2005) between research and practice in bereavement, asking how a similar process might be facilitated within youth justice.

Key words: *Bereavement, youth justice, effective practice, risk facto, rehabilitation.*

Introduction

This paper looks at the ways in which children and young people experiencing bereavement, grief and loss are helped by the youth offending service. It considers the nature of this provision – if any – and critically examines its evidence base by comparing the literature around bereavement counselling and offender rehabilitation. Here it notes that, partly as a consequence of the contested nature of 'knowledge' in both fields, they share similar problems. For instance, empirically, neither can claim conclusively that their interventions do more good than harm. At the level of theory, the dominant paradigms in both fields have been subject to accusations of positivism, making unwarranted assumptions about human nature, reducing the individual to a simplistic simulacrum of psychological 'factors', then forcing them to complete a series of preordained 'stages' to achieve their 'rehabilitation'. As a response to these problems, both fields have seen the emergence of challenges (from both practitioners and researchers) to the orthodoxies of mainstream practice. Significantly, in both fields, these challenges have involved similar themes: the centrality of the therapeutic relationship; the value of service user 'voices', the importance of neighbourhood and

community; recognition of the uniqueness of the individual; an emphasis on restoration and reintegration etc.,

In terms of youth justice, the focus here is on the way the response to bereavement issues is indicative of a more general disregard for the therapeutic value of the relationship between youth justice professional and youth person. Following the passage of the Crime and Disorder Act 1998, youth offending teams were created and charged with the principal task of preventing (re)offending. Although continuing to have regard for the well-being of children and young people, this prioritization of prevention has been facilitated by the adoption of a risk-based model of practice that emphasises structured assessment and case management above the traditional concern with practical help and relationship building. This has meant that practitioners are no longer expected to be personally involved in therapeutic counselling (although some do continue to do so) with young people they supervise. Such issues may be prioritised, if they are deemed to be ‘criminogenic needs’ associated with the young person’s offending behaviour but, if no association is discerned, they are more likely to result in referral to a specialist agency that will have little input, if any, into the assessment, planning or delivery of other interventions with the young person. Worse still, the peripheral status of bereavement and other experiences of loss in the ‘factorization’ of offending behaviour (Case and Haines, 2009) can lead to significant symptoms of trauma being ignored (Haydon and Scraton, 2008).

Bereavement and offending

There is little evidence as to the prevalence of bereavement in young people in the UK and what little there is, remains mostly silent on the nature of the event itself, for example the closeness of the relative, the nature of the death or the way in which it may have been witnessed. This makes the task of examining the connections between bereavement and offending - and deciding on the most appropriate intervention (if any) - a more complex process than simply identifying ‘significant’ statistical relationships (although such quantitative data remains important contextually).

In the United States, for instance, Brown and colleagues have provided a useful analysis of bereavement interventions which did look specifically at the nature of

death, concluding “that cause of death from violence or suicide is not a very useful indicator of bereaved children’s need for or likelihood of benefiting from an intervention” (Brown *et al.*, 2007: 301). What is particularly interesting here is that this research examines bereavement using the theoretical tools of ‘risk’ and ‘protective factors’ that inform the RFPP dominant in youth offending in England (and, to a lesser extent, Wales). Significantly, while accepting that the assessment and planning of interventions based on an analysis of ‘risk’ offers the best way forward, their analysis suggests that potentially ‘protective’ variables such as the child’s level of functioning, beliefs about themselves and aspects of their family environment are more important than the nature of the bereavement or loss experienced in determining criminogenic ‘need’. This seems to suggest that – by combining quantitative (actuarial) data with an in-depth (qualitative) understanding of the young person and their social environment – there is at least some room within the RFPP for practitioners (and researchers) to develop a more nuanced understanding of the likely impact of bereavement and loss on particular individuals. Does this mean that there is scope within the field for a reflective discussion between practitioners and researchers (and other key stakeholders), using the RFPP as a means to attend to the complexities of evidence-based practice, disseminating ‘promising’ findings from innovative work?

