

Young Prisoners

A Thematic Review by HM Chief Inspector of Prisons for England and Wales

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Terms of Reference:

To review the conditions for and the treatment of young prisoners aged between 15 - 21 who are held in Prison Service custody. The review will distinguish between conditions and treatment of children and those aged 18 and over. It will also distinguish between convicted and unconvicted young prisoners in both age groups.

YOUNG PRISONERS - PREFACE

One of the roles of HM Chief Inspector of Prisons, working independently of the Prison Service, is to report on the treatment of prisoners, and the conditions in which they are held, directly to the Home Secretary. These reports mainly follow inspections of prisons, remand centres and young offender institutions, either unannounced or to a pre-planned programme. During the course of the inspection process the Inspectorate gains a unique insight into, and overview of, treatment and conditions of similar groups of prisoners, in different parts of the country, which we can contrast and compare, and draw our conclusions to the attention of the Home Secretary and the Prison Service.

Despite the welcome addition of £43m for this year and next, currently the Prison Service is virtually overwhelmed by the competing pressures of a rapidly rising population and a reduction in the resources available in existing establishments to deal with continuous detailed day to day realities. Inspections, inevitably, highlight the impact of these pressures on individual establishments, and many of my recommendations, while aimed at helping establishments improve their operational efficiency, are directed at Prison Service management, which is responsible for providing, or trying to obtain, the resources necessary to alleviate them. As I have inspected establishments holding similar types of prisoner, I have become more and more aware of, and concerned about, inconsistencies between them in the treatment and conditions of prisoners. These seem to depend not so much on what Prison Service Operating Standards say should be done, to tackle a prisoner's offending behaviour for example, but on the resources made available to whichever prison, in whichever part of the country, a prisoner may be serving his or her sentence. This inconsistency has been increased by the Prison Service practice of allocating percentage financial cuts to individual Governors, for them to determine how they will apply them in their own establishment, rather than by laying down policy direction as to how they should be applied so that they affect all prisons of a similar kind equally. I have commented on this in many reports, because of its impact on the treatment and conditions of prisoners.

Thinking through the results and implications, of both the pressures and the way in which cuts are imposed, led me to consider how the Inspectorate could best contribute to helping the Prison Service restore and maintain consistency in its treatment of the prisoners committed to its charge. I concluded that the most effective way of influencing, and hopefully encouraging, improvements was by drawing attention to particular problem areas by undertaking open, independent, informed, and constructive examinations, in which our experiences could be used to best advantage,

and our findings and recommendations reported to the public through the Home Secretary and the Minister of Prisons. Therefore, with the full agreement of the Home Secretary and the Director General of the Prison Service, we have embarked on a series of studies into these areas of concern, beginning with our discussion document on Health Care "Patient or Prisoner" in November 1996, followed by our study on "Women in Prison" published in July 1997.

But, of all the parts of the Prison Service that we inspect, the one that gives all of us in the Inspectorate greatest cause for concern is the Young Prisoner estate. By Young Prisoner the Prison Service means those between the ages of 15 and 21, the group being further broken down into juveniles (15-17) and Young Adults (18-21), both convicted and unconvicted. Few subjects engage public attention and anger more than the criminal behaviour of young people, mainly male, which is alleged to cost the country over 21 billion per year, and the victims between S2 and I3 billion. These are huge sums that no society can tolerate, and so it is hardly surprising that more and more punitive measures are advocated to try to discipline and wean unruly young people away from such activities.

Our concerns have concentrated on the treatment and conditions of the increasing numbers of young people who end up in prison, where they are on the receiving end of the conditions which I have outlined above. Overcrowding has led to too many Governors having to breach Prison Service Operating Standards, by doubling up young people in cells which are below the minimum certified size for new establishments or refurbished parts of them. But, even worse, are the effects of resource cuts to regime activities, which mean that far too many are left locked up in their cells for far too long, because, in common with too many parts of the adult estate, there are not sufficient staff or instructors or facilities to occupy them fully. The treatment of young prisoners is something of a lottery, because it depends on conditions available in the establishment in which they are confined, as well as different attitudes towards them amongst some staff. This means that the few really good establishments, where young offenders are treated properly, stand out in sharp contrast to the majority where, despite the obvious wish and motivation of many excellent staff, conditions and resources are against them. I believe that if young prisoners are to be engaged by regimes, they must be convinced that the challenges and demands that are made are relevant not only to their needs, rectifying deficiencies in their previous upbringing, but offer them genuine hope of better things resulting from their training. These regimes should therefore be based on a full, purposeful and active day, such as is being provided in the two establishments, Colchester and Thorn Cross, which were given sufficient funds by the previous government, to conduct pilot schemes which are validating this belief. Examples of inequities in current resource allocation, which inhibit the replication of such regimes elsewhere, are spelled out in detail in the report.

Therefore, because of our increasing concern, and following our discovery of some examples of unacceptable conditions, we embarked on a study of young people in prison, again with the full agreement of the Home Secretary and the Director General. Here I must point out that in establishment after establishment we found that Governors and staff alike felt deeply and strongly about the circumstances in which they were being forced to look after young, vulnerable and impressionable adolescents. Of course some young people have committed horrific crimes, for which

there can be no excuse, and from whom society must be protected. The Prison Service is trying its hardest, within the resource constraints it is under, to keep young prisoners out of police cells. I pay due tribute, unhesitatingly, to the dedication and work of many staff in institutions, without whom the overall situation for young prisoners would, undoubtedly, be worse.

But much of the inconsistency seems to the Inspectorate to be due to the fact that there is no one person responsible, and accountable, for the consistent delivery of regimes in every establishment in which young people are held. I have advocated such an appointment in report after report, and I know that lack of direction - which is not to criticise individual Area Managers, who are responsible for overseeing many prisons of different types in their areas - is a concern of many Governors. After a lifetime in an operational service, where functional direction was a key ingredient in maintaining consistent standards in each part of the whole, I must press for this recommendation to be considered and actioned as a matter of urgency. I know that the appointment will make the task of the Director General easier, because he will be able to delegate accountable responsibility for a major part of his estate, and that it will make possible a proper evaluation of resource requirements, which such an appointee will need to make to fully understand his problems, as well as ensuring that someone with operational authority can speak for and represent the Prison Service in forums of senior officials from other Agencies responsible for Youth Justice policy and practice.

I believe, very strongly, that not only is the current 'demeaning' attitude and approach to young offenders, such as appears frequently in certain sections of the popular media, very dangerous, because of the effect it is bound to have on them as they grow up, but also that there is no justification for any cynicism about the treatment of young people in custody. The only raw material that every nation on earth has in common is its people, and woe betide any that does not do everything it can to identify, nurture and develop their talents. YOs may have lost their way in society, but that does not mean that they are without talents which can be turned to advantage - their's and the nation's - given proper encouragement. Young prisoners will return to the community, and therefore it really does matter how they are treated in prison. The choice is ours. Either we can give them education, to make good the ravages of what they have denied themselves by truancy or been denied by exclusion, and opportunities for personal development within a structured, caring environment - which many have been denied in the chaotic circumstances of their home lives - which we implicitly hold to be the way that can best lead to the development of responsible citizens, or we can continue on our present course, with all the damage that that is doing not only to the young people themselves but to the society to which they will return.

It is a great pity that all too much informed and concerned discussion and recommendation about dealing with delinquent young people stops at the prison gates, ignoring what goes on behind them and the effect of this on those who emerge through them at the end of their sentence. As soon as one embarks on an exercise such as this, one notices the absence of effective guidelines or standards underpinning the treatment of young people in prison, as distinct from adults, to whom all policy seems to relate. True, the mission given to Young Offender Institutions, in their separate Rules is:

‘..to help offenders to prepare for their return to the outside community’.
but its achievement is undermined by present realities.

I believe that what goes on with young people in prisons and young offender institutions should no longer be conducted or considered in isolation from the remainder of the Criminal Justice System (CJS). It is the acute part, appropriate for those whose crime, or persistent behaviour suggests that incarceration is unavoidable. But, in the same way that hospitals represent the acute part of the NHS, where what is done for an individual is a multidisciplinary operation based on careful needs assessment, so do prisons represent the acute part of the CJS. Both needs assessment and operation must be based on all available information about what has happened to the individual before admission, and the details of treatment, the response to treatment, and information about future needs, must be passed on to those responsible for aftercare in the community.

Therefore I believe that the Prison Service should be closely integrated with those parts of the CJS which have responsibilities for young people aged 15-21 in the community- Probation, Social Services, colleges and voluntary agencies - so that there may be closer co-operation and coordination in meeting their needs in the community, in custody and on release. Only if all agencies work together is there a realistic chance of reducing offending. What happens in custody for young offenders must not be allowed to become separated from what happens in the community. The acid test of this will be that an offender's total record moves with Service is trying its hardest, within the resource constraints it is under, to keep young prisoners out of police cells. I pay due tribute, unhesitatingly, to the dedication and work of many staff in institutions, without whom the overall situation for young prisoners would, undoubtedly, be worse. But much of the inconsistency seems to the Inspectorate to be due to the fact that there is no one person responsible, and accountable, for the consistent delivery of regimes in every establishment in which young people are held. I have advocated such an appointment in report after report, and I know that lack of direction - which is not to criticise individual Area Managers, who are responsible for overseeing many prisons of different types in their areas - is a concern of many Governors. After a lifetime in an operational service, where functional direction was a key ingredient in maintaining consistent standards in each part of the whole, I must press for this recommendation to be considered and actioned as a matter of urgency. I know that the appointment will make the task of the Director General easier, because he will have him, wherever he goes in the system, with no one keeping anything back from others who need to know and can use it with advantage. If anyone should accuse me of being idealistic about the possibilities of this, I refer them to what is happening now in Massachusetts, where all organisations dealing with juvenile delinquency work together, under one Director. I have spent a day with them, and know what can be achieved, given the willingness of individual agencies to surrender some of their sovereignty in the interests of providing an aggregated service to the community. All to whom I spoke said that they had had no idea what could be achieved, or what waste of resources could be curbed, until they learned to co-operate.

Notwithstanding this example and returning to the different groups of young people in custody mentioned earlier, I do not believe that children under 18 should be held in prison. This could and should be the cut-off age for a separate Youth Justice framework which incorporates custodial and community disposals for children who

offend against the law. The Prison Service is essentially an organisation for adults, neither structured nor equipped to deal with children. It is the plight of children that alarms us most, not least because of the conditions in which they are held in Prison Service establishments. These are the only conditions which the Prison Service is resourced to provide, but, in many cases they are far below the minimum conditions in Social Services Department secure units required by the Children Act 1989 and the UN Convention on the Rights of the Child. Indeed I can find no evidence that the Prison Service has acknowledged the Children Act 1989 as having any relevance to children held in Prison Service establishments. More damage is done to immature adolescents than to any other type of prisoner, by current conditions. The vast majority of young people in custody need individual attention given to the problems which produced their criminal behaviour. If all they get is akin to being stored in a warehouse, then the chances of their re-offending, creating yet more victims, is very great indeed. Let me emphasise that what I am advocating for these children is not a soft option. Changing the attitudes and behaviour of many of the young criminals who end up in custody requires tough challenging regimes run by very skilled staff. But unless they receive individual attention and opportunities to change, their time in custody will make them worse rather than better.

It may seem strange to begin a report with recommendations, but I must draw attention to three, which stand out above all others in my estimation:

- For all children under the age of 18 to be removed from prison and into a separate Youth Justice framework combining the activities of all agencies with responsibilities for them in the community.
- For the Prison Service to appoint a Director of Young Prisoners to ensure consistency of regime delivery wherever young prisoners are held in the system.
- For the Director, and the Service, to conduct an urgent examination of Prison Service Operating Standards for young people in custody, based on the provision of regimes built around a full, purposeful and active day, and to make appropriate recommendations to Ministers regarding resource provision.

During the course of this review we have consulted widely, calling on the expertise and advice of many who work with or have particular interest in young prisoners. I am enormously grateful to them for their time and interest, and a full list is at Appendix 6. We held a seminar to develop our Expectations of what should be expected in the treatment and conditions of young people in prison. We have interviewed young prisoners in every establishment in England, Scotland, Wales and Northern Ireland in which they are held, and our findings, listed in Chapter Three, suggest that it would be timely for the Prison Service to repeat its own 1991 prisoner consultation exercise, not just to validate our findings, but to update its own understanding of the population. 1, and all Inspectorate staff have participated in the Trust for the Study of Adolescence (TSA) training courses, developed in conjunction with the Prison Service, for staff working with adolescent males and young females. We recommend them as a compulsory, but not the only part of the training of all staff working with young people in prison. On the subject of young women in prison, we have, of course, drawn on the work done in our earlier study "Women in Prison".

Inevitably this is a long and detailed report, and I realise that not everyone will want to read all of it at once. I have therefore included a reading guide, suggesting that, for example, anyone wanting to know about our main recommendations might read this Preface followed by Chapters Eight and Nine, and that Chapter Four is written in the style of an action plan for whoever is appointed - as I hope that they will be - Director of Young Prisoners. But, just as inevitably, such reports only result from the devoted hard work of a number of individuals, and it would be wholly inappropriate of me not to acknowledge them, and pay tribute to the amount of time and effort they have devoted to the task, over and above their other responsibilities.

Firstly I must mention my Deputy, Mr Colin Allen, without whose determination, leadership, enthusiasm and skill, this report would have neither appeared nor been possible. His own experience in the old Borstal System, in which so much that is good in the treatment of young prisoners was developed and learned, prepared him for the task, but his distress that the Service he has served so well is unable to deliver what it so clearly could, were it adequately trained and resourced, to so many needy and vulnerable young people, has been a most tangible motivating factor. I am most grateful to my colleague, Sir Herbert Laming, HM Chief Inspector of Social Services, for making one of his inspectors, Mr Paul Clark, available to us for the duration of the study. His wisdom, experience, advice and companionship, have been major and invaluable ingredients in our work. He, too, was clearly moved by what he saw happening - or not happening - in Young Offender Institutions (YOIs) and local prisons, and his determination to help in bringing about improvements has been another important motivating factor. Finally, in this group, I must mention firstly Mr Simon Boddis, formerly my Principal Psychologist, until he was required for another Prison Service post, and secondly Dr Silvia Casale, who volunteered to stand in for him, working on this project, until his successor was appointed. Mr Boddis's early contributions, and his continued involvement and interest, have been perceptive and positive, and I am grateful to him for maintaining contact with us, motivated by his own deep concern about the problems facing young prisoners. Dr Casale joined Mr Allen and Mr Clark in the editing team. As with her earlier involvement with our thematic study "Women in Prison", no praise can be too high for the quality, quantity and method of her contribution. Time and again she has come up with some telling point or observation, based on both her experience and her concern, and her infectious determination to see the project through, on top of all her other work, has been quite invaluable.

Within the Inspectorate Mr Rod Jacques, and his Alpha team, have carried out all inspections of young offender institutions over the past eighteen months, and the depth and care with which these have been conducted has been reflected in the immense contribution that he, Mr Peter Clarke, Mrs Ruth Whitehead and Mr Mark Howell, in particular, have made both in drafting chapters of the report, and in our discussions. This caring approach has typified the conduct of all the visits that they have carried out to other establishments holding young people. I am also most grateful to my two medical inspectors, Dr John Reed and Mrs Maggi Lyne, for their tireless involvement, not just with Chapter Five but with the whole venture, and to my colleague Mr Chris Woodhead, who released one of his OFSTED inspectors, Mrs Marie Christie, to help in our examination of educational opportunities. Again she quickly integrated into our team, and gave us much wise advice and observation. Our two research assistants, Miss Susan Davies and Miss Rachael Ellis, designed the

methodology, conducted all interviews with young prisoners and are responsible for Chapter Three. Experienced psychologists, and others, have paid tribute to the very high quality of their work, which represents a unique data base for future work. All have been tireless in working all hours, on top of their inspection programme, to meet tight deadlines, convinced of the importance of what they were doing, and I could not have asked for better support. I must also give tribute to Miss Susan Abigail, who has typed countless drafts of parts of the report many times, with accuracy and speed.

Finally, I must thank the Director General and the Governors and staffs of all the establishments which we have visited, all of whom, without exception, have given unstinting help to me and my teams, have provided full and frank responses to our questions, and have co-operated in every possible way with our work. I thank Mr Nick Brooke, Governor of HMYOI Portland and Mr David Waplington, formerly Governor of HMYOI Lancaster Farms and now of HMP and YOI Moorland, in particular, for helping in the essential formulation of our expectations for this study.

But, as I said earlier, without the devotion and work of staff the plight of young people would be far worse. They, and all young people in prison, deserve the treatment and conditions which they are currently denied in all too many cases. The recent concentration on security, spawned by the Woodcock and Learmont reports, has improved the delivery of the custody part of the Prison Service mission statement enormously, while resource cuts have affected the delivery of regimes designed to tackle re-offending. I believe that a similar concentration on tackling re-offending, by examining the way in which is done before merely appealing for or applying additional financial resources, would improve that part equally. It is experience of custody should be put to maximum advantage. on behalf of the public, who would, I am sure, prefer them to return to society less likely to re-offend, and better equipped to live law-abiding lives in future, that I recommend this report to those who have the responsibility of enabling this to happen.

READERS GUIDE TO THE THEMATIC REVIEW

Layout of the report

This is, necessarily, a long and detailed review, and different readers may be interested in different aspects concerning young prisoners.

If your interest is to understand my conclusions I refer you to the preface, the text of Chapter Eight and major conclusions in Chapter Nine.

If you are interested in following the logic of my argument I hope you will find it in Chapters One, Two and Three.

Those interested in the details of recommended regime practice for young prisoners will find them in Chapter Four.

For a review of health care see Chapter Five.

Particular issues concerning young women are in Chapter Six.

Major recommendations to the Secretary of State and the Director General of the Prison Service are grouped together in Chapter Nine.

Other recommendations are emboldened in the text.

Terminology used in this report

Throughout this review young prisoners are referred to by use of the masculine pronoun. This reflects the fact that young males are in the majority and in no way implies that young women are any less important. Chapter Six is concerned exclusively with the treatment and management of young women.

