

Beyond
YOUTH CUSTODY

**RESETTLEMENT
OF YOUNG PEOPLE
LEAVING CUSTODY
LESSONS FROM THE LITERATURE**

UPDATE: JULY 2013

Introduction

In April 2013, Beyond Youth Custody published an extensive review of the literature on the resettlement of young people from custody (Bateman et al, 2013a). New publications are constantly added to the literature, so that the shape of the evidence base is changed incrementally over time. The current paper accordingly aims to supplement the review by providing an overview of the relevant literature in the period since it was published. It is the first in a series of quarterly updates intended to ensure that those working in the field of resettlement have access to the latest available lessons from research.

Continued falls in custody

The literature review noted that following a rapid rise in the use of custody for young people from the early 1990s onwards, there had more recently been a substantial decline. For children below the age of 18, the population of the secure estate in December 2012 stood at 1,372 - 49% below that in the equivalent month in 2008. In the interim period, there have been further reductions: by March 2013, the number of children had fallen to 1,290 (Ministry of Justice, 2013a).

The review indicated that while the number of young adults in prison had fallen, the extent of the decline was much less pronounced (at 16% between 2008 and 2012) than for those under the age of 18. Distinct figures for young adult prisoners are not published with the same regularity as those for the secure estate for children and young people, and there are no new data in this regard. Custody for adults in general has been falling slowly: in July 2013, the adult population was almost 3% lower than a year previously. During the first half of the current year, however, it has remained broadly stable (Howard League, 2013a).

Such continued falls in the number of young people detained within custodial institutions are obviously welcome but also have implications for resettlement services since the residual incarcerated population is likely to have a more entrenched pattern of offending behaviour and to have a higher concentration of problems (Bateman et al, 2013a). Two reports, published in July 2013, on Feltham Young Offender Institution (YOI) provide some indication of the extent of the difficulties involved in looking after young people in a custodial environment (HM Inspectorate of Prisons, 2013a; 2013b). The YOI is divided into two: Feltham A holds children below the age of 18, whilst Feltham B accommodates young adults. Separate inspections were conducted of both establishments and the results might be thought to provide an indication of the challenges of providing for a declining custodial population.

Both reports indicate that Feltham is an institution that suffers from high levels of violence. The children detained in Feltham A were characterised as being among the most difficult to manage safely in the entire youth custodial estate and many reported that they were frightened and 'had little confidence in staff keeping them safe' (HM Inspectorate of Prisons, 2013a: 5). Such an unsafe environment is not conducive to the delivery of effective resettlement and this contextual difficulty was compounded by the fact that many children did not know who to go to for assistance with practical resettlement needs. The 'enhanced' resettlement provision in the Heron Unit, which had provided support with accessing education and accommodation on release (see Bateman et al, 2013a) had been 'promising' at the time of the last inspection but, with the ending of dedicated funding, 'the loss of the resettlement brokers was a real setback and seemed at odds with the government's wider efforts to give greater priority to rehabilitation' (HM Inspectorate of Prisons, 2013a: 6). Just 30% of children responding to the survey informing the inspection reported that they had a sentence plan or remand plan in place.

The inspection report of Feltham B is described as 'one of the most concerning [the Inspectorate] has published recently' with the outcomes for young adults 'insufficient or poor' (HM Inspectorate of Prisons, 2013b: 5). It was clear that provision had deteriorated considerably and, in terms of resettlement, there was a significant gap between planning and delivery. In particular, 'coordinated pre-release planning had

ceased' (HM Inspectorate of Prisons, 2013a: 6). Of the 26 recommendations made at the time of the last inspection in relation to resettlement, just 10 had been fully implemented.

Proposed changes to the custodial estate

The fall in numbers inevitably impacts upon the Youth Justice Board's commissioning strategy and the Board has announced that it will reduce under-18 male capacity at Hindley YOI by 192 and at Wetherby YOI by 180 (Hill, 2013). The two establishments will remain open, however, but with a reduced capacity.