An illustrative example of this approach can be found in the study of offenders with learning disabilities undertaken by Isherwood and others (2007), which uncovered a range of ‘inherent factors’ linked to offending, one of which was ‘sense of loss’. Bereavement was the most significant example within this category, with Isherwood and colleagues explaining that this was a most likely a result of the trauma itself along with the reduced levels of supervision from parents or significant others. Interestingly, as this was qualitative, ideographically sensitive research, in which the young people’s accounts were used as a starting point and links were made between their levels of resilience displayed and the impact of the ‘loss of ideal’ self (*ibid*: 230). Conversely, however, others (McCarthy and Jessop, 2005) point to the continuing ambivalence of research findings regarding the relationship between bereavement and ‘difficult behaviour’, citing the work of Rutter *et al.* (1998), Girston *et al.* (1991), and Worden (1996) to suggest that the literature is quite confused in this area.

It is possible to identify a number of possible sources of confusion. The first of these may be concerned with what is meant by ‘offending’ – a term that lends itself to the ready criticisms of social constructionism (Hopkins-Burke, 2009: 167). It is nearly impossible to capture, and indeed some might argue unhelpful to capture, behaviour that could be seen as ‘criminal’ by some people in some contexts but not others. There is also the problem of the low attrition rates (particularly for less serious offending), which suggests that most criminal behaviour is not reported to the police and goes unpunished. Self disclosure studies (such as the British Crime Survey) go some way to illuminate this ‘dark figure’ although most studies continue to rely on conviction data to some extent. The problem with this is that such data tells us more about (differential) policing and the prosecution process than it does about the extent of specific types of offending or those most likely to engage in them. For instance, there is strong anecdotal evidence from practice that violent or aggressive behaviour in the family home (including domestic violence and abuse of parents) often goes unreported and, hence, rarely results in a conviction whilst, conversely, those young people already known to the police are far more likely to be apprehended and prosecuted for relatively minor, non-violent offending or targeted because of local concerns about nuisance and anti-social behaviour. Such considerations mean that it is very difficult indeed to make claims, in terms of evidence-based practice, about the causal relationship between bereavement and offending without facing charges of ‘labelling’ and stigmatising those young people who, through little fault of their own, are primarily the victims of marginalisation and the system’s propensity to ‘police the poor’.

Another difficulty concerns the aetiological relationship, as opposed to any statistical one. As Isherwood and colleagues suggest, the ‘real’ reason for the existence of a ‘relationship’ between offending and bereavement lying simply in a lack of supervision by a missing parent, rather than being the criminogenic reaction to the trauma of loss. A nuanced understanding of the complex nature of these aetiological relationships then, seems to be an essential ingredient if practitioners and researchers are serious about responding to bereavement, grief and loss in a meaningful and effective way. For example, in their study of school-exclusions, Berridge *et al.* (2001) found that a large number of those excluded had experienced bereavement or loss. Thus, as an example only, one ‘pathway into offending’ might be loss followed by

change in behaviour, followed by exclusion, followed by antisocial /criminal behaviour, contact with the criminal justice system and, finally, prosecution and conviction.

Furthermore, there are also problems in delineating the precise nature of the interaction between a young person's propensity to engage in further 'offending behaviour' (based partly on statistical and actuarial assessments) and other, more individually-focussed, dynamic 'risk factors' that draw on qualitative data gleaned from the one-to-one relationship between the young person, their family and the practitioner. So, for example, the impact of bereavement or loss on a child or young person will depend on a range of variables (e.g., the quality of the relationship between parent and child prior to bereavement, the emotional support they receive from the surviving parent or carer and other family and friendship networks, and the child's own stock of resilience etc.) that are best assessed by those with detailed knowledge of, and some relationship with, the individual and their family.

What works?