The word "children" has been adopted from the Children Act 1989, and refers directly to those under 18 years of age.

The phrase "young prisoners" is used to describe those under the age of 22, whether convicted or unconvicted.

The phrase "young offender" refers to those who have been tried and convicted in court.

The phrase "young adults" refers to those aged 18 - 21.

Young Offender Institutions (Yols) is the term used to describe designated establishments run under the Young Offender Institution Rules 1988, as amended.

Prisons, when referred to in this report are local prisons, in which, in general, prisoners are held while awaiting trial and sentence.

CHAPTER ONE

YOUNG PEOPLE, CRIME AND CUSTODY

" ... above all, I am sure that society would not wish to endorse an expensive system which made young people worse."

Crime

1.01 Levels of recorded crime remain stubbornly high. Reports of serious offending continue to dominate the attention of the media. It is estimated that approximately 28 million offences are committed each year, costing society about £16 billion, only a fraction of which are dealt with by the Criminal Justice System. At the time of writing the overall prison population has risen by an average of 250 prisoners a week over the last four months.

Youth Crime

1.02 There is acute public anxiety about the disproportionate amount of crime committed by young males and in particular, public fear centres on violent crime. The Audit Commission in its 1996 report "Misspent Youth" estimated that about 7 million offences are committed each year by young men under the age of 18. Other research indicates that 3% of offenders are responsible for 25% of offences. Persistent offending by young people appears to tail off in their mid twenties as they settle into adult relationships. Most offending behaviour does not result in capture or conviction and the lesson that most young offenders learn is that "you don't get caught".

Society's response

1.03 To be on the receiving end of a mugging, a burglary or any other offence committed by young people, who may appear to be without scruples, is a frightening experience. This is especially so for the young, the elderly and the vulnerable: indeed, the victims of young offenders have been in my mind throughout this review. Of course, it is in everyone's best interests for such criminal behaviour to be avoided in the first place. The most favoured ways of avoiding crime seem to be by providing support for the parents of very small children, positive adult influence, pre school education and reducing the opportunities for crime. However, once a crime has been committed I judge that what society would like to happen to a young offender is:

- for him to be caught and made to face up to what he has done and the implications for the victim
- for the offender to face a punishment proportionate to the offence
- for him not to do it again
- for victims to be compensated for the offence
- for him to make reparation
- for him to develop into a responsible adult.

Risk

1.04 As is now well established, the risk of children becoming offenders is greatly enhanced when they lack consistent supervision from an adult and they grow up in areas of poor housing and low income (West and Farrington). Poor parenting, especially in regard to discipline and crime, social attitude and conflict within the home, poor parental supervision and low parental interest in education are all associated with later juvenile convictions and self-reported delinquency. On reception approximately 25% of young prisoners are homeless, or have been in insecure accommodation; many abandoned school long before school abandoned them; few have work skills; and beneath the bravado of masculine youth, coupled with a lack of understanding about what responsible adult behaviour demands and amounts to, there is frequently a chasm of low self esteem. Many of them are unfit, and have both mental and physical health problems. Many have been sexually or physically abused. Ethnic minorities are disproportionately represented in the number of young prisoners.

Diversion from Custody and Early Intervention

1.05 There is a view, widely held, that a disproportionate amount of crime is due to the behaviour of a small group of persistent offenders. However, research commissioned by the Home Office (Hogell and Newburn, 1994) indicates that there is not a distinct group of very frequent offenders in the 10 - 16 age group. Undoubtedly some young people re-offend more frequently than others and it is important that the resources of all the agencies involved in combating anti-social behaviour (police, schools, health care agencies, youth justice teams, probation officers, Social Services staff and employers) are used collaboratively to target this phenomenon. Although the number of young offenders who engage in persistent criminal activity is small in proportion to all crime, they create such problems and public anxiety that, increasingly, courts are remanding and sentencing them to custody. Whether to Local Authority accommodation or to a Prison Service establishment is largely a matter of geographical chance. There are well over 10,000 young males aged between 15 and 21 in Prison Service establishments, whether unconvicted, convicted awaiting sentence or serving sentences; approximately 2,500 are children under the age of 18. A further 250 (approximately) are accommodated in secure units of Local Authority Social Services Departments.

1.06 Deprivation of liberty as a punishment for serious and/or persistent offending is an understandable and legitimate response. In many cases it is necessary for young offenders to be stopped in their tracks as far as criminal activity is concerned, and custody brings offending in the community to an end, at least for the period of incarceration. Society has the right to expect custodial authorities to hold young prisoners, restrict their freedom, confront them with the consequences of their behaviour, provide conditions in which the punishment of the court can be served out and return them to society less likely to re-offend. However, for reasons which will become clear in this review, it is essential that society continues to promote diversions from custody for young people wherever possible. Serving a period in custody can turn out to be a criminalising rather than a curative experience.

1.07 Mindful, therefore, of the risks associated with sending young people to custody I whole-heartedly support diversion schemes such as are described in "Misspent Youth", where offending behaviour is addressed without even processing young

people through the courts. I strongly support constructive community interventions much earlier in children's lives, on the principle that prevention is better than cure.

1.08 It is equally apparent that disturbances can be traced back to a very early age. Difficult behaviour from very small children, if not addressed, can develop into anti-social behaviour before the age of 10 and criminal behaviour soon afterwards.

Custody

1.09 Because incarceration can be such a corrupting influence for young people the very difficult problem which faces the authorities is how to provide conditions in which the punishment of the court, "deprivation of liberty", can be served in such a way as to provide the public with a reasonable prospect that young prisoners on discharge will not re-offend. Startlingly high reconviction rates demonstrate that, if regimes are not needs-based and effective, custody can do more harm than good. At this time the major custodial authority, the Prison Service, faces unprecedented problems of overcrowding, while being required, at the same time, to reduce operating budgets. I am clear from this review that the main result of these conflicting pressures has been to reduce those elements of regimes which bring about positive changes in young people. There is a clear obligation on custodial authorities to locate young prisoners in establishments where regimes help them to mature, examine their behaviour and change.

1.10 Research on this subject is depressingly thin and, without it, numerous anecdotes abound which describe the help which has been given to young prisoners, through the individual interest shown in them by staff and the constructive skills that they have learned through education and work training. Regrettably, there are even more reports of young people returning to crime, some on the very day of their release. There is no such thing as a neutral environment in custodial institutions. Young prisoners are either helped or damaged by the experience.

1.11 When a young person is remanded or sentenced to a period in custody he may be held in one of a variety of different types of prison establishment, depending largely upon the part of the country where he appears in court. Increasingly, young prisoners are held more than 150 miles from their homes. Many children and young adults are held in separate wings of adult local prisons. In some cases, they share the same living accommodation as adult prisoners. Conditions for and treatment of young prisoners in local prisons vary enormously, as they do in young offender institutions. At the time of this review children and young adults were held in no fewer than 41 different Prison Service establishments (see Appendix 1).

1.12 No one person below the Director General in the Prison Service is operationally accountable or responsible for the security, safety, training and resettlement of all young prisoners, between the ages of 15 and 21. They are managed, along with adult male and female prisoners, within two operational Directorates and 12 areas, defined by geographical area within these Directorates, into which the Prison Service is organised. There is a separate Directorate for high security prisons. In recent years prison policy has been dominated by increased security one consequence of which has been that the development of a suitable nation-wide ethos for young offender establishments has been largely ignored. That is not to deny that there are pockets of good, and in some cases, outstanding practice in a few places. However, excluding the

experimental regimes at Colchester and Thorn Cross, good practice is almost always generated by individual Governors and staff of unusual quality working in spite of the system rather than inspired and supported by it. Governors, managers and staff in establishments holding young people have consistently expressed dissatisfaction to me and my team about the inadequate attention which they feel is given to operational policy for young people in custody. In summary, the Prison Service is overwhelmed by day to day problems and there is an absence of leadership to develop a suitable culture for the custody of young prisoners.

Costs

1.13 Sadly the Prison Service has not yet developed systems which can demonstrate the costs of regime activities: nor indeed is it able to identify how much more expensive it would be to provide more constructive regimes. This must be done. There must be reliable financial information which identifies detailed costs of constructive activities and describes the exact financial requirements for model regimes for children and young adults to be put in place.

1.14 There is no denying that providing custody for young people is expensive, considerably more so than intensive alternative programmes in the community. As part of my examination of establishments I asked Governors to provide me with a breakdown of costs for holding children and young adults. The resulting range was so huge as to raise serious questions about the reliability of the accounting process. Some multi-functional establishments could not differentiate between the costs for holding young prisoners and those for adults.

1.15 In local prisons, such as Durham and Dorchester, the annual cost per prisoner was in the region of £27,000. At a larger young offender institution such as Onley it was in the region of £15,000. This latter establishment is one of many which is being forced to fall back on regimes which are primarily about containment rather than reform and education. On the other hand, the pilot projects at Colchester and Thorn Cross have shown that, with sufficient resources, active individual programmes for offenders can be developed. Their annual costs are in the region of £32,000 per prisoner per year.

1.16 The much smaller Local Authority secure units have high staffing ratios, to provide high intensity individualised programmes, and their costs can be £100,000 a year or more per place per year.

1.17 All these figures may seem, and indeed are, high, however they must be compared with the cost to the community of a life-time of crime. Financial reality makes it all the more crucial that alternatives in the community are used whenever possible and that the experience of custody for children and young adults, when it is unavoidable, has a positive rather than a negative effect on young lives.

Young Prisoners

1.18 The offence profile for all convicted children and young adults in Prison Service custody in May 1997 is as follows:

- Violence against the person and sexual offences 19.2%

- Burglary 28.1%
- Robbery 22.6%
- Theft, handling, fraud and forgery 12.2%
- Drug offences 4.8%
- Motoring offences 4.0%
- Other offences 9.1%

1.19 The number of children received into Prison Service establishments in the first quarter of 1997 was 5% higher than a year earlier; receptions of 18-20 year olds rose by 3% over the same period. Young females accounted for approximately 3.3% of the total young prisoner population. More detail on the background of young prisoners is in Chapter Three.

1.20 When they arrive in custody young prisoners are frequently out of control. The vast majority have no qualifications and have learned their criminality in a street culture in which they are embedded. Many already have institutional experience. The proportion of young prisoners with experience of being in care is far greater than that in the general population at this age.

1.21 The formidable challenge facing custodial authorities is, at the very least, not to make young prisoners more likely to re-offend. Most of them are in custody for a comparatively short time. They have a lifetime ahead of them in society. It is in everyone's best interests that time in custody for these young people is used wisely and constructively. Therefore, I have approached this review on the assumption that society rightly expects children and young adults in custody to be:

- held securely and safely
- treated with respect
- taught to respect others
- assessed as to their needs as offenders and adolescents
- offered opportunities for these needs, where reasonable, to be met
- encouraged to take part in activities to help the community, partly as reparation for their offending.

1.22 Above all, I am sure that society would not wish to endorse an expensive system of custody which made them worse. All the evidence from this review points to the fact that warehousing children and young offenders in penal institutions, rather than educating, training and reforming them according to their individual needs, is counterproductive.

1.23 I have looked for rigorous, purposeful and humane regimes and in the main I have been disappointed, though there are signs of hope in the quality of some of the Governors and staff I have met. However, custodial establishments up to now have been required to operate as exclusion zones from which there are few routes back for young prisoners to regain their place in society. The community is expressing its concerns about young criminals; the community must therefore become more involved in what is done about and for them. What is done for young people in custody must be in parallel with what is done for them in the community as a whole. Consistency of approach is essential, not least to ensure that any work done in custody is followed up by those responsible for after-care, particularly when that includes

education, welfare, health and general interest in their well-being. Improvements to custodial regimes for children and young adults can only work if they form part of an integral approach in which society's response in the community is also rigorous, purposeful and humane. Otherwise they are bound to fail. Chapter Two looks at the experience of custody, its effects on young people and strategies for what works and what should be avoided.

CHAPTER TWO

WHAT WORKS AND FAILS IN CUSTODY

"The best institutional regimes will be worthless unless they are supported by the outside community. The Prison Service cannot be an agent of change in isolation."

2.01 Deprivation of freedom is an experience which the majority of young offenders perceive as profoundly negative, and about which they have considerable feelings of anger. This is often hidden behind a passive bravado. However a minority, particularly those with previous institutional experience, respond to a custodial remand or sentence as "coming home". Regimes have to make the punishment understandable and convert it into a constructive experience which helps to motivate and equip young prisoners to avoid reoffending on their release. The task for staff is to help young people in custody to become acceptable citizens capable of living outside in the community, but the tragedy is that, all too often, many are not motivated to accept society's values.

Street Culture

2.02 Many young offenders have an identifiable code of street behaviour (Little 1995). Their "belief rules" seem to be:

- use crime to meet financial needs
- be assertive when offending
- be competitive
- offend in small gangs
- steal things which are easily sold
- learn how to sell the proceeds of crime
- shop around to get a good price for the proceeds of crime
- do not be concerned about experiences consequent upon a court disposal
- adopt short term goals.

Because many are disconnected from the mainstream of society, in their world these rules make sense.

2.03 These are the values which many young people bring with them into custody. The task of staff is to confront these values and to motivate young people in custody by offering a more positive set of alternatives.

Prison Culture

2.04 The task becomes even more difficult in custody because young prisoners quickly pick up other "belief rules" which are part of the "prison subculture":

- do not rely on anybody other than yourself
- take your time working out whom you can trust
- be especially wary of Prison Officers
- be careful that other inmates do not steal from you
- work out the institutional regime
- copy experienced prisoners in the way they work the system
- keep your head down and do your time
- emphasise your independence
- begin to distinguish between, and attach status to, other groups of prisoners
- do not say where you have come from and what you have done.

(Little)

2.05 Trying to turn around the values by which young prisoners survive in prison is an uphill task. Nonetheless, it is one which must be understood and faced. Any collusion with the street culture and prison culture increases the risk of further contamination, learned criminality and eventually more serious offending.

2.06 I summarise the dangers and potential advantages of custody for young people as follows:

Dangers

- street cultures will predominate over rules and norms set by staff
- institutions tend to neglect the needs of individuals
- bullying as a means of 'survival' becomes a way of life
- more serious criminality can be learned
- 'macho' behaviour continues to hide low self esteem
- 'thick skins' develop so that change is resisted
- family ties can deteriorate
- reintegration into the outside community becomes very difficult.

Potential Advantages

- the opportunity to interrupt a cycle of criminal activity and the accompanying lifestyle
- the opportunity to challenge attitudes and values
- the opportunity to make a fresh start
- the opportunity to acquire positive skills and repair the lack of education and social skills
- time to think and plan
- the opportunity of making a start towards developing self esteem

- the opportunity to receive help in resisting peer pressure
- less opportunity for drugs, pornographic videos etc.

2.07 It will always be necessary for custody to be used in some cases, but, in my judgement, this places a fundamental obligation, on those who run custodial institutions, to do all that is possible to prevent deterioration in those for whom they are responsible. Whilst I believe that constructive regimes, run by competent leaders and well trained staff, can make a positive difference to young offenders, I am convinced that custodial institutions need to serve identifiable geographical communities to be effective as part of a fully integrated Criminal Justice and community support process.

A Suitable Approach to Custody

2.08 Before I define vital regime components it is important to identify the approach which I believe society would want the authorities to adopt as the antidote to offending behaviour:

- fair behaviour from everyone (rules and expectations have to be clear, relevant and be observed by both staff and prisoners)
- rejection of abusive behaviour (racism, sexism, bullying, hypocrisy and criminality must always be challenged)
- insistence on respect being paid to everyone as individuals
- insistence on learning a work ethic
- insistence on learning personal responsibilities
- insistence on learning to live with and care for other people, as responsible members of the community
- developing individual potential.

2.09 Institutions for young prisoners must recognise them as adolescents. Adolescents are easily influenced: it is essential therefore that regimes offer a positive experience. In society the interests of children are protected by the Children Act 1989. This necessary protection is denied to children once they are in the care of the Prison Service. This cannot be right.

2.10 Ultimately the custodial experience should encourage young prisoners to challenge themselves, and learn a proper set of values with which to regulate their lives. Identified values must be embraced and demonstrated by all managers, Governors and staff in their dealings with young prisoners. However, the best institutional regimes will be worthless unless they are supported by the outside community. The Prison Service cannot be an agent of change in isolation. Indeed it would be counter productive for custodial institutions to run regimes along these lines unless they are signed up to by the rest of society.

2.11 I welcome, and advocate, the type of community response in which Local Authorities, statutory agencies, voluntary groups and business communities work both at a strategic level across the boundaries of different authorities and directly with local communities (for example the Thames Valley Partnership). Such a partnership should recognise that young people know a lot about crime, are more likely to commit crime and are also its most likely victims. Young citizens' programmes should be designed to promote responsibility and citizenship, help young people understand crime and its

effects in their community, raise self confidence and self esteem, thus making them more able to withstand the temptations of crime - and less likely to become victims - and widening the opportunity for legitimate achievement as an alternative to boredom and crime. These types of community responses need to be fully integrated with the work of establishments holding young prisoners.

What Works

2.12 To reduce reoffending community interventions should:

- be based on behaviour and skills training
- be designed to help individuals into employment or school, preferably in their own local area
- involve interventions of six months or more, with at least two contacts per week and/or more than a hundred total contact hours
- be community based, because it is easier to relate lessons learned to real life
- have consistent aims and methods
- be delivered by well trained and skilled practitioners
- be carefully matched to the offender's needs.

("Misspent Youth" 1996)

2.13 This is confirmed by research into what is effective in institutional settings, where additional key factors are clarity about goals shared between staff, families and young offenders, and emphasis on close relationships between the young offender in custody and responsible adults.

2.14 With the demise of borstal training it has become unfashionable to engage in serious debate about appropriate regimes for young people, and there are few, if any, incentives for managers in the Prison Service to want to specialise in this area of work. This is partly because so much cynical criticism has been levelled at past policies. Research in this difficult area is sparse. Every professional working with young offenders knows how difficult it is to identify a specific intervention as the cause of a change in behaviour, which survives re-entry into the community. However, there is no justification for cynicism about the treatment of young people in custody nor for society to ignore the importance of providing positive regimes in custodial institutions. It is only through education and opportunities for personal growth and development, within a structured, caring environment, that young people can develop into responsible citizens.