The decline in the custodial population has been particularly marked in the case of girls. In May 2013, there were just 50 females below the age of 18 held within the secure estate compared to 60 five months earlier (Ministry of Justice, 2013a). As a result of the reduction, the Youth Justice Board intends to withdraw totally from the three dedicated YOIs that cater specifically for 17-year-old girls: the Josephine Butler Unit at HMP Downview; the Mary Carpenter Unit at HMP Eastwood Park; and the Rivendell Unit at New Hall. The three units provide custodial capacity for 41 girls in total, but as of April 2013, just eight girls were placed in them (Hill, 2013). The implication is that all females below the age of 18 will in future be accommodated outside the prison sector in secure training centres or secure children's homes which have, hitherto, provided for younger and more vulnerable girls. While this shift will no doubt be welcomed by many in the sector (see for instance, Lepper, 2013), it is likely that the average distance from home for the girl custodial population will rise as a consequence, exacerbating existing difficulties with resettlement for this group.

More generally, healthcare standards for children in the secure estate have been produced by the Royal College of Paediatrics and Child Health (2013). The standards, whose development has been funded by the Youth Justice Board, will apply to all children in custody aged 10-17. They adopt a pathway approach, following the young person's journey through the secure estate, and are intended to ensure that all service providers take account of the health needs of children with whom they work.

The standards will require that each young person is allocated a lead healthcare professional responsible for co-ordinating the necessary provision and ensuring the development of a comprehensive and holistic healthcare plan within 10 days of the child's admission to the secure setting. From a resettlement perspective, it is significant that the plan must take account of 'what happens to the young person both before and after their time in the secure setting as well as the time spent in the secure setting' (Royal College of Paediatrics and Child Health, 2013: paragraph 2.2.4). The lead healthcare professional will be tasked with reviewing the child's healthcare plan prior to release, leading to the agreement of a healthcare transition plan developed in conjunction with the child and, where possible, his or her parents. The transitional arrangements are intended to ensure continuity of care into the community and throughout the resettlement period and they are required to clarify the roles of different agencies involved in any subsequent health related provision to the child.

The overall shape of the secure estate for children and young people within which health standards will be implemented is currently subject to consultation, following the publication by the Ministry of Justice of a Green Paper on future strategy for custodial provision for children (Ministry of Justice, 2013b). The paper recognises that the reoffending outcomes for children in prison have been poor and that 'many young people sentenced to custody have poor records of educational engagement and attainment, and low levels of basic skills' (Ministry of Justice, 2013: 10). It adds that there is 'insufficient join-up between education services and systems both within custody and between custody and community' (Ministry of Justice, 2013: 14).

The government accordingly considers that education should be put ‘at the heart’ of youth detention and invited respondents to the consultation to submit proposals as to how that might best be achieved ‘in a way that is affordable within the context of the Ministry of Justice’s commitment to deliver annual savings of over £2 billion by 2014/15’ (Ministry of Justice, 2013b: 15). Moreover, the paper recognises the importance of resettlement in this reformed context by emphasising that what happens in the envisaged ‘secure colleges’ should be ‘...more effectively linked to what is happening in the community, and in particular that we think again about the transition from custody to everyday life’ (Ministry of Justice, 2013b: 5).

The government is currently considering responses to the consultation, but it is clear that the configuration of the secure estate, to which resettlement providers relate, may be subject to significant change and that custodial (and by implication resettlement) provision may be expected to operate with fewer allocated resources.

The proposals raise the question of how secure colleges would operate to locate educational difficulties within the broader social context of disadvantage to which many children in custody are subject (Hazel and Bateman, 2013). Concerns have also been aired that the potential payment by results mechanisms, to deliver savings, might lead to a reduction in the provision of resettlement services, potentially undermining the flexibility and commitment required from a range of agencies to realise an evidence based approach to resettlement (see for instance, Standing Committee for Youth Justice, 2013; Hazel and Bateman, 2013).

As regards the adult estate, Chris Grayling, Justice Secretary, has announced the creation of a network of 70 ‘resettlement prisons’ (Ministry of Justice, 2013c). The intention is that each establishment within the network will be aligned with one of the 21 proposed contract package areas. These areas provide the structure for the tendering out of community based rehabilitation services, and the commissioning process will require that the same providers provide resettlement services within prison and outside of it.

The proposal is designed to increase the proportion of adult prisoners held in institutions close to their home area so that ‘frontline staff outside prison can begin laying the groundwork and building links with the offender at the earliest opportunity’, and to facilitate the establishment of ‘a genuine nationwide network of “through the gate” supervision and support for all offenders’ (Ministry of Justice, 2013b). Some resettlement providers have welcomed the potential of the proposals to put ‘communities at the heart of the criminal justice system’ (Nacro, 2013). The Howard League for Penal Reform, however, has argued that distance from home is largely a result of prison overcrowding rather than an administrative failure and that the promise of effective resettlement may be unfulfilled unless numbers of prisoners decline significantly (Howard League, 2013b).