For many (including youth justice practitioners old enough to have been influenced by psycho-analytic or attachment theory) the removal of bereavement counselling as a natural component of their role must seem a strange state of affairs. Freud, they might argue, saw bereavement as a process that offered the possibility of resolution, allowing bereaved people to move on with their lives and form new attachments. From this perspective, it seems incongruous – both ethically and practically – that a practitioner involved in a relationship with a young person that has personal change as its objective should *not* wish to help them with this process of 'transition'. This assumption can be seen, for example, in the brief case study of 'Smiler', reproduced from a book on Kleinian approaches to social work published in 1970:

Charles was an illegitimate child who lived alone with his mother and seemed very close to her. The mother had kept up the relationship with the father, and when he was twelve his parents married. The boy showed strong resentment at his father's presence and continued his opposition even when his father became seriously ill. He did not wish to visit him in hospital and was dragged along occasionally by the mother. There was a particular instance when the mother urged him to go, he refused, and on the following day father died.

Soon after his father's death, the boy joined up with a gang who broke into shops. He was nicknamed 'Smiler' by them because he was always solemn. He was backward at school and appeared dull and lifeless.

After a number of interviews with the Probation Officer, Charles voiced his wish to be caught and to be sent to an Approved School where teachers would be severe and punishing. He came to see that seeking of punishment was a means of eliminating feelings of guilt. He said that although he knew he did not in fact kill father, he still felt responsible for his death and wicked. He had sought to comfort himself by joining up with others who were equally bad. The Probation Officer helped him to see that his feelings of guilt related to his wish that his father should die and he should have mother to himself. The work done with the Probation Officer eventually resulted in lightening the boy's depression. He left the gang and blossomed forth as never before (Salzetrger-Wittenburg, 1970: 103).

Whatever your views of the merits of psycho-analytic 'insight', the significance of this excerpt lies in the shared assumptions of academic author and practitioner. The first of these is that that bereavement (and other forms of loss) can lead to delinquency. The second is that a *counselling relationship with a criminal justice social worker* is an appropriate and important component of the rehabilitative process.

For practitioners trained in attachment theory, these assumptions would also seem well founded. They might, for instance, draw on Bowlby's (1989) idea of bereavement (and other forms of loss) as a four stage model of transition; where the bereaved progresses from numbness, to yearning, searching and anger, then on to disorganisation and despair before, finally, achieving reorganisation. Anger, disorganisation and despair are conditions, they might argue, that are often associated with a heightened risk of both offending and of causing harm to self and others. The model also implies an active role for professionals in helping the client minimise their distress and facilitate their recovery.

Of course, both sets of practitioners would face fierce challenge – both then and now. The issue of proven effectiveness in the delivery of interventions was one that was forcibly brought home to criminal justice practitioners by the publication of research in the mid 1970s that made (although later partly retracted) the shocking assertion that nothing works in the treatment of prisoners and, by extension, those subject to community penalties. This crisis in the profession was addressed by researchers (including Martinson) in a meta-analysis of studies that concluded that some things do

work, some times (Martinson, 1974). Therapeutic engagement by practitioners, however, was not one of them.

Although the therapeutic benefits of a one-to-one relationship between offender and professional - in which the latter 'advised, assisted and *befriended*' the former - are often acknowledged (Barry 2006, 2010), contemporary practice is far more likely to stress a formal, case management role, in which the practitioner operates as a broker, referring the bereaved elsewhere. Here, as in other matters, youth offending appears to be following the model of the Probation Service, where:

The place and centrality of face-to-face work with offenders (implying as it does intervention founded upon a direct, influential relationship between worker and offender) has altered, as the conceptual and technical context in which it takes place has changed. Arguably, the relationship between worker and offender has been seen latterly as less instrumental in promoting change and the emphasis has shifted (unhelpfully, from some perspectives) towards technical skill and management of people through a process (Burnett and Roberts, 2004). However, as Farrell (2002) notes, one-to-one work remains highly significant, with very few offenders completing supervision either as an adult, or as a young person, without receiving one-to-one supervision (Farrow *et al.* 2007: 13).