2.15 Individual members of staff cannot be expected to influence behaviour through relationships where staff/inmate ratios are low. One member of staff cannot seriously be expected to relate consistently to large numbers of young prisoners, such as my team have observed in many establishments during this review. Staff need time to develop relationships and project the example of a responsible adult role model, something that has been sadly lacking in the majority of young prisoners' lives, male and female alike. But in my view the expense of not providing sufficient trained staff, in terms of the long term impact of releasing unchallenged young people into the community, will be far greater.

2.16 To be effective it is essential that young offender institutions meet the following needs of young offenders:

- the need for containment, discipline and control
- the need for accommodation, food and warmth
- the need to tackle offending behaviour
- the need to maintain positive contacts with families
- the need to experience positive human relationships with adults and other adolescents
- the need for individual needs assessment and custody planning
- the need for participation in education, employment and recreation
- the need for appropriate health care
- the need to learn practical skills
- the need for help with personal and emotional problems (for example, learning to cope with the experience of having been abused or dealing with substance misuse)
- the need to be prepared for life outside
- the need to be treated and respected as individuals.

2.17 Above all, is the need for safety and freedom from bullying. The culture of all institutions holding young prisoners must be based on a clear determination that bullying will not be tolerated, and anti-bullying strategies must underpin any activity that takes place.

Rules and Guidelines

2.18 The rules governing the running of custodial institutions for young people should embody the important principles and components of successful regimes summarised above. Currently the rules, regulations and guidance applied to institutions for young prisoners within the Prison Service are thin, with poor, if any, compliance procedures. This is in contrast to the rules, regulations and guidance applicable to children in Local Authority secure accommodation and Children's Homes.

2.19 "The Young Offender Institution Rules 1988, as amended", give some guidance about aims and general principles but there are no good practice guidelines and only a few specific regime requirements (for example, compulsory physical education and education for those under the age of 17). They fail to declare what young offender institutions should be doing. Furthermore, there is no recognition that regimes should address the particular problems of adolescents. The Young Offender Rules are, however, a good basis on which to start to compose revised specifications for young offender institutions.

2.20 There should always be effective monitoring and compliance procedures. It is ironic, but no accident, that some of the best work observed by my team during this review was at Doncaster prison where the private sector contractor is required, under the conditions of the Prison Service contract, to comply with detailed specifications designed to meet the needs of young prisoners identified above. The contract also protects the institution from arbitrary policy changes by the Prison Service. In my view it is regrettable that there are no similar compliance procedures operating in any establishment holding young people within the public service, nor are there effective

mandatory mechanisms, within the Prison Service, to ensure that Governors comply with them.

2.21 Revised specifications and operating standards for establishments holding young people should also take account of international standards relating to the treatment of children and young adults in custody. The United Kingdom has ratified a number of international instruments which focus on the separation of children from adults in custody, contact with family and minimal use of custody. The recent court ruling (*R v Secretary of State for the Home Department and others ex parte Flood*) on the need to hold female children sentenced to custody separately from adult women has brought the issue of age mixing to the fore. I am convinced that no child, regardless of gender, should be held in Prison Service establishments.

2.22 In the United Kingdom the unconvicted are frequently not separated, and therefore not distinguished, from the convicted; the distinction in law however is fundamental and should be safeguarded. In particular this should be the case where young people, who do not understand how to exercise their rights fully are concerned. In practice, this means paying special attention to bail and legal aid issues for young people. International law recognises that young people in custody have particular rights, especially those relating to due process of law, and the UN Convention on the Rights of the Child recognises the special protection which young people in detention require. (See Appendix 2).

2.23 The Prison Service is in the process of considering how the incorporation of the European Convention for the Protection of Human Rights and Fundamental Freedoms into domestic law will open domestic channels in the English courts for legal action by prisoners. Furthermore my understanding is that Young Offender Institution Rules 1988 can be cited as the basis for a claim in law Prison Service Standing Orders, Circular Instructions and Instructions to Governors, although they may create legitimate expectations in those affected by them, can only be considered by the courts in accordance with the normal principles of administrative law.

2.24 Recently legal advice as to whether the provisions of the Children Act 1989 apply to children under the age of 18 in Prison Service custody has been sought. In the opinion of Council, while it is prudent for the Prison Service to ensure that the conditions in which they are held are satisfactory under the Act, it does not, in terms, apply to juveniles 'detained under powers conferred by the Prisons Act 1952, by reason of being convicted of a criminal offence or remanded in custody'. This opinion has not, as yet, been tested by judicial review, but I recommend that the application of the Children Act 1989 be reviewed, particularly with such large increase in the numbers of children being held in Prison Service custody since the Act was passed in 1989. The Prison Service asserts that Governors of establishments holding Young Prisoners are neither in *loco parentis*, nor are they guardians, which is, again, in accordance with Council opinion, but makes them different from Directors of secure Local Authority accommodation, to which they could have been remanded by a court. If this is correct it also raises the question of who is in *loco parentis*, and if it is not the Governor, who is it? Whoever has parental responsibility, of whatever nature, this question has implications for the right of contact with detained young people. This too suggests that the application of the Children Act 1989 to those detained in Prison

Service establishments should be examined, to confirm whether or not any change to the provisions of the Act is warranted.

Conclusion

2.25 From our visits to every single establishment holding young prisoners in England and Wales, Scotland and Northern Ireland (see Appendix 3), there is no doubt that the quality of regime provision has been eroded by cost reductions, overcrowding, and demands made on resources by the investment and emphasis on security which are current throughout the Prison Service. This is not to suggest that I am 'soft' on security but to emphasise the importance of balancing the two parts of the Prison Service mission - retaining in custody and tackling re-offending. I have been disappointed to find that the method and speed at which operating budgets have been reduced has compelled Governors in certain situations to make cuts (some of them swingeing) in 'soft targets' such as education, probation, drugs counselling etc. Because there is an absence of clear specification about practice, and virtually no mechanisms for ensuring compliance, there is nothing to prevent the further erosion of regimes except the commitment and determination of individual Governors and staff. But it should not just be the responsibility of individual Governors to promote positive regimes; specifications should be laid down, resourced and monitored from above. Experience tells me that this is best done not by committees, or a plethora of written instructions, but by making an individual accountable and responsible for what is required. As I have advocated in inspection report after inspection report, I believe that there must be the urgent appointment of a Director responsible and accountable for the quality and delivery of regimes for institutions holding children and young people within the Prison Service. I return to this matter further in Chapter Eight.

CHAPTER THREE

WHO ARE THESE YOUNG PRISONERS?

"The majority reported not receiving any help with tackling what they identified as their offending behaviour."

Numbers and Status

3.01 Numbers of young adults and children in Prison Service custody have increased during 1997, continuing a trend discernible since 1991.

3.02 On the 30th June 1997, 10570 young people under 22 were in Prison Service custody (a 3% increase from the figure for the 31 January 1997) and it is predicted that this figure could rise quite dramatically over the next one or two years. This includes an 11% increase in the number of children under the age of 18 being held in Prison Service custody during the first six months of 1997. This brought the total of children to 2,643 at 18 July 1997. The Home Office projects that, by March 1999,

there could be as many as 3,100 unconvicted and 9,300 sentenced young, male prisoners in the custody of the Prison Service.

3.03 The overall number of places available in Local Authority secure units has increased in recent years: these places are used to hold children at risk as well as those remanded on trial or convicted of criminal offences. There has been a significant decrease in admissions to secure units of young people involved directly in the Criminal Justice process. This may, in part at least, be explained by the fact that while custody in secure units is expensive, Local Authorities pay nothing for children held in Prison Service establishments. *Were local communities accountable for the cost of all children in custody they might well be encouraged to promote earlier creative and positive alternatives.*

3.04 In March 1997, 71% of under 22 year olds in Prison Service custody had received a sentence and 29% were on remand. This is a larger proportion on remand than in the adult population.

Our Research

3.05 For this review we visited every institution holding young prisoners in the United Kingdom. *It represents the most up to date information about the increasing population.* We focused on what young people held in Prison Service custody throughout the United Kingdom perceived as their needs, as well as their life experiences leading up to and including their imprisonment. The data in this chapter relates solely to young males in Prison Service custody: information about young women is included in Chapter Six. Information was collected in three distinct ways: by interview, by questionnaire and by analysis of Pre Sentence Reports (PSRs). In total, contact was made with 429 young males in custody for an in depth interview, a brief questionnaire was handed to 405, and 493 Pre-Sentence Reports were analysed.

PROFILE OF A YOUNG MALE PRISONER

Age

3.06 By the age of 18 young men are often locked into a cycle of reoffending. The average age of the young men was 19 years with an age range from 15 to 22.

Time on Remand

3.07 Sentenced prisoners had been on remand for an average of 3 months and had then completed anything up to 3 years in custody. *One sentenced young male had spent 2 years on remand before being sentenced. The length of time spent on remand by young people is a cause for concern.* It is particularly important for this age group that the Criminal Justice System should work swiftly to determine guilt or innocence and to decide on a suitable penalty for those convicted.

Previous Convictions

3.08 Most young men over the age of 17 had previous convictions: only one in ten had never been convicted before. However, over half the children had no previous court convictions.

Offences

3.09 The most common crime committed was burglary, over half of those with

previous convictions admitted to this offence. Other frequently committed offences were theft and robbery.

Previous Custody Experience

3.10 The majority of children were experiencing Prison Service custody for the first time. Those aged 18 and over had the more serious custodial histories. This underlines the point that the work at diverting people from the offending cycle needs to be done as early as possible. *At 18 it is too late.*

Welfare Needs

3.11 Young offenders often have considerable welfare needs. A staggering proportion of these young people had a *history of care or Social Services contact* (over half of under 18's); the younger group maintained some contact with their social worker whilst in Prison Service custody

Education

3.12 Most young offenders had been *failed by the education system* with over half being excluded (or excluding themselves) and many truanting on a regular basis. Almost two thirds stated that they had no educational qualifications. *This concurs with "Misspent Youth" (1996) which claims that young people who truant, or are excluded from school, are more likely to offend.* This depressing picture of the school careers of these young people reinforces the importance of keeping children in education as a vital ingredient in the prevention of offending.

Employment

3.13 Two thirds were *unemployed* before being sent to custody. Those who secured employment were mainly in unskilled work and had not received any training. Over a third claimed that securing a job would definitely stop them offending. Providing them with marketable skills is crucial.

Drugs

3.14 Almost two thirds admitted to *misusing drugs* at some time in their lives with cannabis being prevalent. This reflects the behaviour of young people as a whole.

Alcohol

3.15 Almost a quarter had been under the influence of *alcohol* at the time of the offence. Up to a quarter claimed a current or past drink problem. *The main reason given for the young people's criminal behaviour was involvement with drink and/or drugs.*

3.16 Almost three quarters reported that *they had never received any help with their drug or alcohol problem.* One in ten recognised that help with their problem would go some way to eradicating their offending behaviour. There is a clear need for prevention and intervention regarding drug and alcohol abuse.

Victims of Abuse

3.17 17% admitted to having suffered abuse of a violent, sexual or emotional nature. The level of abuse reported is likely to be an under estimate, since acknowledgement of victimisation may not fit well with the "school of hard knocks" macho ethos of many young men. Over two thirds claimed *not to have received any help.* Child abuse

is a complex subject; *research suggests that without helpful intervention, a significant proportion of male child victims become offenders (Boswell, 1995)*

Bullying

3.18 One in ten of the young men admitted to self harm which can be triggered by depression, bullying, fears about sentence and prison life, and relationship problems. This reinforces the need for sensitive well trained staff to counter bullying behaviour.

Families

3.19 Many young males were in *contact with "family"* and had been living at home prior to custody. *The majority had lived with only one parent, most frequently the mother.* One in five lived independently. This could be because young people who have been in the care of Local Authorities tend to move to independent living at a younger age than those who live with their families. Most intended to return to their parent(s). However, *one in five young males had no idea where they would be living on release.*

3.20 Almost a quarter were fathers or expectant fathers. In the majority of cases the young man was no longer in a relationship with the mother. However the fact that so many young prisoners have children emphasises the need for good parenting classes.

Peer Group Pressure

3.21 Many young people said they were *influenced towards offending by their peers.* The importance of helping young prisoners stand on their own feet, make their own decisions and not be dominated by peer group pressure should be recognised in needs analyses and regime planning.

The Experience of Prison Service Custody

3.22 *Young prisoners' needs for safety, help and rehabilitation are seldom met.* Well over two thirds of young men admitted having come into contact with bullying in prison and one in five had been the victim. One in ten admitted to bullying others. One in five perceived the staff to be uncaring or unaware of this problem. Staff should understand that bullying is rife and take effective steps to combat it.

3.23 Three quarters of young prisoners had Personal Officers but over half of them did not know them well or at all. Less than a quarter of the total sample said they had a good relationship with their Personal Officer. The Prison Service document on sentence planning recognises that *adolescence is the optimum time for adult intervention* and that staff have a special role to play in their work with young prisoners. However, less than half of those eligible for sentence planning said that they had participated in it. *An effective Personal Officer scheme is a route to good sentence planning.*

3.24 *The majority of young males had reported receiving no help for what they identified as their offending behaviour.* Custody is an opportunity to tackle offending behaviour and rehabilitate young people while they are still maturing. It is an opportunity not to be lost.

CHAPTER FOUR

LEAST HARM - MOST GAIN

"The majority of establishments holding children and young adults have been forced to operate as human warehouses rather than reforming institutions."

Introduction

4.01 At one time I considered publishing this chapter as a separate volume, because there is so much to be said about the principles and practice which should characterise the approach to children and young adults in custody. In the event I decided on making a summary only, setting out the Agenda for the person I hope will be appointed to action, not just process, my recommendations. This follows visits which I and my team have made to every Prison Service establishment (41 in all) holding young people between the ages of 15 and 21.

4.02 I have not attempted to cover every aspect of institutional life but have concentrated on the following areas, selected because of their major significance:

- reception/induction
- containment and discipline
- a structure for safety and survival
- busy constructive regimes
- tackling offending behaviour and throughcare families.

(Issues of health care affecting males and females are dealt with in Chapters Five and Six respectively).

Statement of Purpose

Her Majesty's Prison Service serves the public by keeping in custody those committed by the courts.

Our duty is to look after them with humanity and help them lead law-abiding and useful lives in custody and after release.

Extract from Prison Service Values Statement

Care for prisoners

Prisoners will be treated with fairness, justice and respect as individuals. Their punishment is deprivation of liberty and they are entitled to certain recognised standards while in prison. They will be given reasons for decisions and, where possible, involved in discussions about matters affecting them. In working with prisoners, we will involve their families and others in the community as fully as possible.

4.03 I attach great importance to the admirable Prison Service Statement of Purpose, Vision, Goals and Values extracts of which are printed above. Fairness, justice and respect for individuals is of crucial importance in the treatment of young prisoners. *The attitude and example given by staff is the key to fair treatment.* In a few establishments the positive attitudes of staff stood out. However, in a number of

others, staff were heard ridiculing or denigrating those for whom they were responsible. Because of the disrupted, disordered and sometimes violent experiences of family, school and peer group which many of the young people have, it is important that custodial staff always offer a courteous, considerate but firm model for the operation and control of the establishment. This should be enshrined in a suitable code of practice. A starting point for this should be the UN Code of Conduct for Law Enforcement Officials at Appendix 4.

4.04 In order for the entire approach of an establishment to be based on the Prison Service Vision and Values Statement, these principles need to be firmly and clearly established by senior managers in the Prison Service, who must ensure that there is rigorous quality control and that systems are set up to ensure that the detail of daily life for young prisoners adheres to these basic principles. I recommend that performance indicators related to the achievement of effective justice, fairness and impartiality should be introduced for every establishment holding young people. These should be regularly aggregated, monitored and used by senior managers in the Prison Service to adjust the operation of regimes in establishments holding young people. Such performance indicators should include monitoring whether reasons for decisions are explained properly to young prisoners and whether induction is effective. *If a satisfactory performance is not being achieved, then action should be taken.*

4.05 As I have said already, what I and my team observed during this review was a Prison Service struggling to cope with an inexorable increase in numbers of prisoners amongst which this population of young people are submerged. I pay tribute to the outstanding efforts of a number of Governors and staff who, despite all this, are striving to treat young people in custody in individual and appropriate ways. *For the most part, however, they are doing this against the grain of a system which is being forced into an impersonal mechanistic approach. The tension is visible in every step of the process through custody.*

NEEDS BASED RECEPTION AND INDUCTION

Reception

4.06 A positive start to his custodial experience is crucial for a young person, particularly a child. Reception is the area in which he first gains an impression of the establishment in which he will spend anything from a few days to several years. The pressure of ever increasing prisoner numbers means that staff have to be able to handle all types of young prisoner quickly and effectively, without losing sight of the fact that they are dealing, in the main, with immature human beings some of whom are children. As at other stages in the process we found little difference in the way that the reception/induction processes were conducted for children and for young adults. There was also very little difference in the treatment of sentenced and unsentenced prisoners held on remand. I recommend that the reception/induction needs of children should be analysed separately from those of young adults. The reception/induction needs of the unconvicted should also be considered separately from those of the convicted. Appropriate action should follow.

4.07 Children and young adults often have to be *transported* very long distances from court before they arrive at their final destination. All escorting of prisoners from court

has now been contracted out using contractors' cellular vehicles to transport young prisoners in the interests of improved security. Each cubicle in these vehicles is about the size of a telephone box and contains nothing more than a bench seat and a small window. My team found many examples of children and young adults locked in these cramped conditions for hours while awaiting delivery to the establishment to which they are being sent. Young prisoners should not be held in these vehicles for longer than 2 hours at a time without an opportunity for refreshment and toilet facilities. Staff employed to escort young people to and from court should be trained in dealing with adolescents.

4.08 It is important that children and young adults *arrive* at their holding establishment sufficiently early in the day to ensure that there is time to do the necessary reception work with them. A combination of large catchment areas for establishments holding children, and the inevitable fact that contractors' procedures are designed to reduce costs, means that late arrivals are almost inevitable. We were impressed by *the care taken by staff in some establishments to try to overcome these problems by staying on duty until the last person had been properly interviewed and settled into the establishment*. The same care was not taken at other establishments: I recommend that it should be the practice in all establishments where children and young adults are held.