Research findings

Recent research published by the Youth Justice Board confirms that the population of the secure estate for children and young people is an extremely vulnerable one. It also indicates that levels of vulnerability differ between types of institution: children detained in secure children’s homes have considerably greater levels of welfare need than their peers in YOIs. One third of the total population of the secure estate was recorded as having special educational needs, but the figure for those placed in secure children’s homes was considerably higher, at 43%, than that in secure training centres (38%), or YOIs (28%). Similarly, while youth offending team records indicated that almost one fifth of the overall child prisoner population was at risk of self-harm and/or suicide, risk was more prevalent in secure training centres (26%) and secure children’s homes (25%) than prison service establishments (Gyateng et al, 2013). Such findings reinforce the challenges to effective resettlement within a youth justice context, but also highlight the necessity of additional support and resources for those not in YOIs.

Focusing specifically on resettlement issues, the research also found that fewer than half (45%) of children who reported that they would need help with accommodation on release had received it. Moreover, maintaining relationships with family and friends was undermined by the fact that almost one in three had encountered difficulties with receiving or sending letters and just over a quarter had experienced problems with accessing telephones. At least half of custodial staff interviewed for the study pointed to a lack of sufficient communication between the secure estate and professionals delivering services in the community. Many interviewees reported that it was rare for interventions started in custodial institutions to continue on release: as one put it, 'transition is a weak link'. One proposed solution was the development of a link worker role with a particular responsibility to ensure continuity of provision over the transition period (Gyateng et al, 2013: 63). The research also notes that children serving short sentences experience particular difficulties with resettlement since existing service delivery is disrupted by deprivation of liberty but there is frequently insufficient time to establish appropriate provision within custody and plan adequately for release (Gyateng et al, 2013).

One of the gaps in the evidence base, identified in the Beyond Youth Custody literature review, was a lack of research on the resettlement needs of girls and young women (Bateman et al, 2013a). A small-scale qualitative study of 17 year-old girls in a YOI makes a contribution towards bridging that gap (Bateman et al, 2013b). The research was not comparative, so does not flesh out differences in resettlement processes for girls and boys, but does nonetheless throw some light on the approach required for effective work with the latter group.

Girls interviewed for the research expressed a clear view that resettlement services – in custody or in the community – needed to respond to service users' definition of the problem if they were to be effective. Engagement was more likely where services were interesting or enjoyable in their own right, offered emotional or practical support, addressed problems identified by the girls themselves, or were in some manner perceived by them as relevant to their future prospects. Relationships with staff were regarded as vitally important and girls tended to distinguish between professionals who they thought cared about them and those that they believed did not. Workers within the former category were distinguished by the fact that they exhibited 'compassion', which was in turn demonstrated, at least in part, by putting in place interventions for the girls' future at an early stage that were consistent with their self-defined needs and interests, since this was interpreted as evidence that staff were concerned about what happened to them on release and beyond.

At the same time, there were marked differences within the sample as to how the girls saw their prospects of successful rehabilitation and their own capacity to influence whether they desisted from offending or not. 'Perspectives ranged from resigned fatalism to an enthusiastic self-belief' (Bateman et al, 2013b: 8). In the broader context of the desistance literature, the authors suggest that such subjective differences are likely to be reflected in how girls respond to the challenges they face and the extent to which they will take advantages of the opportunities they are offered by the resettlement process. Girls were more likely to have the sense of self-efficacy or 'agency' (namely, the capacity to take control of their own lives) required to enhance the prospects of desistance where clear resettlement plans, which they had participated in developing, were in place and where they considered that staff to whom they were allocated cared about their well-being (Bateman et al, 2013b).

The report recommends, amongst other things, a greater use of release on temporary licence as one mechanism for facilitating effective resettlement provision. A paper at this year's British Society of Criminology conference similarly highlighted the importance of this mechanism and raises the question of how resettlement providers might 'unblock' release on temporary licence in a risk-averse climate, particularly where the large majority of young people are placed a considerable distance from their home communities (Hazel and Bateman, 2013).

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