In practice then, today's youth justice practitioners (unless they actively resist both workload pressures and the current orthodoxies of practice) tend to have very little personal involvement in the therapeutic work undertaken with children and young people. This raises practical problems (for instance, the difficulties in receiving detailed feedback from partnership agencies concerned to maintain the confidentiality of the counselling and bereavement process) as well as more fundamental issues arising from the diminished relationship between professional and client. Consequently, this move away from relational work has generated considerable disquiet in recent years, from both practitioners and academics (McNeill 2005; 2006).

For some of its critics, a key aspect of this disquiet has been to question the 'risk-needs' model (McGuire, 2004) or Risk Factor Prevention Paradigm (RFPP) (Case and Haines, 2009) that structures contemporary work with children and young people in youth justice and to call for a range of alternative approaches incorporating themes such as an increased focus on relationships (between the practitioner and the offender

and their family, and between the offender and their community), restorative justice, and rights-based practice. The problem with the risk factor prevention paradigm is that it provides only a limited conceptualisation of the mechanism by which bereavement may impact on the lives of children in very different ways. The paradigm fails to address the nuanced view driven as it is by processes of aggregation in order to 'factorise' influences.

Others have gone further still, questioning the need for a specialist youth justice service to manage children and young people who get in trouble and recommending instead that this function be taken over by social services (Goldson and Muncie, 2006). Interestingly, the disquiet about the under-emphasis on the practitioner-offender relationship is also shared by those, such as Farrow and her colleagues, favouring a risk-based approach. Arguing that the principles informing the RFPP (most notably risk classification, responsivity and a commitment to diversity) are compatible with an increased emphasis on the social and personal factors supporting desistance, they nevertheless accept that:

There is now a sense that face-to-face work is once again at the heart of debates about effective practice. The balance may need to shift back towards the worker-offender relationship within a wider context of motivation and change to ensure offender engagement (Farrow *et al.* 2007: 14).

Professional transitions?

Like youth offending, childhood bereavement services in the United Kingdom have expanded in recent years (Rolls, 2009) although – again like youth offending – there continues to be debate in the field of Thanatology about what intervention (if any) represents 'best practice' (Harrington and Harrison, 1999; Arnason, 2009).

Significantly, here as in youth offending, the last decade has been a period of rapid change in both theory and practice, during which many bedrock assumptions have been subject to close scrutiny:

Over the past decade many of the pre-eminent conceptual frameworks in bereavement have been challenged. For instance, attention has been called to the importance of unmasking myths about loss and grief (Wortman and Silver, 199, 2001), of extending coping with loss beyond the grief work hypothesis

(Stroebe and Schut, 1999, 2001), of questioning the effectiveness of interventions that are simply assumed to be helpful for all mourners (Jordan and Neimeyer, 2003), and of understanding the implications of approaches that might pathologize cultural differences or individual variation in grief responses (Shapiro, 1996; Dennis Klass, personal communication, March 1, 2004; Walter, 1999). Questions about the dominant conceptual frameworks provide challenges for both research and practice. Research needs to develop and test theoretical models that may be derived from different conceptual perspectives, and may require new measures and new methodologies. Practitioners need to reconsider the outcomes of their work, and how they can resolve their practice with emerging empirical evidence concerning who needs and benefits from services (Bridging Work Group, 2005: 265).

For the members of the Bridging Work Group (2005), this debate is caused by a ‘gap’ in effective engagement between practitioner and researcher. Arguing that similar gaps have emerged in a wide range of other practice-related disciplines in recent years, their delineation of the current situation in relation to bereavement seems to us to closely correspond with that in youth offending:

In the view of some scholars, diametrically opposed values maintain the gap and obstruct efforts to bridge it. Many clinicians find only such ideas as self-actualization and human potential personally meaningful and consider only qualitative, in-depth descriptive studies capable of capturing the complexity and human intentionality. In contrast, many researchers spurn these humanistic concepts as lacking empirical foundation and prefer concepts that can be reliably measured and tested using quantitative methods (Sheldon et al., 2003) (Bridging Work Group. 2005: 93).