4.09 Staff working in reception areas were fully justified in repeatedly complaining to us about the *lack of co-ordinated information* arriving with children and young adults from court. Often, holding warrants for children do not even give an indication of the nature of their (alleged) offence, so that staff have to accept the word of escorting contractors or even the young prisoners themselves. Lack of information about the young prisoner's offence, previous convictions and background inhibits proper risk assessment. This is not only irritating for the Prison Service, but unnecessary, because all the information must have been available to the court when it made the decision to place him in custody. No child or young adult should leave a court until all the relevant reports and information relating to him have been collated so that they can be, and are passed to the establishment. The processes for achieving this quickly should be built into court practice.

4.10 As a young prisoner's initial impressions of an establishment are influenced by perceptions of the *reception area*, it is unfortunate that the first impression my team got in too many receptions was very poor. Graffiti and dirty conditions were common. Frequently in local prisons children were held in the same waiting room as other young adult prisoners, many years their senior. Reception should be a place of safety for children and young adults as they begin the transition into custody. They should be occupied while they wait to be processed.

4.11 But admitting children quickly through reception and into the establishment must not be at the expense of taking *sufficient individual care of them*. For example, we have seen many instances of young men wearing ill-fitting damaged clothing. We have also seen many occasions where children and young adults have been kept waiting in holding cells for hours to see a doctor. Targets should be set which ensure that young prisoners spend no more than an hour in the reception area before being located on their wing. Young prisoners who arrive with warnings about their

vulnerability to suicide or self harm, or who exhibit these signs to reception staff, should be dealt with as a priority.

4.12 The importance of *good staff performance in reception* cannot be over-emphasised. Common courtesy costs nothing. Staff who work in reception should be trained not only to understand the nature of adolescence but in the techniques of eliciting information from young people. Really skilled Officers will know, for example, that they need to repeat important information several times during the reception process. Staff should also encourage all young prisoners to let somebody in their family know where they are, and all young prisoners should be given a phone call, at public expense, on their initial reception. Staff should take action to meet the specific needs of those from ethnic minorities. They should recognise that response to stress is, in part, culturally defined and that there will be different ways in which young people act out their anxiety on reception. They should also be aware of the difficulties some foreign nationals will experience in speaking and understanding English.

4.13 *First night support* is also vital to children and young adults as they leave reception and move into their residential units. Good arrangements can help to reduce the risk, not only of self harm or suicide, but of their being preyed upon by more experienced prisoners. New arrivals should be kept busy, and wing staff should ensure that verbal harassment of newly arrived children or young adults, by others shouting from their windows, is not tolerated. The immediate support a young prisoner receives on arrival in the wing should be provided by a designated member of staff and trusted young prisoners.

Induction

4.14 The best induction programmes we have seen have been tailored to the needs of individual children and young adults. *A good induction should have three primary objectives: to introduce the individual young person to life in custody, to impart information and to make an assessment of his needs as an individual.* An induction programme should include at least:

- a check to ensure that all young people are issued with clean well-fitting clothing and are aware of the arrangements for keeping these clean and in good condition
- a tour of the establishment, with an introduction to the work and activity areas
- information about bail and legal aid services
- full information about the regime and how to take advantage of courses
- an opportunity to ask questions of staff
- an educational component on issues such as drug misuse and HIV/AIDS
- contributions from key members of staff such as the Race Relations Liaison Officer
- information about fire safety awareness
- information about custody planning.

4.15 *By the end of the induction period children, and young adults, should be equipped with the knowledge of who is the most appropriate person to approach with a particular problem, and have the confidence to do so.* Assessments of numeracy and literacy, health and issues associated with offending behaviour such as substance

misuse, must be undertaken. The process should take account of the length of sentence, or the length of time that the young prisoner is likely to spend in the establishment. Induction should be an active process, during which individuals participate rather than just sit back and have information spoon-fed to them. It should be delivered in a language and at a pace, understandable to each individual. Each young prisoner should be left with a record of achievement as part of his induction process. Above all, induction should include a continuous addressing of the problems of bullying.

4.16 During reception/induction and afterwards staff must control the location of *Schedule One offenders* (These are people who have committed offences against children). They must be identified in the documentation which arrives with the young person from court, to enable appropriate decisions relating to their location to be made from the point of reception onwards.

CONTAINMENT AND DISCIPLINE

Security

4.17 It is essential that an *appropriate culture for security and discipline* is promoted within every establishment. Good dynamic security is based on effective staff/staff and staff/prisoner relationships, an emphasis on the importance of individualism - so that everybody feels that he counts - and busy regimes which occupy, educate and train young people (Dunbar 1985). Within a secure perimeter, staff should be involved in ensuring that all young prisoners are subject to a structured regime which provides a full, purposeful and active day.

4.18 We saw several examples of good structured regimes, but, regrettably, more examples of establishments where not enough was being demanded of young prisoners. *Governors and staff, in several of these establishments, claimed, with some justification, that they did not have the resources to provide such staff intensive regimes, however much they wanted to provide them.*

4.19 *In all the establishments we visited physical security was adequate even for the very small number who are considered to be very dangerous.* However at present the Prison Service security manual treats all types of Prison Service establishments equally. We recommend that it should be revised to take account of the different security requirements of children and young adults.

4.20 There are worrying signs of prisonisation in the treatment of children and young adults for example the emergence of dedicated search teams may be necessary in high security establishments but not in working with children. I also question the necessity for staff, particularly those working with children, to wear Prison Officer uniforms. Less militaristic clothing would, in my view, assist the work of these staff in creating a positive culture.

Staffing

4.21 The difficulty of assessing *appropriate staffing levels* is increased by lack of training and effective management. Good Officers care about all the children and young adults that they are required to supervise. They know where everyone is, particularly during periods of association. They know the areas where bullying is

likely to take place. By their own professional attitude they ensure that children and young adults know that they are alert and conscientious on duty. Such professional competence should be delivered by all staff working with children and young prisoners.

4.22 Only when all staff are operating to the required standard will it be possible to make considered decisions about the staffing levels required for security, safety and training. Unfortunately, we have seen a few examples of adequate staffing levels not providing adequate supervision. More staff does not necessarily mean better supervision. But, during this review, *we have seen far more examples of staffing levels which were wholly inadequate if children and young adults are to receive the individual attention they need.*

4.23 Good discipline is founded on clear rules, the setting of standards which are observed by staff and prisoners, fair procedures and good example. *Staff have to be vigilant in the supervision they give and challenge inappropriate behaviour.* It follows that there must be sufficient, well trained and well managed staff to enable good supervision to take place. Managers should set specific standards for their staff, monitor performance and take the necessary action to correct or encourage.

4.24 There are inherent dangers of collusion between custodial staff and young prisoners in the very culture of establishments. Outward conforming by young prisoners may be taken by staff as an acceptance of their authority, whereas it may be a strategy for keeping them at "arms length". Officers supervising young prisoners are often stretched to the limit so that all they feel they can do is to reward conformity.

Incentives and Earned Privileges

4.25 It was disappointing to see elements of adult prison culture being allowed to creep in in several young offender institutions. This was manifest in a number of ways, including the mechanistic implementation of the Incentives and Earned Privileges scheme in the majority of establishments. I am fully in agreement with the setting of *incentives and privileges* to reward and encourage positive behaviour, but I regret that, more often than not, Prison Service practice does not attempt to encourage staff to link young prisoners' behaviour with their individual sentence plans.

4.26 I am concerned that, in most cases, Incentives schemes are negatively orientated. For example, schemes that are rigidly location based, driven by the number of cells available on each location, rather than by the performance of young prisoners. If a young prisoner qualifies for the privileges of the enhanced regime he should receive them, irrespective of the cellular situation. To deny him is to undermine the credibility of the scheme. On occasions, the combined effect of a young prisoner being on the basic level of the scheme, regime shortfalls and official punishments produces unacceptably harsh conditions which do nothing to motivate the young person to improve.

Adjudications

4.27 On the whole I am pleased with the *standard of adjudication procedures* that my team saw being applied in establishments holding children and young adults. The use of cellular confinement, for children who fail to conform to the requirements of a

regime, involves isolation and deprivation. This negative approach to punishment should be ended.

Control and Restraint

4.28 In some establishments the level of use of *control and restraint techniques*, especially on children, filled me with concern. *It is no coincidence that those young offender institutions with the poorest regimes appeared to have the highest incidence of the use of control and restraint.* This population of young males has a propensity towards violent behaviour and dealing with it requires extraordinary skill. There will be times when control and restraint techniques are unavoidable and I fully support the Prison Service's operating standard (B3) which emphasises the minimum use of force and only when "essential to prevent injury, damage to property, escapes or to re-establish control. However this standard is worded too broadly and is open to interpretations about what is essential. I fully support the commentary to the standard which emphasises that physical force should only be used once negotiation and all other verbal methods of resolving the problem have been exhausted. Staff require special training particularly in promoting non-violent conflict resolution.

Alcohol and other Substance Misuse

4.29 The majority of young people in society admit to at least experimenting with illicit drugs (Crime Survey 1996). It is not surprising, therefore, to find much evidence of substance misuse among young people in custody. Nearly a quarter of pre-sentence reports stated that the young man was under the influence of alcohol at the time of the offence. Nine out of ten children and young adults admitted that they used *drugs* before they came into custody. The use of cannabis is widespread among young prisoners, but involvement with opiates appears to be limited.

4.30 Rightly, it is Prison Service policy that young people in custody should not have access to alcohol or illicit drugs. Currently the possession of any form of illicit drugs results in a child or a young adult being placed on report, and days being added to his sentence, if the charge is proven. However, of equal importance in my view, is the need to take harm reduction precautions, and provide services for those who recognise that they have a problem with substance misuse, and who wish to do something about it. Young people invariably need motivating to address their alcohol/drug problems. My team were impressed that some establishments have invited drug counsellors, from the main urban areas served by the establishment, to become involved in their programmes, and I recommend that this practice should be extended to all establishments. It is essential that every establishment identifies the resources it requires to deal with the drug treatment needs of the young prisoners in its care. Once identified, these resources should be adequately funded and developed, in conjunction with community agencies. This is a case of a "stitch in time" as far as the potential expense of future misuse is concerned.

External activities

4.31 Outward bound courses which challenge attitudes, and other activities which allow inmates to repay some of their debt to society by working in their local communities, have been traditional in young offender institutions for many years. Regrettably, in the past three years there has been a dramatic reduction in these activities mainly because of changes in the rules authorising temporary release and security risk assessments. It was right that these procedures should be reassessed, and

temporary release should never be seen simply as a day out, or be awarded for tenuous reasons. But there is no reason why challenging activities should not be enjoyable nor is there evidence to suggest that enjoyment undermines success. Especially with young people in custody the goal must be 'learning', which is much more likely to happen when they are willingly and enthusiastically engaged in an activity.

4.32 However, several Governors have been candid enough to admit that their attitude to temporary release in view of recent political pronouncements has become one of "why take the risk?". The serious decline in the use of outside activities for young offenders is another example of the way in which their treatment, within the Prison Service, has been unnecessarily influenced by events and restrictions affecting the operation of the larger adult male estate. As far as I am aware there is no research, yet, into the effectiveness of such activities in helping to change the criminal attitudes, and lifestyles, of young offenders, but staff in young offender institutions understandably regret the loss of these activities, not only because of the loss of opportunities for personal growth that they consider were brought to individuals who took part in them, but also because of the loss of incentives to young prisoners to strive to qualify for them. We have spoken with a number of organisations who provide such opportunities - the Duke of Edinburgh's Award Scheme, the Fairbridge Trust, Operation Raleigh, the Airborne Initiative - who all confirm the validity of this view. I strongly recommend that activities which challenge attitudes are fully restored as a legitimate part of regimes for young prisoners, subject to satisfactory risk assessments, and that research is commissioned into their effectiveness.

THE NEED FOR A STRUCTURE OF SAFETY AND SURVIVAL IN EACH ESTABLISHMENT HOLDING CHILDREN AND YOUNG ADULTS

4.33 Many children and young adults in custody will have had damaging, personal experiences. *I believe, therefore, that one of the primary tasks, for custodial authorities, is to provide an environment in which young people are not abused by their peers or by staff.*

4.34 Many young prisoners distrust authority, and custodial staff have a difficult job to do in enforcing discipline and control. It needs to be done in ways which are not abuses of authority and avoid victimising individuals. A particular aspect of a safe environment is the way in which staff and young men live alongside others from different ethnic groups or from different parts of the country, or with different mental and physical abilities, or who have committed certain offences, for example, sexual offences.

4.35 In every establishment we have visited there was an acknowledgement of the problems of bullying by prisoners on prisoners. There was less acknowledgement of unprofessional behaviour, bullying, inappropriate sanctions and poor attitudes by some members of staff. A minority failed to recognise vulnerable and "at risk" individuals, and also failed to identify the range of bullying, taxing and intimidatory behaviour by young people. On the other hand we saw examples of staff being fully aware and alert to the need to behave properly towards children and young prisoners.

4.36 The experience of children, young adults and staff in custody is often of a "school of hard knocks", which sometimes distorts their view of what constitutes abusive or inappropriate behaviour. It is vital that, in the training and selection of staff, the clear expectations of what is a safe environment are set out, and standards of behaviour made clear. It is equally important that, as young people enter custodial institutions, expectations of their behaviour are made clear and are rigorously monitored. The Prison Service should establish a detailed code of behaviour for all staff working with young people, which should be supported by regular training. It should include issues of race, gender, ability, culture and religion (see Appendix 4).

4.37 Routines should be in place to identify, assist and support young people who have been exposed to sexual, physical or emotional abuse, as they may well be at greater risk than other prisoners, and will be easily targeted by bullies or perpetrators of abuse. In all the establishments we visited the impact of the general overcrowding in the prison system was obvious, and a significant factor in the lives of the young prisoners. In many cases it meant that, due to the high turnover and limited cell accommodation, young and more vulnerable prisoners were located with older and more experienced prisoners. In some cases they were even located with Schedule One offenders, and in other cases with people who took advantage of the vulnerability of new or younger prisoners. In few of the establishments visited were there any structured processes for making contact with previous community based agencies, to ascertain the level of vulnerability of young people. This was a major problem for staff conducting risk assessment who, on top of inadequate training and understanding of the risk factors, lacked clear information about the child or his history. This is a matter for the Criminal Justice System to resolve, as the information required by the Prison Service, is held by other authorities, who, however reluctantly, must be made to release it.

4.38 There was an underlying assumption, in most of the regimes for children and young adults, that young people needed to survive by their own devices. This approach does not lead to the creation of a regime where staff understand their responsibility for active involvement in identifying and assisting the more vulnerable, particularly those who have had damaging experiences in childhood. Some staff were excellent, but the majority needed to be sensitised about these issues. In order to gain the benefit of a multi-agency approach, clear links should be established with local mental health, social work and probation agencies. All establishments holding children should be linked to their local Area Child Protection Committee, in order that they can develop appropriate protocols, and multi-agency approaches, to working with young people who have been physically, sexually or emotionally abused.

4.39 Managers and staff in too many establishments were insufficiently aware of the role and function of these agencies. If a multi-agency approach is to work it is essential that all should contribute to the work done inside an establishment, and particularly in preparing young prisoners for release and successful transition to the community. I therefore make the following recommendations regarding this process:

- all parts of the Criminal Justice System should work together to rehabilitate, and re-equip young people to survive outside custody, including the provision, to the Prison Service, of all information about

an offender known to them, to ensure that sentence management can be based on accurate needs assessment

- Local Authorities should form local Youth Justice Co-ordinating Committees, which should include prison managers
- agencies in the community should work together to develop their input to establishments holding children, who may be in need of a range of services more appropriately provided by community resources than by prison staff.

Bullying

4.40 Full and effective anti-bullying measures should underpin the entirety of the way in which an establishment is run, because many young men entering prison will have been used to exploiting their strength, and other people's weaknesses, to achieve their overall aims. It is important that all regimes make clear that there is an expectation on all staff, and young prisoners, that every part of their daily life will be based on mutual respect, and there will be zero tolerance of bullying or abusive behaviour. It is not good enough for there just to be notices which make this statement, pinned to notice-boards. *All staff, by the personal example they set, must demonstrate respect all the time. This includes promoting a non-violent culture. They must also be aware of the potential racial dimensions of bullying behaviour and consistently oppose any abuse.*

4.41 All establishments had some sort of anti-bullying policy, but only a few had made real strides towards recognising the key dynamics in bullying, and communicating them to staff and prisoners. We commend the progress made in the North West Area, to construct programmes developed by multi disciplinary teams, which assist everyone to identify and deal with bullying behaviour including:

- what is bullying?
- what makes bullying fashionable?
- how does bullying work?
- what are bullies like?
- ways to control bullying and
- why victims feel helpless.

4.42 The strength of the programme is that it recognises that bullying happens where it is acceptable. It is important that the whole regime in establishments holding young prisoners is based on an approach which prevents intimidation and does not collude with it. Expectations of behaviour must be actively and consistently pursued by all staff.

Self Inflicted Death and Self-Harm

4.43 It has been recognised for some time that young people in custody are especially at risk of self-harm and suicide (HM Chief Inspector of Prisons "Suicide and Self-Harm, 1990" and Howard League "Suicides in Feltham 1992"). Research has attempted to identify the factors associated with increased risk of suicide in custody. Remand prisoners show a higher incidence of suicide than the general custodial population, and young remands show a suicide rate three times that of the general

population in custody (Grindrod and Black 1989). The great majority of suicides in prison occur early during the period of custody; the Inspectorate found that between 1985 and 1990 a third of all suicides in prison happened in the first four weeks of custody, the majority involving remand prisoners.

4.44 For this review I asked for information from the Prison Service about self-inflicted deaths, and self-harm, by young people in custody. What I received (see below) makes disturbing reading.