To facilitate better communication and understanding between these two ‘cultures’ the group recommend the following three actions. First, promoting, teaching, and engaging in evidence-based practice, second, the use of multi-systemic approaches to generate and disseminate research and practice innovations, third, (and most significantly for this discussion) the identification and evaluation of the conceptual frameworks and assumptions that guide research and practice. In what follows, we consider these actions in relation to the treatment of bereavement, grief and loss in the youth justice system, asking what implications they might have for both practice and the theory and research connected to it.

Bereavement and evidence-based practice

As noted above, evidence-based practice in health care and youth offending has followed a similar trajectory in recent years, although there are important points of contrast. For instance, although there have been urgent calls for greater user involvement in youth offending (and some response to this by the Youth Justice Board), it is unlikely that young offenders will ever be given the level of influence that patients have in determining the nature of their treatment. Again, the expectation that practitioners be actively involved in generating research data and devising more effective ways of working is less pronounced in youth justice, where innovation and professional autonomy have declined and practice guidance tends to be more prescriptive and 'top down'. As a consequence, the promotion and dissemination of evidence-based practice in youth justice can sometimes feel like an imposition rather than an invitation to engage in reflective practice.

Since the mid 1990s, evidence-based practice in youth justice has become increasingly dominated by the concepts of 'risk' and 'risk management'. Assessment of the risk posed by the young person (in relation to offending and potential harm posed to others), based on a combination of actuarial and clinical data, is used to determine the nature and intensity of any subsequent interventions. Moreover, the conceptualisation of some 'risk factors' as being criminogenic (that is, causally related to the young person's offending or anti-social behaviour) has taken a firm grip on research priorities, providing an impetus to interventions addressing areas such as drug misuse and employment, education and employment – which have clear, quantifiable links to offending behaviour – while neglecting those areas deemed as non-criminogenic (including, often, the trauma and grief caused by bereavement and other forms of loss).

As discussed above, for many practitioners, the link between the emotional trauma provoked by bereavement and loss and associated behavioural problems (including offending) is likely to be felt intuitively in response to qualitative evidence provided by the offender and their family. In part at least, the existence of a 'need' in this area appears to be corroborated by research evidence that points to the high incidence of bereavement and loss among convicted offenders (see, for example, Kiser et. al., (1998) and Boswell (1998) for an analysis of this relationship in the context of working with serious offenders). Confirmation of this was provided by Liddle and

Solanki in 2002, in a Nacro Research Briefing on persistent young offenders, which found that 22 per cent of the respondents they interviewed had experienced bereavement. In terms of research involving children and young people subject to custodial sentences, Finlay and Jones found that ‘healthcare staff had noticed that several young offenders with a history of loss/bereavement in childhood or adolescence seemed particularly emotionally vulnerable’ (2000: 569), while Phillips and Earle’s (2010) ethnographic study of prisoners found it ‘hard to hear’ the details of bereavement and loss within the life stories of their subjects. Studies of young people subject to Anti Social Behaviour Orders (ASBOs) also confirm that many have suffered from bereavement or loss (Prior 2009).

The experience of bereavement and loss, of course, is a subjective one that is likely to have a differential impact on different individuals depending on the nature of the loss and the young person's access to a range of 'protective factors' (including the young person's resilience and their access to pro-social networks of support within the family and local community). Hence, while it has been found “that bereaved youth manifested greater psychological and behaviour problems than their non-bereaved counterparts” (Martie, 1998: 432), others have been cautious about extrapolating from such findings without first looking at the more qualitative specificities that are likely to determine the efficacy of professional intervention for particular individuals.

Implications for Practice

In their investigation of the nexus between theory and practice in bereavement, the Bridging Group found a similar pattern of both divergence and potential pathways for connection and communication between practitioners and researchers *if they were both prepared* to change aspects of their own methodology and practice in the light of evidence provided by the other:

There are important findings from research that should now be integrated into practice and there remains a critical need for more research on the effectiveness of services currently being offered. Recent literature reviews have suggested that there is a disturbing lack of demonstrated efficacy for many bereavement interventions (Jordan and Neimeyer, 2003). We are concerned about the apparent lack of time, knowledge, and willingness among bereavement caregivers to keep current with research in grief studies that

might improve their practice. We are also concerned that on the part of researchers, there appears to be a frequent failure to design, implement and disseminate studies that will have a direct benefit to caregivers and the bereaved (2005: 265).