Self-inflicted deaths amongst young prisoners 1994 -1997

Year	Number		
	YOI	Non YOI	Total
1994 - 1995	2	9	11
1995 - 1996	2	7	9
1996 - 1997	10	10	20
Total		41	

4.45 As can be seen, the number of young prisoners who took their own lives in prison, doubled in the last year. Although statistical inferences are hard to draw, because absolute numbers are small, this is alarming. Suicide must be seen within the context of self-inflicted injury. Everyone wants to prevent any self-inflicted deaths, but staff in prisons constantly have to face the unpleasant reality that this is not always possible. *Nonetheless, it is the duty of the Prison Service to ensure that staff respond to the likelihood that young people are more likely to resort to self damage as a response to pain and hopelessness.*

4.46 I note with concern that the figures of self-harm by young people provided by the Prison Service do not include those held in local prisons.

Reported incidents of self-injury amongst young prisoners

Year	Number
1994 - 1995	1216
1995 - 1996	1823
1996 - 1997	1173
Total	4212

4.47 Given the evidence of increasing numbers of suicides, given the accepted increased likelihood of young people's self-harm, given the lack of local prison figures and given that, over the period shown in the table, the young prisoner population has risen considerably, I regard the alleged dramatic reduction in incidents of self-harm to be so much against expectation as to be at best questionable. Are incidents going unreported? Is the self-harm going unnoticed? Are staff preoccupied with other priorities? Is there a different tolerance of self harming behaviour? I cannot answer these questions, but I welcome the information that the Prison Service is taking steps to develop a more reliable approach to recording self-harm behaviour.

4.48 I have frequently commended the Prison Service's well thought through strategy for suicide prevention. I am satisfied that, if staff, managers and Governors follow the approach with commitment, young prisoners will be protected as far as it is possible to do so. *But stating a policy does not mean that it happens.* Senior managers within the Prison Service, not just individual Governors, have a crucial part to play in focusing attention on this most important aspect of the work of every establishment holding young prisoners. *One young suicide is too many.*

BUSY ROUTINES

4.49 Children and young adults in custody require to be exercised in both mind and body for good health, hygiene and mental stability. They should go to bed both physically and mentally tired. *It is inappropriate, and counter productive, for them to be held in their cells for long periods.* Unfortunately, we found too many young people confined in their cells for unacceptably long periods of time, in too many establishments we visited. *Opportunities for appropriate education, work and recreation had been so reduced that they were inadequate, resulting in regimes of containment rather than development.*

Education

4.50 In some cases the number of hours contracted for *education* was not sufficient for the needs of the establishment, and this was exacerbated by financial cuts. In a minority of cases, the number of hours was adequate but either their use was badly managed or the quality of provision was poor. All contracts should provide education for 50 weeks a year. However, while the quality of individual lessons seen was, on the whole, good, with a high standard of attainment being achieved by a number of young prisoners, unfortunately such opportunities were not available to the majority of children and young adults. *Furthermore, education was often the main activity provided and, when it did not take place, children and young adults remained locked in their cells.*

4.51 Custody is an ideal opportunity for young people to be encouraged to make good their deficiencies, particularly in the areas of literacy and numeracy. Where standards were high, young people were achieving certificates and awards for effort as well as achievement. This was true in several establishments but, in most cases, certificates, if available at all, were only for passing examinations. Whenever possible young people in custody should have their achievements measured and rewarded in the short term, because many cannot respond to or even understand deferred gratification. The experience of education for young prisoners must be made more than just literacy and numeracy: it is an opportunity to help them grow into responsible adults. The

opportunity must be taken and the core curriculum, however worthy in intent, should be re-examined to confirm its relevance to those needs.

4.52 In a small, but significant, minority of establishments a proportion of the education provided was of a poor quality; for example tracing and cutting out from young children's colouring books and colouring in outlines drawn by others. Such sessions were neither educational nor developmental. They were sometimes called "open learning", often an excuse for unfocused, unplanned, non developmental work. Students with special educational needs, largely learning difficulties, including dyslexia, were rarely receiving appropriate education, although some excellent basic education sessions were observed. HM Chief Inspector of Prisons in Scotland has drawn attention to the significant proportion of young prisoners with diagnosed learning difficulties, including dyslexia.

4.53 Where attention was paid to an individual's educational needs some extremely good work was observed, but, in most cases, provision was not available for all those who needed it. Rarely were adequate needs analyses undertaken. In general the status of education in young offender establishments is too low and needs to be remedied urgently. Too few places are allocated to education or training. The education and training programmes for children should be different from those for young adults. All education programmes for young people should take account of ethnic cultural needs. Despite the many problems, mostly related to the amount of provision or access to it, there were exceptions and a number of interesting initiatives were observed. Hours available must be increased.

4.54 We particularly commend the initiative at HMYOI Hydebank Wood in Northern Ireland, and a course entitled 'Learning to live alone'.

4.55 It is not just the 3R's part of education that those who have excluded themselves, or been excluded from school, have missed, it is a whole range of social, behavioural and development skills designed to help young people through adolescence to adulthood. The eviction rate is dreadful; the worst case I found was a young man who had been evicted from his play group at the age of 4, and never allowed to attend primary let alone secondary school. I would ask educational authorities to consider what chance in life has he been given?

Employment

4.56 A job is known to be a significant factor in resettlement and preventing reoffending. *Young prisoners need to gain practical, marketable skills during their time in custody.* The Prison Service has as one of its goals to provide such skills. The quality of vocational training is often good in itself but too rarely does the skill taught lead to appropriate, job-gaining qualifications, despite the fact that staff had very often taken training in the delivery and assessment of National Vocational Qualifications (NVQ's). Extensive skill training, leading to certification should characterise regimes for young prisoners.

4.57 *The working day is often much too short* to enable adequate time to be spent on courses. Even the time allocated is often not effectively used, because of poor arrangements in some establishments for moving young prisoners the short distance from their living units to the place of work. There also seem to be poor *links between*

institutional training and employment opportunities in the areas from which young prisoners come. This confirms the need for local provision to be related to local conditions.

Recreation

4.58 Learning about the constructive use of leisure time should be an important feature of regimes for young people. *On the whole there are too few opportunities for recreational activities even when the physical equipment and facilities in an establishment are conducive to such opportunities. In some cases there were no exercise periods in the fresh air.* We saw well structured association periods in a few establishments, with ample choice of purposeful activity, and the aim was to encourage the development of good social skills and engender a sense of responsibility. *In too many others however, Officers had virtually no meaningful communication with the children and young adults. On occasion, they were to be seen supervising from the tops of stairs in open areas, simply standing shouting orders, usually that the time was up for a telephone call. The use of such recreational facilities as existed was usually unstructured and more often than not uninspiring. There were exceptions and examples of good practice should be disseminated to all establishments.*

4.59 *Library facilities vary from the superb to the abysmal. Access was less variable, with few satisfactory arrangements being seen. Very frequently young prisoners, who had been in an establishment for weeks, and sometimes months, did not know when they could attend the library, and some did not know whether there was one. Few books reflecting ethnic minority cultures, of interest to young people, were available.*

Physical Education

4.60 Organised and *regular physical activity* is vital for the health and well being of young prisoners. *Physical education* classes, both in gymnasium and outdoors, were usually of good quality but *many young offenders had very limited access to them. Often expensive facilities stood idle, especially in the evenings and at weekends. On the whole we found the approach of PE staff to be very positive and a number of establishments made useful qualifications available to young offenders.*

4.61 According to the Young Offender Institution Rules, PE should be compulsory for all sentenced young prisoners. In some establishments this rule was observed, but in others it was not always compulsory or even an option and *there was certainly no consistent practice throughout the young offender estate.* Physical education sessions, especially in the gym, do however need to be managed with care, as some young prisoners are afraid to go because of fear of bullying; usually in the showers. Again, we generally found PE staff sensitive to this, and a number of establishments had an imaginative variety of activities from which young prisoners could choose in order to fulfil the compulsory requirement. There is a need for a wide range of activities, so that those who are less athletically able can be encouraged to perform well, and so given a sense of achievement and become less vulnerable to ridicule.

4.62 *In general* there are insufficient education, training and work places throughout the young offender estate, and this situation is exacerbated by the financial cuts and restrictions recently imposed. The situation in custody *for young prisoners on remand* is particularly unsatisfactory, since they *often have less access to activities* although

again we saw, in a few establishments, determined efforts to help young prisoners use their time on remand positively. *Despite the fact that many are held on remand for several months, often little regime activity is provided for them, and far too many spend too much of every day locked up in their cells.*

FAMILIES

4.63 Young prisoners come from a wide range of complex family circumstances. Some have lost touch with parents and siblings altogether: others are from very close families. Most expect to return to, or have continuing contact with their family. There are those who come from homes where they have been subject to serious sexual, physical and emotional abuse, others come from very supportive families. A number come from backgrounds where parents and siblings are, or have been, in prison, or who live in areas of considerable material deprivation, where delinquency is a way of life. Some have been indulged by their parents, others have been neglected.

4.64 It is obviously unrealistic to expect custodial institutions to put right many of these complex family circumstances which accompany young people. However, whatever the difficulties, families are likely to play an important part in the future lives of young prisoners. *It is essential, therefore, that institutions for young people in custody set out to do all they can to help maintain, and/or re-establish, family links, help families to understand what being in custody means in practice, and involve families, wherever possible, in what is happening while young prisoners are in custody.* Despite seeing several outstanding examples of good practice in a few establishments, we come away from this review without any sense of a concerted approach by the Prison Service to promote the needs of families in establishments holding young people. Nor did the team hear of examples of continuing contact with, and support for, families from other community agencies. For example, the Young Offender Institution Rules make no reference to telephones and in practice there appears to be little recognition of how important telephones are to this generation.

4.65 It is essential that families of young people are informed of their arrival in custody as soon as this happens, and it is very important that custodial staff make an early assessment of the family situation. Only in a few establishments did staff take an active role in encouraging young prisoners to write letters and make telephone calls. It is invariably left to the young prisoners themselves to maintain contact with their families. This is a golden opportunity for staff to discourage young prisoners from taking advantage of their families, by making selfish requests for clothes, private cash etc. *It is essential that every effort is made to encourage families to take an active part in the sentence planning process, and staff should accept that it is part of their duty to keep families informed of progress being made or problems being addressed.* My team admired efforts such as were being made at Feltham young offender institution and Swansea prison where staff took the initiative to bring families into the establishment to involve them in work with young people. *Of equal importance is the need for the wishes of the young people themselves, with regard to staff contacting their families, to be respected.* Work with families is likely to be useless unless there is willing and active participation of the young prisoners concerned.

4.66 *A helpful professional approach, on the part of staff towards the families of young prisoners, is of even greater importance than the provision of good facilities.* The expectation that staff who work in establishments holding young prisoners are

polite, respectful and helpful under all circumstances is not easily achieved with families, particularly when some visitors to young prisoners are themselves rude and disrespectful to prison staff. But the expectation must be maintained.

4.67 The performance of establishments in notifying families about visiting arrangements varies enormously. We found the best arrangements in Scotland, where Family Contact Development Officers have been appointed in every prison establishment. The task of these staff is to take the initiative in introducing families to the establishment, and helping to make arrangements and facilities for visitors as easy and pleasant as possible.

4.68 One of the most encouraging developments in the past decade has been the establishing of centres where families and friends can wait before being called for their visits. However, no universal standards are applied to the facilities provided at establishments for young prisoners nor are there such centres in every establishment. *But I am pleased to give support to the excellent "Visitors Centre Good Practice Guidelines" developed by a group consisting of voluntary sector agencies and statutory agencies working with the Prison Service. Again practice varies enormously. Frequently volunteers play a very important part in the running of Visitors' Centres and in providing a service to families and I pay tribute to their work. But, unfortunately, some establishments have made no real effort to recruit the voluntary assistance which would make all the difference to visitors as to so many other aspects of the lives of young prisoners.*

TACKLING OFFENDING BEHAVIOUR AND THROUGH CARE

Sentence Planning

4.69 Sentence planning involves assessing the needs of young prisoners, and helping them to make best use of their time in custody through the structured targeting of achievement. My team found such widely differing ways of dealing with young offenders' *sentence plans*, that we were inevitably led to feel that confusion, rather than rationality, reigned. This degree of variation cannot be attributed solely to the transitional stage in which establishments find themselves with regard to sentence planning, but suggests, yet again, the lack of overall direction, and so consistency, from above. This is hardly surprising if 12 Area Managers are each doing their own thing in their own way. There are pockets of good practice and outstanding examples of commitment and ability amongst some of the staff working with young people in custody. Frequently we found that these were staff who had experience of, or who were working in, the best traditions of the old borstal system.

4.70 The new *sentence management arrangements* set out to help young prisoners use time positively in custody, tackle offending behaviour, maintain links with the outside community and prepare for release and resettlement. All children and young adults serving at least four weeks are subject to sentence planning (in contrast with adult prisoners who have to be serving 12 months or over). All this makes good sense, but its translation into practice is problematic. *My team found two main areas of shortfall: in the approach of staff (at all levels) in relating to young offenders, and in the provision of suitable and sufficient programmes.* While most young offenders tend to be allergic to planning and management, this does not mean that the process of planning and management are irrelevant to them: *indeed it means that they require*

even more planning. Young people need clear structures, and parameters, within which to define themselves, and part of the usefulness of careful planning and management is that it gives them a framework in which to rebel safely and so develop.

4.71 Working with young offenders, as is discussed in Chapter Seven, demands particular qualities of staff, and *nowhere is this more evident than in the selection and training of staff specifically for the role of sentence management.* All staff must recognise that children and young adults will have received varying degrees of supervision in their outside lives, often from one parent rather than two and frequently from the mother alone. School teachers in primary school are mainly female. Meeting a Prison Officer could be the first time in their lives that these young people have come across a responsible male adult taking a positive interest in them as people acting out a responsible male role model. But normal society includes both men and women, and in the interests of normality women as well as men should play a more significant part in managing the sentences of young offenders.

4.72 Notwithstanding the need to respect the status of *unconvicted young people* in custody there is plenty of scope for more useful work with them. Many, while not admitting guilt, will reveal problems with drugs, temper, skills or health which can form the basis of programmes on remand. *We saw all too few examples of custody planning for young people on remand.* Staff spoke of the rapid turnover of the remand population as an important inhibiting factor.

4.73 If sentence management is really to achieve what is intended, by introducing the individual young prisoner to the experience of custody and the opportunities available the importance of the role of the Personal Officers cannot be exaggerated. They can be potentially powerful influences on young people, by providing role models and taking the lead in all aspects of the life of those for whom they are responsible.

4.74 *The operation of Personal Officer schemes varied considerably.* We found some evidence of sustained efforts being made to provide children with Personal Officers, but, all too often, staff reported being under such pressure to perform other duties that they accorded insufficient attention to sentence planning which thus became a paper exercise. This was especially true if programmes at a young offender institution had been cut, and staff were naturally reluctant to raise expectations about activities which they could not deliver, or if the Personal Officer scheme itself was not working well. In these circumstances sentence planning was inevitably cursory, or ceased to function at all.

4.75 Sentence plans (and custody plans for unconvicted prisoners, in the exceptional circumstances where these existed) tended to show no clear links between targets set, or achieved, and *incentives and earned privileges schemes*, where these were in operation. Incentives schemes tended to stand or fall on the availability of real incentives, and, while some establishments had shown considerable imagination in developing rewards, in other places there were very few real incentives.

4.76 The lack of coherent linking between incentives schemes and sentence planning is symptomatic of a more general lack of integration; for example we found no consistent evidence of links between sentence plans and pre release programmes. *The*

notion of throughcare starting at entry into custody and continuing through imprisonment and into the community as a "seamless process" is far from a reality. Yet the framework for integration exists in the information management system designed in 1994 in the then Directorate of Inmate Programmes of the Prison Service. *My team were delighted to see that at least a small number of establishments had adopted a data collection process and were adapting sentence management questionnaire forms developed at HMP Garth.* By making staff focus their attention on these questions, the system steers even those who were unaccustomed to interacting with prisoners were steered into closer contact with them. Ultimately, sentence management stands or falls on this interaction between staff and young people in custody. All establishments holding young offenders should introduce the sentence management scheme developed at HMP Garth.

Programmes for Tackling Offending Behaviour

4.77 I noted a trend towards replacing some traditional activities with offending behaviour programmes, for example, reducing education courses and substituting drug awareness or cognitive skills courses. *However, I also noted the wide gap between the need for offending behaviour programmes and their provision.* What is more important is that my team found little evidence of offending behaviour programmes specifically designed for young offenders, adopted, applied and evaluated throughout the system. There were examples of good, locally grown programmes, and good examples of adoption of centrally designed programmes, but no norm. Some locally developed offending behaviour programmes appeared to suffer from a lack of training on the part of those devising and delivering them. Much can be accomplished by commitment and enthusiasm, but there needs to be a balance between energy and expertise, as inappropriate programmes can damage the recipient. A few programmes devised locally had been accredited but more often, they had not. This suggests a natural responsibility for a Director to ensure consistency throughout the system and with after-care in the community.

4.78 Many young offender institutions initially involved specialist departments in setting up and providing offending behaviour programmes, but cost cutting has meant, in some cases, a reduction in their input. There is every reason why suitably selected and trained Prison Officers should be involved in delivering offending behaviour programmes; the best of them do so already in their daily interaction with young people in custody, which amounts to informal offending behaviour work. *It is however, a sign of poor management, as well as being demotivating and unfair to staff, to assign to them the major role in delivering formal offending behaviour programmes without equipping them with the necessary resources (principally time, training and support) to enable them to do so effectively. Some of the best examples we found of offending behaviour programmes, as in the adult system, involved a productive partnership between several departments (Prison Officers, Probation Officers, education staff, and psychologists).*

Preparation for Release

4.79 Tackling offending behaviour is an important part of preparation for release. Lack of resources was often cited, by managers and staff, as the reason why inadequate attention was paid to a whole raft of practical and emotional needs of the rising population of young people in custody. If this is true it is a very false economy.

It is in the public interest that these problems are tackled while young people are still young, and still in custody.