Again, this seems equally applicable to the current state of knowledge in youth justice, where the relationship between practitioners and administrative criminology is similarly strained.

For the Bridging Group, a key action in fostering greater collaboration between practitioners and researchers is to engage reflectively in the critical evaluation of the conceptual frameworks that guide research and practice. It is fair to say that most, if not all, of these concerns have also been apparent in the theory and practice of youth offending although, significantly these have tended to have taken place within the shadow cast by the RFFP. Given this, it is worth considering the implications of this paradigm in some detail and asking to what extent it can accommodate the kind of critical reflection recommended by the Bridging Group.

Simply put, the paradigm is based on a number of related processes: firstly, the ‘factorisation’ of risk whereby risk is ‘parcelled’ into discrete factors such as peer group influence, bereavement (subsumed under the category of ‘emotional difficulty’) or drug misuse; secondly, the identification of these factors in relation to a young person involved in the criminal justice system; and thirdly, the implementation of interventions aimed at addressing these risks. On the face of it this seems a fairly helpful process. However, as this paper has documented, a number of difficulties associated with this approach have been identified in recent years (see Case and Haines 2009 for a full discussion). Significantly, these difficulties have been the basis for an emerging critique that is beginning to offer itself as an alternative to the RFFP:

Policies for responding to the criminal and anti-social behaviour of children and young people, whether actual or potential behaviour, are promoted as ‘evidence based’. But what does this mean? These policies are determined by adults using ‘evidence’ collected and interpreted by adults and containing implicit adult beliefs and assumptions about the nature of childhood/youth. These assumptions include ideas about the appropriate behaviour of children and young people, about the likely future course of their behaviours and, crucially, about the most ‘effective’ ways of responding to those behaviours. However [. . .] there is another body of ‘evidence’ which seeks to

problematize these assumptions by considering the behaviour from the perspective and understanding of the children and young people themselves. [. . .] in doing so, [it] calls aspects of the current ‘orthodoxy’ into question, suggesting alternative approaches that are likely to be more fruitful and less damaging to the young people involved (Hine, 2010: 168).

Conclusion

Dealing with death has remained problematic in the UK and ‘western’ society more generally. Whilst in many respects death has lost its taboo status, it remains a very private event and for many of us, actually witnessing death is unusual in early life. Whilst broad changes in our perceptions of death can be traced over time, (Komaromy, 2009) the complexities of a multi-cultural society with numerous socio-economic groups make the experiences and consequences of death to family members very much dependent on their cultural social and economic position (Arnason, 2009: Gunuratnam, 2009).

In this paper we have suggested that, in relation to the response of criminal justice agencies such as youth offending to bereavement, grief and loss, there appears to be a mismatch between practice and research in which the priorities of practitioners and the administrative criminologists of ‘what works’ seem diametrically opposed. Key points of disagreement relate to the importance of the relationship between offender and practitioner, the use of actuarial and aggregate quantitative methods in assessment (rather than developing a more relational, qualitative understanding of the young person and their social context), and the tensions between a risk-based approach and the emergence of alternative ways of working informed by child centred, welfare and rights-based discourses.

This paper has sought to show that similar concerns – and counter currents – can be found within the field of bereavement treatment. This suggests that both sectors should pool resources and ideas to challenge orthodoxy through an alliance between reflective practitioners, reflexive theorists and policy makers. The new openness of the Ministry of Justice to the idea that prison ‘doesn’t work’ provides some evidence that political environment in youth justice might be conducive to such an alliance, while recent government interest in locally derived engagement may be a stimulus to

shift both sectors towards an environment more conducive to practitioner-researcher connectedness.

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