4.80 The individual problems of children and young adults coming into custody - homelessness, drug dependence, childhood abuse, poor school achievement, lack of marketable skills, past offending habits and association with offending peers - are issues for Social Services, Probation Services, education authorities and health agencies and not the Prison Service alone, because they concern housing, relocation, child protection, benefits, health care, educational and training opportunities. In an ideal world all these will be taken into account during needs assessment and sentence management, before a young person is released into the community.

4.81 My team found a few bright spots where preparation for release was integrated into the life of establishments but, on the whole, preparation for release was conspicuous by its absence. There were clearly some attempts by concerned staff to assist individual young people, nearing their departure, with some of the more pressing problems facing them on their return to the community, and examples of positive work on preparation for release were more often found in establishments with a local catchment area. But pre-release arrangements must receive more structured and focused attention, another urgent task for a Director.

4.82 As the population of young people in prison has risen, locating them close to home has become less and less possible, increasing the problems for staff. The young population in custody is scattered, most often on the basis of the availability of a place, around young offender institutions and other facilities for young offenders at multi-functional establishments whose catchment areas have enlarged. Our researches reveal that far too many of them end up far from home at the end of their sentence which, whether or not any meaningful work has been done with them, is, at the very least, at a vulnerable stage in their lives. Every young person leaving custody should have a safe place to live, and the means of surviving both financially and emotionally. These issues need to be tackled while the young people are in custody. Again, they cannot be tackled by the Prison Service alone although it is for the Prison Service to take the lead.

A LACK OF DIRECTION BY THE PRISON SERVICE

4.83 *This summary of the different stages that young people in custody experience underscores the lack of a coherent system for them.* They are scattered across the prison estate: the Prison Service is struggling to cope with dramatically rising numbers; and there is no concerted attempt at needs assessment and provision either for children or young adults. The majority of establishments holding children and young adults have been forced to operate more like human warehouses, than reforming institutions. Despite this I found some outstanding examples of good practice, but these exist in isolation, and largely unsupported by the system. My team were told continually of the understandable frustrations felt by those working with this very difficult and demanding group of young people, without adequate recognition, and frequently with inadequate resources. *The Prison Service has not helped itself by failing to make someone accountable and responsible, not just for designing what should happen to young prisoners, but for overseeing the consistent delivery of what is done, wherever they are held. Young people are a distinct group*

with distinct needs. These are not addressed consistently at present, which suggests that current arrangements are inadequate, if not wrong. It is depressing to find that many Governors of young offender establishments recognise this, even if the Prisons Board does not.

CHAPTER FIVE

HEALTH

"Over 50% of young prisoners on remand and 30% of sentenced young offenders have a diagnosable mental disorder."

Introduction

5.01 I have heard it said that young prisoners are the healthiest group in prison and there is no doubt that many benefit enormously from a regular routine, good meals and exercise. However, a very significant proportion of the population of young people in custody need help with health care. Many adolescents abuse their health in a wide variety of ways, including eating junk food, lack of physical exercise, drinking alcohol to excess, smoking and using prohibited drugs. In addition, many begin sexual intercourse under age 15, have several sexual partners by age 18, and engage in unprotected sex. In other words, adolescents in custody represent a concentration of unhealthy lifestyles, reflecting the need for advice and care related to a range of health issues. A literature review on the health of young prisoners is at Appendix 5. I hope that recommendations made in this chapter will be taken forward by whoever is responsible for young prisoners to ensure the development of consistent good practice across the estate.

5.02 Young prisoners' *general lack of educational qualifications and work skills, and any understanding of the consequences of their offending behaviour, is mirrored by a lack of basic understanding about their own health requirements.* For this reason health promotion requires special attention in any establishment in which they are held. Unless health education is emphasised as a major element of care in custody, no amount of primary and specialist medical care, mental health care and health support services for this population can address their needs adequately. As an illustration, my team heard of one young man returning a bottle of antibiotics to the Health Care Centre three hours after prescription saying: "You can have this lot back. They didn't work".

5.03 Young people, posing very similar challenges in terms of offending behaviour and with very similar problems in terms of their unhealthy lifestyles, are, of course, found in a variety of settings: in the community (some receiving health and social care support and others not), in Local Authority accommodation, including secure units, in the NHS psychiatric service, in independent sector psychiatric hospitals and in Prison Service establishments. Their location in any one place at any one time can be a matter of chance. Their distribution across such a wide spectrum of facilities, which

are the responsibility of so many different agencies, makes the achievement of consistent high standards of health care difficult (The Short Report 1984).

5.04 But within this general statement, it has to be said that standards of health care for children in Prison Service custody contrast sharply with those required in law for children "in care" (Children Act 1989 Regulations 1991). The latter emphasise the importance of continuity of care starting with proper assessment and links with local GPs. Children coming into care talk about depression, isolation and the lack of a trusted adult with whom they can discuss health matters ... "If you feel so bad about yourself and what has happened to you, what does it matter if you take risks with your health anyway?" (Mather, Humphrey and Robson 1997). These feelings are echoed by children coming into Prison Service custody but they are denied continuity of care, because links with local GPs are inhibited either by the fact that the NHS is not responsible for health care in prisons or by distance. All staff receiving them should recognise this and be trained to help.

5.05 There are, to date, no national data on the health care and health promotion needs of young people in Prison Service custody and in the absence of a picture of the whole problem, rational planning to meet them is difficult if not impossible. Completing such a survey is a matter of urgent priority coupled with an examination as to how the needs identified can best be met across agency boundaries.

5.06 In this chapter I outline a brief consideration of health care for young people in custody, emphasising that health needs-assessment and health promotion are the prerequisites of any effective system of health care designed to achieve standards equivalent to those in the community. I cover assessment, health promotion, primary and mental health care in that order.

Assessing Needs and Screening

5.07 In line with Health Care Standards issued by the Prison Service Directorate of Health Care, every young offender institution is required to undertake a needs-assessment exercise as the basis for the planning and provision of health care and health promotion. This, if it is to be well done, is a difficult exercise requiring special skills and experience. *For this reason Health Care Standards suggest that specialist advice be sought.*

5.08 However, so far most young offender institutions have only made the most preliminary moves *towards completing a needs assessment; many have made no progress at all in this area.* The position in establishments which hold both adult and young prisoners is no more encouraging. In view of the variety of care needs in multi-functional institutions, this is an urgent requirement on all those responsible for health care provision.

5.09 Most health care plans for young prisoners are based on supposition rather than any established understanding of their real needs or reflecting the range of needs across different ethnic groups. Identifying the growth, development and health care needs of children and young adults is an important prelude to focused health care, which embraces health promotion, disease prevention, primary and specialist care, health support services and mental health care. Some work has been done in the form of a limited pilot scheme but this has yet to be extended to all establishments.

5.10 A systematic process of health care needs assessment starting at reception and continuing through the induction period into the early weeks of custody should be developed.

5.11 Because the NHS and the health care service for prisoners are separate services, NHS medical notes, including the essential primary care record, are not routinely available to the prison health care service and prison health care records are not available to the NHS. *This poses a fundamental difficulty in trying to ensure appropriate health care.* The only fully satisfactory solution is for the NHS to take over responsibility for the health care of young people in custody. Until that is achieved primary care records should be common to both the NHS and the Prison Health Care Service. Staff trained in the special problems and needs of young people should have the time and resources to screen young prisoners effectively at reception. *Health care staff need to be able to make quite clear that a young person's well being is their primary concern, not the needs of the prison.*

5.12 Health Care Standard 3 issued by the Directorate to all Prison Service establishments and due for implementation by mid-1997 lays down that all prisoners are required to undergo health screening on arrival at prison, are to be seen by a health care worker on the day of their arrival and by a Medical Officer within 24 hours. However, while it may be practical to meet this standard within existing resources in small establishments with few receptions, this is impossible in busy centres receiving up to 100 a day. Even conducting a medical examination in its briefest possible form takes some 15 minutes, much longer if a new young prisoner has emotional or physical problems which require time to discuss. *Neither the time nor the personnel are available to meet this standard when large numbers of new receptions arrive. Rules that cannot be implemented are silly rules, and undermine credibility. The delivery of this standard needs re-examination.*

5.13 The situation is made even more difficult for young people entering custody by the common practice, sometimes borne of necessity due to shortage of space, of having a nurse or Health Care Officer present during interviews with the doctor. Under these circumstances it is not surprising that the reception process has been found to be seriously deficient at identifying health, and particularly mental health, problems.

Health Promotion

5.14 The recent health survey of prisoners aged 16 to 24 indicated that, so far as health-related behaviour was concerned

- 84% were current smokers averaging 13 a day
- 96% had drunk alcohol before imprisonment and of these
- 37% thought they drank quite a lot or heavily
- only 18% had never used drugs.

However to counteract that, and in direct contrast to their life-style outside, at least while in prison, the great majority took part in some sporting activities (95% of males under the age of 21).

5.15 Health promotion should permeate every aspect of the work of an institution and should take in the wide range of issues which have a health dimension. These include:

- personal responsibility, self respect and self esteem
- safety and self-harm
- general physical and mental well-being
- coping in custody and particularly with bullying
- personal and environmental cleanliness
- simple oral hygiene and dental care
- sex education, sexual development, contraception, sexual health, HIV and AIDS
- parent craft
- social and life skills - good manners, communication and self expression
- drugs and alcohol and other substance misuse
- immunisation against communicable diseases
- accident prevention
- smoking
- healthy eating/nutrition
- trans cultural issues for young people from ethnic minorities
- occupational health for staff.

5.16 Both young prisoners and staff should contribute to and benefit from a health promoting establishment. *The key characteristics of a health promoting young offender institution should be clarified and made measurable where possible.* I recommend that, achieving "health promoting young offender institution status" be made the responsibility of a Director of Young Prisoners when appointed. The opportunity that custody offers for engaging with young people and introducing them to healthy lifestyles should not be missed. For some it may be the first and only contact with a positive health approach which can be life transforming.

5.17 A number of guiding principles that should apply to a health promoting young offender institution emerged during our review and are set out as follows:

- the governing Governor and the whole management team should sign up to the "whole institution approach" as part of the Business Plan, receive training first and with others participate as trainers later. (We have seen examples such as at Brinsford, where the commitment of the Governor played a very significant part in the success of health promotion)
- health promotion is a whole organisation matter affecting all departments, personnel and systems and is too all-embracing to be left solely to health care staff, however able. Health promotion is everybody's business
- custody of a child or young person should be used as an opportunity to help them to help themselves to a healthier way of life (particular attention should be paid to the needs of young people who cannot read or write)
- regime planning should be based on assessed and programmed individual needs which should be harmonised with the needs of the organisation
- ways of checking evaluations and ensuring the sustainability of health promotion initiatives should be explored and put in place
- alliances should be built with appropriate community health promotion action teams

there should be an occupational health service for staff: staff should be supported through stressful experiences the health and safety of staff and young people in custody should be ensured.

5.18 Healthy food is important for the growth and development of young people. During induction young prisoners should be introduced to healthy eating; the purpose or benefits of healthy eating should be explained to them. Overall, we found that food in young offender institutions was satisfactory and sufficient for energetic young people including vegetarian choice. However, we found the opportunity offered at meal times to engage young people in good eating habits, and to develop their social skills when sitting around a dining table together, was lost in many establishments as young people did not dine together. Wherever possible, meals should be taken together in a supervised dining area. Dining alone in cells should be strictly limited.

5.19 During our review we found examples of good practice in health promotion but many places where there was no health promotion at all. Individual good initiatives were often unrecognised and uncoordinated.

Primary and Specialist Care

5.20 The recent survey of the physical health of young prisoners aged 16 - 24 showed that:

- 39% had long-standing illness or disability
- 21% had respiratory problems
- 15% had asthma
- 10% musculo skeletal problems.

5.21 Many were receiving treatment: 26% were taking medicines, an average of 1.6 medications each. One survey showed that 55% of all young people on reception had consulted their GP during the six months immediately prior to arrest. *The reasons for this bear further inspection and analysis by NHS authorities who should also look at this with respect to access by different ethnic groups.*

5.22 A substantial programme of health education needs to be undertaken in establishments holding young people. Health education should be reinforced at each point of health care intervention. *This has implications for the way in which doctors and other health care staff deliver primary and specialist care to young people in custody.*

5.23 Generally, the standard of health care I found was characterised by poor facilities and an absence of a culture in which young prisoners were treated as patients. Too many health care staff had been drawn into a preoccupation with "weeding out" those perceived as manipulators of the system. More often than not poverty of regime compounded problems in Health Care Centres. The risks and dangers were magnified for everyone when the most vulnerable were put together with the most fractured. For example, my team found young men who had been identified as having a mental disorder in a young offender institution which was without the resources to provide care. The Governor was forced to locate them in the Segregation Unit until they could be transferred to a local prison. After several weeks they were moved to the totally inadequate Health Care Centre in a local prison where they were locked in their cells

for 22 hours a day because there were adult patients in the same Health Care Centre from whom, it was judged, they were at risk.

5.24 Within this overall context, some Governors, managers and staff were providing good health care for young people. An example of good practice was the employment of speech therapists in a few establishments whose help enabled many young prisoners to make progress because of increased self-esteem. In other places where the health care strategy was not working well young people were safer on the wings.

5.25 The principal issues about health care in custody apply to both young men and young women. However there are important different issues for young women; for example genito urinary medicine, obstetrics and gynaecological care, and general health care. My team discussed with health care staff the complicated process of dealing with a 15 year old who was pregnant and had requested a termination, and did not want her mother to find out about her condition. This situation was handled with sensitivity by the prison nursing staff, who eventually negotiated a discussion between the mother and the young woman. However the situation, dealt with on an ad hoc basis, raised a number of fundamental issues, including questions of law:

- the young woman's right to confidentiality (including vis a vis her mother)
- the legal position of health care staff
- the rights of the future father
- unlawful sexual intercourse.

5.26 When dealing with young people, and particularly with the possibility of litigation, such situations should not be left to individual staff to resolve, however competent they may be. The Prison Service should develop protocols to protect children, young men and women in custody and health care staff.

5.27 Since the Prison Service aims to provide health care services of "the same standards as those provided by the National Health Service" there should be a full range of staff trained to NHS standards. Primary care should be delivered by or under the supervision of doctors certificated as eligible to act as principals in NHS general practice and secondary care by or under the supervision of doctors on the specialist register and eligible for appointment as NHS consultants.

Mental Health

5.28 The research data analysed for this review indicate that many young people in custody have experienced considerable deprivation, materially and emotionally. The recent study of the health of prisoners aged 16 - 24 revealed that mental health problems were very common: 23% had discussed emotional problems with their doctor. Research has shown that mental health and emotional difficulties are major problems for young people in prison; *over 50% of remanded young males and over 30% of sentenced young males have a diagnosable mental disorder.*

5.29 *Meeting this clear need requires a mental health service that will:*

- reliably detect those who have mental health problems
- swiftly divert those whose needs cannot be met in prison to care in the NHS and

- offer those remaining treatment at least as good as that which they would get if they were being cared for by the NHS rather than the Prison Service.

On leaving custody or when moving from a young offender institution to an adult prison a high quality service should ensure effective transfer of care. Yet the evidence we have found shows that this is far from the case.

5.30 A recently published comprehensive study of the demand and need for forensic child and adolescent mental health services in England and Wales (Kutz, Thomas and Bailey; June 1997) revealed that in only one young offender establishment did a psychiatrist interview all new receptions. Also there appeared to be vast differences between establishments in numbers of young prisoners referred to visiting psychiatrists.

5.31 *A recent research project found that reception screening identified only 34 out of 148 mentally disordered remand prisoners, including only six of 24 who were acutely psychotic. Another study found that 18 out of 43 young inmates had failed to report their mental health problems at reception. Some of this failure may be due to lack of time but some is due to bad practice. These results are a cause of great concern to me.*

5.32 One of my researchers reported as typical a patient who said "they (prison health care staff) are just part of the system that is here to punish us". Another patient said "they don't want to know and they don't listen. If you make a fuss you make it worse for yourself. You are better trying to get your head down and get it sorted on the out". I could quite understand why young prisoners should think this is so because in one young offender institution we visited a doctor was heard to say of a disturbed young man "a day or two in the special (unfurnished) rooms tends to bring them to their senses".

5.33 *I conclude that the full extent of mental health needs of young people in Prison Service custody are not being acknowledged by the authorities although there are staff within the Prison Health Care Service who have very great concerns. The system is firmly buried beneath problems of overcrowding and budget reductions with which the Service is preoccupied. I was appalled to learn, given the extent of diagnosable mental disorders among young people in Prison Service custody (see para 5.29) that only 57% of young offender institutions responded affirmatively to a recent survey in which they were asked whether a specialist forensic psychiatric resource would be of use to them. In this the Prison Service is clearly not alone. There is insufficient understanding and awareness in recognising mental health concerns of young people among community and custodial agencies. It is alarming that the problem is not being urgently addressed, because of the consequences both to the individual and the community.*

5.34 The present objective in treating mental disorder among young prisoners (as it is also for adult prisoners) is that *those who meet the criteria for detention under the Mental Health Act 1983 should be transferred to the NHS and those who do not should receive treatment in prison.* Until recently the operation of this policy was seriously impeded by the lack of secure beds in the NHS but, at least so far as adults in England are concerned, the situation has now improved and serious delays in

transfer are now less common. *However, the situation is less good for young prisoners and we have found young people waiting in prison for transfer to the NHS for as long as nine months after agreement by all concerned that care in the NHS, not in prison, was appropriate.*

5.35 Several factors lie behind this disgraceful situation. In the first place, although the supply of adult secure beds in the NHS has greatly improved, there is still only a very limited provision of secure beds for young people. This is likely to be due in part to the failure to complete the national needs assessment exercise referred to above and also to the shortage of staff of all disciplines specially trained in this difficult area of work. Another cause of delay in transfer is dispute about the level of security needed in NHS care. This can lead to a succession of consultations with clinicians from high, medium and low secure services all recommending the other's service. It is hard to understand why a case conference attended by all levels cannot be called so that differences may be resolved and transfer effected rapidly. *The young patient is the loser in the present arrangements.*

5.36 But by far the greatest number of young prisoners with mental health problems do not meet the criteria for transfer to the NHS and require treatment in prison. For those young people who need it, a full range of services should be available from trained mental health nurses, clinical psychologists, occupational therapists and others who form part of the normal mental health care team in the NHS.

5.37 *In reality, provision is a very long way from meeting this objective. Fully trained and resourced mental health teams are rare.* Most mental health care, especially of those admitted to Health Care Centres, is not under the supervision of doctors on the specialist register. At one major young offender institution neither doctor in charge of the care of inpatients (most of whom had significant mental health problems) had completed either their psychiatric or their general practice training.

5.38 *Young prisoners are seriously disadvantaged in their access to health care.* So far as mental health care is concerned this is true both in young offender institutions and, through lack of capacity, in the NHS psychiatric service. *Mental health care for young people, whether or not they are offenders, should be based on a sound general health and social care service with good communications between its different parts.* Again the only fully satisfactory solution is for the NHS to take over responsibility for the health care of young people in custody so that it may be consistent with provision in the community.

5.39 Reception screening is not the only point at which detection of mental distress is important. Custody is often a very stressful experience and young people can become ill whilst they are prisoners, for example due to the pressure of adapting to an alien culture. Young people from ethnic minorities may be particularly vulnerable in this respect. Wing staff need to be trained to detect danger signs of developing mental distress and mental health staff need to be available on the wings as well as in the Health Care Centre. Patients requiring admission to a Health Care Centre because of mental distress should be under the care of fully trained psychiatrists and should have the services of a full mental health team available to them. Those who need transfer to the NHS should be sure of rapid assessment and of a transfer that is not slowed by professional disagreements. Often the time *of greatest risk, both to the young person*

and to the public, is when young people with mental health problems leave institutions, either at the end of sentence or remand, or as they transfer to an adult prison. Yet it is the point where the least is done to assist them (Bailey 1997).

5.40 But while there is scope for mental health professionals working in secure care and establishments holding young prisoners to share information and training, the judiciary also needs to have a detailed understanding of what help can be given by mental health teams to young men and women who appear in court suffering from mental disorders. Research indicates that young women are particularly vulnerable to developing personality disorders as a result of sexual and other abuse. Where highly specialised services are available to respond positively to the needs of young women in this condition there have been optimistic treatment outcomes but this work is in its infancy and much greater attention and resources need to be devoted to it.

5.41 The poor standard of mental health care which I have found in establishments holding young prisoners needs an urgent response from Ministers and from the Prison Service. There is an almost total absence of suitable strategic planning and inadequate resource provision for the mental health care of young prisoners.

5.42 Once again the theme repeated so often in this review has the greatest relevance. The mental health care needs of the individual young people and the interests of public safety will only be addressed properly through an integrated public health agenda in which custody is a part but only a part. *It is wrong for members of the public to be at risk once a young prisoner is discharged because health services and community agencies are not being enabled to work together to address the mental health needs of young people.*

Leaving a young offender institution

5.43 When young people leave a young offender institution at the end of sentence or after a period on remand, transfer back to the NHS can pose problems. If the youngster has been detained for more than two years he will no longer be registered with a GP and getting registered in his home area, when he may be detained many miles away, is difficult. Problems are made worse by the structural disjunction between the NHS and the Prison Health Care Service which means that prison health care notes do not get transferred to the GP in the community. *Consequently many leave a young offender institution with no more than a week's supply of medication and a letter to be given to the GP with whom the young person eventually registers. This is not a recipe for the good continuity of care that is so important in health care. Community and custodial agencies should work together with the young person to encourage him to make contact with appropriate health services.*

CHAPTER SIX

YOUNG WOMEN IN CUSTODY

"49% of young women prisoners reported having been sexually abused - 39% had children of their own."

Managing the Custody of Young Women

6.01 *This review discusses young women separately from young men because there are significant differences between their needs and those of their male counterparts. These differences have clear implications for where and how they are held in custody.*

I look to whoever is made responsible for women prisoners to ensure that recommendations are implemented consistently within a national strategy.

6.02 Young women under the age of 16 cannot be remanded to the custody of the Prison Service, although from the age of fifteen they can serve sentences in prison establishments. From official statistics and criminological literature we have evidence that offending by young women (as by women generally) is rare. Although the general population is roughly divided equally between men and women, women account for only a small fraction of crime. This fact is reflected also among young offenders. The differences between the young female and male population have been recognised for some time and are discussed below:

- females are less likely to offend than males:
- 2% of females are convicted by their seventeenth birthday compared with 12% of males
- 5% of females are convicted by their twenty first birthday compared with 22% of males
- 15% of females are convicted at some point in their lives, compared with 44% of males. (Farrington, D. *The Prevalence of Convictions*. British Journal of Criminology, Vol 21, No. 2, 1981).
- the peak offending age is 14 for females compared with 18 for males. This reflects earlier maturation among female adolescents young women show less serious offence patterns than young men. They are less likely to engage in the kinds of crime which the public fears most: mugging, rape, assault and burglary
- they have less serious and extensive past criminal histories than young men; their past records tend to involve fewer convictions and for less serious offences, centring to a greater degree on shoplifting and other theft.

6.03 We obtained data for the young female population in Prison Service custody as part of the interview research on 10% of the women prisoner population for our recently published Thematic Review "Women in Prison". This was based on interviews with 41 young women in custody at that time, 6 of whom were children (under 18). Our research showed the following characteristics:

- young women had less serious offence patterns than young men.

- 68% of young women had past convictions, compared with 81% of young men; the most common past convictions for young women were, overwhelmingly, for shoplifting; for young men the most common were burglary (51% of those with past convictions)
- 54% had been in custody before, compared with 50% of young men
- 27% of young women had been in care during their childhood, compared with 40% of young men interviewed
- many young women were not living with both mother and father
- 49% of young women said that they had experienced sexual abuse, compared with 17% of young men interviewed
- a significant minority were black
- 37% of young women said that they had attempted suicide (7% of the young men) and 15% said that they had self harmed (10% of young men)
- fewer young women had any past experience of paid work: only 6 out of 41 (15%) who were all over 17, compared with 22% of young men interviewed
- 76% of young women reported having used drugs or alcohol (91% of young men); 56% of young women said that they had a problem with drugs, 29% with heroin
- 39% of young women had children, including 2 of 6 juveniles; 10% of young men were fathers or expectant fathers. The vast majority of young women said that their children were being looked after by the children's grandmother (that is, the young women's mothers), whereas most of the young men said that their ex-girlfriend (mother of the baby) was looking after their children.

6.04 Although there are obvious similarities with young men in custody, there are clearly ways in which these groups diverge, reflecting different gender roles in society and different experiences of life outside custody. The majority of young women offenders are less criminally sophisticated, less immersed in an alternative street culture, less "dangerous" to others (in terms of violence against the person), more amenable to social adaptation, more linked to others outside (especially children and family), and more likely to stop reoffending. However, the damage they have experienced as children is not unlike that experienced by some young men. Although the incidence of abuse appears much higher among these young women than among young men this might in part be explained by different attitudes towards revealing this information.

6.05 *The similarities of young women with older women in custody are more important than the similarities with young men and should, therefore, determine how they are dealt with in custody.* Because of this, while I recommend that young adult male prisoners should be the responsibility of one Director I recommend that young adult women in custody should be the responsibility of a Director of Women's Prisons as proposed in "Women in Prison" and should form a distinct part of the provision for women prisoners generally, reflecting the fact that this group is female and adolescent.

6.06 The ethos and features of provision for young women should reflect those of the women's prisons generally, but there should be close liaison with the Director for Young Prisoners in order to adapt those aspects which have relevance for young women. For example, training in the nature of adolescence is relevant to staff at all levels working with adolescent men and women, but it should not be identical. The

Trust for the Study of Adolescence has devised parallel training courses dealing with the similar features of adolescence in men and women as well as the differences in their adolescent development, identities, needs and problems.

6.07 However, as is mentioned in the preface, I do not believe that any children, regardless of gender, should be held in the prison system: instead they should be dealt with under a separate Youth Justice framework, integrating the work of all agencies with responsibilities for and/or involvement with the care and supervision of this age group. That framework will need to make special provision to ensure that female children are treated according to their distinct needs.

6.08 With children removed from the prison system, the number of young women under 22 in Prison Service custody is likely to be small and the risk of their being marginalised correspondingly high. But, as I have argued for young men in custody, *this is the age group where the capacity to change needs to be harnessed so that young women learn to live with others without recourse to offending and grow up as independent individuals able to cope with adult life.*

6.09 In "Women in Prison", I proposed the use of *transitional prisons*, to provide a halfway option between prisons and the community. I believe that this option *may be suitable for some young women in custody*. Transitional prisons would offer the advantages of maintaining ties with the community and minimising the effects of imprisonment, which are important components of an approach seeking to break the cycle of offending at an early age. Transitional prisons for young women should provide opportunities for the intensive and individualised work, including one- on-one attention, which this group needs.

6.10 Currently, women prisoners of all ages are allowed to mix. At the time when *age mixing* was introduced it was advocated as likely to be effective in reducing incidents of disorder. *The small size of the female prisoner population continues to make this a preferred option in a system with scarce resources. Sharing facilities allows greater flexibility and choice, especially where programme and activities are concerned.* This approach can, however, be taken too far. I recommend that, as for young men in custody, living accommodation for unconvicted and convicted young women in custody should be separate from that for adult women. Age mixing of women in custody for the purpose of shared activities should occur selectively, so that protection issues are properly addressed.

6.11 Few women prisoners represent a danger to others, but some do. Young women should not be placed in contact with older women who have been involved in recruiting young women for prostitution or in other offences against female children or young women. The question of protection also extends to minimising the impact of the negative self image which can result from age mixing. This encourages close relationships between older and younger women. In these circumstances young women without extensive histories of offending may be sensitive to influence by the role models around them: these might be women prisoners who see themselves as victims caught in a hopeless spiral of deprivation and dependence and who have given up any idea of self development and self esteem.

6.12 Equally, placing a young woman of eighteen with a small group of women, a few of whom are notorious for terrible offences against young women such as we found in Durham H wing, is clearly wrong. Such an experience may influence impressionable young women, some of whom have been starved of attention, into misconceptions about the glamour of being famous, for whatever reason. Durham H wing is not suitable for the custody of women under 22.

Providing for Young Women in Custody

6.13 In Chapter Four we have described some of the key issues for young male offenders through custody and highlighted the distinctive features of provision at each stage in the process. It would be repetitious to retrace this process with respect to young women. Much of what has been said in relation to young men has relevance for young women. I shall simply highlight the main points at which the distinctions between young women and men between the ages of 18 and 21 have implications for differences in provision. In "Women in Prison" I have described in some detail the various stages of provision for women in custody. To avoid duplication I simply emphasise here those aspects which need adaptation to take account of the special characteristics and needs of the younger age group.

Needs-based Reception and Induction

6.14 Provision at reception and induction needs to focus on the relative inexperience in criminal matters of a significant proportion of young women entering custody and the probability that some will be experiencing custody for the first time. Security restrictions and control systems should take account of the probability that most present no grave danger to others. The risks posed by this group consist rather in their volatility and vulnerability and their consequent behaviours, in terms of distress, self harm and suicide attempts.

6.15 This has implications for careful screening, attention to mental health, protection and dependence issues, special provision for first timers in custody and awareness by staff of a possible history of abuse. Health screening of young women at reception should take into account the likelihood of past abuse (It is important to remember that half our research sample reported having been abused) and provide the option for young women to be seen by a woman health care professional.

6.16 All young people may feel vulnerable at reception, particularly when searching takes place. This applies most particularly to young women and it is essential that properly selected and specifically trained staff are on hand to handle this process with sensitivity in clean and decent surroundings to minimise stress and maximise safety. The searching process should be regularly monitored and supervised to safeguard young women entering custody.

6.17 In the past vulnerable young women entering Holloway were held in C1, the psychiatric unit, for assessment and observation. Although this offered medical supervision it also entailed proximity to seriously disturbed older women and staff concerns about the adverse effects of such a location led to cessation of its use for young women. I have recently learned that it is the intention of the Prison Service to set up a designated unit at Holloway for young women. I very much welcome this development and trust that the special needs of young, unconvicted and convicted women will be addressed through careful needs-analysis.

6.18 The risk of bullying, reportedly most prevalent among young women in custody rather than between age groups, is a factor to be taken into account in decisions about the location of young female prisoners. Unfortunately, the size of women's prisons and the pressure of numbers do not allow much flexibility to move those who bully. We observed that the practice is often to move the victims of bullying, especially young women, to a wing or section of a wing for vulnerable prisoners. There are distinctive aspects of bullying among young women which should be acknowledged in national and local strategies. Anti-bullying strategies should begin at reception and be followed through in every aspect of institutional life. The aim should be to protect and raise awareness of bullying behaviour continuously not only in custody but also in terms of young women's relationships outside prison.

6.19 The self image of young women is closely linked to their relationships with others. Contact with home is vital and staff should be proactive in helping young women on reception to contact their families, recognising the need to minimise the stress of imprisonment by practical assistance with outside problems, especially in relation to home. In the current prison population crisis, we have found instances of young women being told of a transfer or allocation to one prison but being sent at the last minute to a different prison, because of availability of places. Reception staff need to take particular care to ensure that young women are in touch with their families or friends outside when they change prisons.

6.20 After the initial process of identifying immediate needs and provision for first night in custody a carefully designed induction programme should be available for all young women entering custody, to address special problems and needs in greater depth. This process should provide information, advice and assistance in coming to terms with imprisonment, which for many will involve removal far from home at a vulnerable stage in their development. In our visits to establishments holding young women we have frequently found inadequate provision for induction of young women in custody; their small numbers makes special provision costly and difficult, but the cost of not making proper provision at this critical stage is potentially enormous. For example, we found four young women, including a 17 year old, newly arrived at a women's prison and locked up for 23 hours per day in single cells with no induction programme on an induction wing with virtually no activity. This is unacceptable. The risk of attempted suicide and self harm is greater during the initial experiences of imprisonment.

6.21 Information, advice and assistance with regard to legal aid and bail issues is particularly important for remands in this age group, because many are unlikely to go on to serve a prison sentence. Some may be familiar with the Criminal Justice system and with prison, but many will not be and may not understand their rights or know how to cope with legal issues. It may be assumed by prison staff that bail and legal aid services have been provided at court and that no further work is necessary, whereas, increasingly, this assumption may fail to take account of cutbacks in court-based bail information services. In *"Women in Prison"* I called attention to the worrying use of very short remands for women, evidenced by data from the Holloway Bail Unit. I am concerned that short remands may be used for young women and recommend careful monitoring of this phenomenon.

Programmes Based on Needs Analysis

6.22 The range and style of programmes for young women in custody need to reflect their special characteristics. The starting point is not unlike that for young men in custody: many of these young women have left school early and without qualifications. Many have no notion of themselves as potentially self supporting and their horizons are narrowed to a future "on benefit" or in crime.

6.23 The expectations of young men and young women diverge, with the young women facing the prospect, familiar by example and experience, of poverty, unpaid work at home with children or other dependants and little or no support from a partner. The research for our thematic review shows a high proportion with alcohol or drug problems, often involving polydrug use, including problems associated with dependence on prescribed drugs. This symptom of their need to escape, and their lack of hope, needs to be addressed, along with the underlying problems of low self esteem and childhood damage.

6.24 Many young women in custody are caught in confusion between the values of a macho culture, to which they defer, and their needs as women. The onset of puberty comes early for young girls, at an average age in this country of ten years and two months. This means that over half of all girls entering puberty experience the confusing physical and emotional changes, the hormonal fluctuations and mood swings of adolescence while still at primary school. They also become aware of society's contradictory messages about their role and image as women. They are thrust towards adulthood with little preparation. This country has the highest rate of teenage pregnancies in Europe and the second highest (after the USA) among industrialised countries, with 12,800 pregnant teenagers under the age of 16 in 1995.

6.25 Prison, if it does nothing else, should equip young women to safeguard their health in the widest sense. Prisons holding young women need to provide a full programme of health education, geared specifically to young women's health issues. Practical information and advice should be available on what matters in their lives: ranging from how to eat healthily on a limited budget to sex education from the female perspective. Sexual experience should not be mistaken for understanding of sexual issues. Young women need to understand the health implications of early pregnancy, smoking, dieting and drug dependence for themselves (and for an unborn child). Provision of health education should proceed from the assumption that these skills have not been learnt at home or in school. Assertiveness training should be more readily available and should focus on real life situations, helping young women to cope with risky situations and to negotiate their own health and safety, including safe sex and how to say "no". Parenting skills should be part of the basic education available to all young people in prison, regardless of gender.

6.26 The provision of activities for young women can easily fall into the trap of reinforcing stereotypical thinking, with emphasis on traditional women's work such as sewing, cooking and cleaning. There is much to be said for all young people acquiring sufficient skill in cooking and cleaning to be self supporting. It is counterproductive and demotivating to provide programmes which young women do not want and cannot conceive of using outside prison. Training young women prisoners in hairdressing and similar skills may not be politically correct, but women prisoners frequently express an interest in learning these skills, which are well suited

to part-time working combined with childcare. This represents progress towards economic self sufficiency. *Since there are few young women in custody, and age mixing occurs automatically, few programmes appear to be provided which are geared to the specific characteristics of the young female population in custody.* The "Chill and Chat" sessions run by the probation department on the health care units at Holloway and the "Choice and Change" groups for youngsters on normal location are notable exceptions.

6.27 Young women in custody are by definition unusual. They diverge from the vast majority of their peers in resisting the powerful pressures in society for women to conform to gender rules. Their behaviour attracts stigma because it does not fit widely held images of womanhood. Young men in custody are conforming to an alternative image, which society, while meting out punishment, recognises: "boys will be boys". *Casework with young women in custody reveals high levels of mental health problems, a variety of manifestations of low self image and emotional turbulence turned inwards.* Every establishment holding young women should have a team of psychologists to provide a range of services to this particularly vulnerable group. A multi disciplinary approach is important in working with young women in custody and all staff coming into contact with them should be specially trained.

6.28 Many young women in custody will not return. For them the time inside will be a one off experience. This is a very small group of people at a critical stage in their lives. Timely appropriate intervention at this point is in the individual's and the public's best interests. In providing for the particular circumstances for young women in custody the Prison Service should recognise the window of opportunity to make a difference by providing:

- careful needs assessment
- intensive care to address identified needs
- opportunities for learning, especially around health in the broadest sense
- links to other agencies who will continue care in and beyond custody.

6.29 *Prison staff, and others, currently perform the demanding work of dealing with young women in custody in a vacuum. They often have incomplete information about young women's past history. They rarely learn about their future after custody.* Occasionally they will find out what happened next by pure chance, if a young woman reappears in the same custodial setting. This is the worst kind of negative reinforcement. A more collaborative system should provide better positive feedback. A key performance indicator, to be shared by all agencies working with this group, should be how many young women reintegrate into the community and never return to custody.

CHAPTER SEVEN

PEOPLE WORKING WITH CHILDREN AND YOUNG ADULTS

"We were heartened by the fact that all the establishments I and my team visited had some staff who were not daunted by the lack of recognition and who were willing to contribute positively to the lives of those in their care. Such staff are to be cherished."

Introduction

7.01 The performance of managers and staff is the most important recurring theme throughout this report. On them the success or failure of custody for children and young adults rests. It is important that the difficulties which children and young offenders can cause staff in establishments is recognised: there is no doubt that they require different handling from their adult counterparts. I believe that if one phrase could describe this it would be "young prisoners often need more of everything". They need more one to one attention, more supervision, more contact with staff, more contact with each other, more protection from themselves and other people, more challenging, more reassurance, more understanding and more forgiveness. Unless these needs are recognised, attempts by staff to help them in prison will be unsuccessful.

Managers

7.02 The main skills of managers are to create regimes which allow young people to develop: it follows that it is essential that anyone with aspirations to govern or manage a young offender establishment must be totally committed to the work and enjoy being with young people. The young offender estate requires enthusiastic leaders who are specifically selected and trained to work with young adults. *The Prison Service is fortunate to have people of this calibre. A few are already leading establishments with distinction but there is a need for more to be identified, coached and encouraged.* They need to be able to develop working arrangements with Directors of Social Services, Chief Probation Officers and staff from other statutory bodies. Managers require a sound working knowledge of the processes of care and control provided within the Social Services and Probation Service. Together with the Director of Young Prisoners it should be their responsibility to develop the kind of policies and structures that are necessary for working with young adults.

7.03 Governors and managers of these establishments require very special and distinctive qualities from their counterparts in adult male establishments. They must be fully committed to the training objectives of the institution and not disheartened by difficulties and disappointments. They need the strength to help their staff sustain their morale through difficult times with individual young prisoners. Helping young adult offenders to become law abiding is invariably a long process, and intermediate failure is a recurring fact of life. Governors and staff need a range of qualities to be successful, among which determination to help young offenders to succeed is primary.

Current Staff Attitudes

7.04 During our visits to establishments my team encountered a range of views from staff about how they perceived those in their care. Here are some of them:

- "mixing adults with young offenders produces a self regulatory regime as the adults don't stand any nonsense"

- a short sharp shock would be more valuable to them than the kind of regime we give them
- this is the chance for us to influence the course of young lives
- juveniles are a nuisance
- we are here to supervise them
- a strict regime is essential for young offenders
- young prisoners on remand are treated too softly
- there is not enough discipline ... they should be marching about
- they are just mini-adults, nothing works and they are bound to return
- we are dealing with children
- it is important for us to show respect to young prisoners as it affects the whole atmosphere of the establishment
- working with young prisoners is enjoyable and rewarding
- almost everyone here is committed to caring and developing young prisoners".

7.05 With such a range of attitudes it is no surprise that successful regimes seem to rest on the discretion of individual members of staff. *In a few places this was not the case: instead success was predominantly a result of co-operation among staff throughout an establishment, united through common objectives.*

Staff Attributes and Skills which Promote Success with Young Prisoners

7.06 There is no one set of characteristics which defines a good Officer, nor is there a specific age group which is more appropriate and suited to deal with young prisoners. A good staff team generally consists of a full range of age, gender, ethnicity and personal attributes. In discussions with young prisoners in custody the attribute which counted for most with them was fairness.

7.07 In describing the qualities of an ideal Officer dealing with young prisoners, it would be easy to require the rare or the impossible. What sets good staff apart is their ability to manage constructively the pressures upon them while maintaining professional standards: for example, an Officer demonstrated that the way to respond to a hurtful comment from a young prisoner was not to react unprofessionally. As another Officer said "If you took everything personally you couldn't do your job".

7.08 Staff selected for working with young prisoners should have fairness, sensitivity, patience, resilience, eagerness to work with young people, willingness to listen and learn, enthusiasm for teamwork, preparedness to take responsibility, be comfortable as role models and a massive sense of humour. Staff with a macho prison style should be excluded as should anyone who shows signs of prejudice. I firmly believe that staff should be selected for the type of people they will be working with and that they should initially be allocated to those jobs in which they will quickly become effective. Development for a wider range of other jobs can follow thereafter.

Selection In-house

7.09 There were several examples of mixed establishments where a separate unit or wing had been set up for young prisoners for which staff had been specially selected. Staff in these units had established good links with young prisoners and the general atmosphere created in the units was one of mutual respect. Some designated establishments were also distinguished by the staff culture which promoted positive outcomes for prisoners.

7.10 But, by and large, selection of appropriate staff seemed to be a haphazard process and methods were left to the discretion of the recruiting establishment: for example, vacancies for the High Intensity Training programme at Thorn Cross were filled after applicants, including those from other young offender institutions, were interviewed and put through an assessment centre set up by their psychologist. In contrast, staff at other establishments had received no specific training and many had come there from nearby prisons because of domestic expediency. The Thorn Cross model is an example of good practice and the way in which recruitment should be carried out in all young offender establishments in the future.

External Recruitment

7.11 Advertising must be aimed at securing candidates who can offer relevant core skills and experience of working with young people which can be tested. New recruits must be comfortable working in a team environment. Selection methods should include ways of assessing candidates in real life situations rather than on paper qualifications and performance at interview: for example, potential recruits should be monitored for a period as they shadow experienced staff members. Filling a vacancy in a team can be easier than general recruitment because the missing attributes are readily identifiable. Successful teams usually contain a group of individuals who can think for themselves, who contribute in differing but equally valuable ways, who are united in their goals and are willing to take collective responsibility for their actions.

Ethnic Minority and Female Staff

7.12 Selection on merit should also recognise the desirability that staff should include representation from ethnic minority groups. *At some YOIs the ethnic mix among young prisoners was close to 50% yet ethnic minority staff were the exception.* I fully recognise the difficulties in attracting applicants from these groups in the first instance. To remedy the public's negative image of the Prison Service, particularly by some ethnic minority groups, I suggest local outreach type activities should be developed in every young offender establishment such as establishing links with ethnic communities as the first steps in bringing down barriers and introducing the concept that a job in the Prison Service is a worthwhile and realisable option. However, the reality that must be faced is that, the predominant Prison Service culture is not attractive to ethnic minorities. An important Prison Service strategic objective should be to establish a staff culture which respects difference in prisoners and colleagues.

7.13 Female staff working face to face with young prisoners are still too much in the minority at all establishments visited by my team. Stereotypically they could be found in Health Care Centres, Clothing Exchange Stores, Kitchens and in the contracted services of Probation and Education and as Prison Auxiliaries. Whilst administrative and secretarial staff were predominantly female, many prisons had no female representation at any senior management level and few had significant proportions among staff in contact with young prisoners. A mix of male and female staff provides stability in the custodial environment and, for young prisoners, more closely reflects the outside community. Many establishments could not readily tell us how many female staff there were in direct contact with young prisoners. Exceptionally, establishments such as Lancaster Farms and Brinsford had between 20% and 25%: the norm was closer to 10%. In my view, establishments should aim for a minimum of a third of staff in contact with young prisoners to be women.

7.14 Too frequently we found that female Officers were still having to gain acceptance by being what they described as "one of the boys". Staff from ethnic minorities have other hurdles to overcome before being accepted and valued. Both groups need the overt support of the governing Governor in the first instance and by all managers. Without positive intervention, these staff have only a limited chance of succeeding. To demonstrate commitment to equality of opportunity, establishments should not only have an appropriate recruitment policy, they should also have the responsibility for retaining and developing these staff. *The message which should come from Governors must be unequivocal: "intolerance has no place in this establishment".*

Safeguards

7.15 It is crucial that the Prison Service is able to exclude anyone assessed as being likely to be dangerous or damaging for young prisoners if they were taken on as staff. Pre-appointment checks on staff working with children must include reference to records kept by the Department for Education and Employment and the Department of Health and Local Authority child protection registers. Probationary periods in new posts should be monitored closely and staff subject to periodic review. If they are judged to be unsuitable, dismissal procedures should follow. Managers should be trained to recognise unsuitable attributes for working with young prisoners in prospective staff.

Training

7.16 Currently there is very little specific training in working with young people given to Prison Officer recruits. Training is notoriously a sacrificial lamb when budgets are being squeezed. However, it makes no economic sense to spend thousands of pounds in selecting and appointing good candidates without giving them the training and skills to become effective in their posts. Nor is it cost-effective to spend money on specialist training for staff when they are constantly redeployed to other routine tasks or moved away from working with young prisoners altogether. These are some examples of what my team found:

- the training of staff in working with adolescents was hampered by mandatory training imposed by the Prisons Board which should not have been a priority for a young offender establishment
- a plea from staff at one establishment to be given training which was not sacrificed at "the drop of a hat", only two Officers having completed the Trust for the Study of Adolescence training package and no plans to make it available to other staff. Control and restraint training took priority
- the continual draining of designated staff to other duties meant that in practice, prisoners had no individual staff consistently allocated to them
- some staff at another establishment had completed the Trust for the Study of Adolescence training course but most of these were subsequently dispersed to other duties in the prison.

7.17 Specific training for dealing with adolescents was sporadic and confined to wing or unit staff. Staff in other areas of the establishment such as Reception, Induction, PE and Health Care were generally excluded from such courses. Thorn Cross on the other hand, had invested heavily in training their staff for the high intensity training programme. My team were informed that this consisted of nine weeks of learning

about how the scheme was to be applied to the young offenders. One of the major benefits from this was that staff, unsurprisingly, adopted more consistent methods than my team found in almost every other establishment.

7.18 A two day training programme designed by the Trust for the Study of Adolescence (TSA) was not provided for staff in all establishments for young prisoners and in some where it was, modules were either curtailed or omitted altogether because of time constraints. Two establishments had taken the decision not to use this package at all in the training of staff. The Governor of another establishment did not think it was useful for experienced staff, since it told them what they already knew. *It is of concern to me that the Prison Service has apparently insufficient confidence in the training package to ensure that all establishments provide it for staff although I welcome the fact that many are now showing an interest in it and that the Prison Service is considering the setting up of a B TEC award in "understanding adolescence".*

7.19 A crucial ingredient in the TSA course requires participants to examine their own feelings as adults and recall what life was like when they were adolescents. Understandably some staff find this type of reflective training to be difficult and need skilled help to reap the benefits from it. In my judgement the TSA course is excellent for those who are ready for it: however unlike the Sex Offender Treatment Programme training and Cognitive Skills course training which is provided within the Prison Service there is no requirement to monitor the quality of tutors delivering the TSA course and no proposals to audit the quality of tutelage. Furthermore, it should not be the only type of training course available for staff working with young offenders. There is a place for developing good practice protocols about simple daily routines to grow alongside the TSA course. Basic training for Prison Officers needs to change to reflect a redefinition of the role, including an emphasis on mutual respect for example codes of conduct to eliminate discrimination of all kinds (Appendix 4), the avoidance of physical confrontation and the power of personal influence.

7.20 Other than for the basic training of Prison Officers, in most establishments the ability to secure additional training seemed to be left to the interest and commitment of individuals. Local staff training committees should work to realistic business plans which reflect the needs of staff based on the detailed work of the establishment.

7.21 Since the Prison Service College at Newbold Revel is a major contributor to training in the Prison Service it must be supported in its attempts to provide customised training to meet the current requirements for work with young prisoners. The customer should be the Director of Young Prisoners.

Support for Staff

7.22 No amount of sophisticated techniques and costly training will produce the required quality of staff performance unless there are systems in place to support them. As a valuable and expensive resource, staff need skilful managing. *The successful units for young prisoners were those in which all staff had a clear understanding of the purpose, aims and objectives. This was reinforced through clearly displayed policy statements, leadership from senior managers, proper management at all levels and in good quality training.*

7.23 I have seen a wide range of managerial performance across the young prisoner estate. Some enlightened Governors and managers keep staff informed, give them responsibilities, make them accountable for them and consult them in the planning process. *Too often, however, this kind of management and leadership is sadly lacking.*

7.24 Within the Prison Service staff performance is monitored through a standard appraisal system which, if effectively used, can provide managers with useful information about the staff progress and suitability. At the best run establishments these arrangements worked to the benefit of staff, managers and young prisoners. Unfortunately, there are too many managers who display little or no understanding of simple management techniques. Staff who have been starved of feedback about their performance, eventually lose interest and standards deteriorate as a lack of care pervades the workplace. Such staff neglect is not uncommon in establishments for young people as these examples show:

- staff wanted to work with young prisoners but lacked direction
- there was no consultation, no communication, no involvement
- "please make people accountable for finishing things"
- young prisoner staff appeared to know little about the plans for their wing and they were cynical about the idea that they could be involved in the planning of what went on in there.

7.25 Working with adolescents is stressful. A few, if not handled with skill and care can be dangerous. Many have learned "to wind up adults". Staff support must deal with the stress, frustration and need to unload which is normal for staff working with young prisoners. Some staff may also require support because of the particular role they play. Staff contracted in to provide services such as probation, education and counsellors are often left to make their own way in the organisation. Unified grades of staff working in the Prison Service with young prisoners should be encouraged to work more closely with other agencies and to regard them as colleagues. Managers should actively promote their integration by involving them at appropriate levels of decision making.

7.26 *We were heartened by the fact that all the establishments we visited had some staff who were not daunted by the lack of recognition and who were willing to contribute positively to the lives of those in their care. Such staff are to be cherished.* The Prison Service must recognise that caring for young prisoners and helping them to change their behaviour and not re-offend requires a higher staff/prisoner ratio than exists in most establishments at this time, sophisticated programmes and professionally delivered training. All this should be taken into account when bidding for adequate funds.

CHAPTER EIGHT

THE CURRENT SYSTEM - NOT A SYSTEM AT ALL

"The chaos which surrounds the treatment of children and young adults in Prison Service custody leads me to the conclusion that separate arrangements for dealing with young prisoners are essential."

8.01 Society has a right to expect that young people for whom custody is unavoidable should be held safely, made to confront their behaviour, provided with opportunities for constructive activity, including reparation, encouraged to change and prepared for release to a life without crime.

8.02 Instead, during this examination of conditions for and treatment of children and young adults in Prison Service custody, I have found that:

- while there is a policy section, no one in the Prison Service has operational responsibility for young people: consequently there is an absence of overall vision and leadership in the development of regimes to challenge criminal attitudes and behaviour, and prepare young prisoners for a future free from offending
- more children and young adults are being held within a prison system which is, understandably, preoccupied in dealing with a massive rise in the overall prisoner population
- there is no such thing as a neutral experience for children in custody. They are either helped or damaged
- the majority of institutions holding children and young adults are too big for the purpose of giving individual attention to adolescents and are, therefore, forced into doing little more than warehousing them
- once children enter Prison Service custody, more often than not no one outside takes responsibility for them any more: there is little communication with other agencies and families are rarely involved in their children's care
- the custody of children in prison is not being regulated or influenced by the Children Act 1989 which provides safeguards for children in other custodial settings
- nonetheless some Prison Service staff continue to do some excellent work with children but against the general culture of the organisation
- in practice the Prison Service does not recognise and is not geared to dealing with, children
- Area Child Protection Committees rarely influence what happens to children in Prison Service establishments
- criminal attitudes, rather than being challenged, are in too many cases being reinforced
- the majority leave custody without experiencing a coherent individualised training programme to equip them for a different, non-criminal lifestyle
- the mental health concerns of young people are not being recognised by the majority of community and custodial agencies

- the number of self inflicted deaths among young people in custody doubled in 1997 and bullying is endemic in penal institutions
- many of the distinctive needs of young female prisoners, for example in terms of reception and induction, are not being addressed in the prison environment
- the majority of young female prisoners, and a significant proportion of young male prisoners, have suffered sexual and physical abuse
- some female and male young people in prisons are in daily contact with adult Schedule 1 offenders
- many young prisoners do not have a secure place to live, work to go to, or consistent adult influence to support them when they are released.

8.03 *The chaos which surrounds the treatment of children and young adults in custody leads me to the conclusion that separate arrangements for dealing with young prisoners are essential. Relationships between individual personnel from different agencies within the Criminal Justice system vary, but generally there is an unhealthy level of distrust between the agencies themselves. Integration between agencies is necessary to ensure that the intentions of the court are carried out.*

8.04 In recent years the massively increased numbers of children sent to custody have been dumped on Prison Service establishments, in a prison system that has not, traditionally, recognised that it has a role in caring for children in need of care, development and control. Within this system children are, quite frankly, lost. Not only is it important that custodial staff are made alert, and educated, to recognise that they are dealing with children, but the multi-agency approach, associated with child care and child protection outside the prison, should be linked to the development of appropriate regimes within the prison system, as long as children are sent to Prison Service custody.

8.05 The current "mish-mash" of arrangements are not conducive to a consistent high-profile service for young prisoners, prior to, and immediately after, leaving an establishment. On occasion agencies do work together, and it is remarkable what can be achieved, but that is not commonplace and the current system more often inhibits co-operation. Logic dictates that *if we, as a society, are seriously interested in reducing offending by young people, we should construct a system which engages all involved agencies in a combined, coherent and collaborative process prior to, during and after custody.* This process should be underpinned by performance indicators shared by all the agencies who have a part to play in achieving the aim of reducing offending.

Getting it together

8.06 *The principle of integration should underpin all arrangements for young people in custody, but different types of arrangements are needed for different groups within that population:*

- children
- young men between the ages of 18 and 21
- young women aged 18 to 21.

CHILDREN

8.07 From this review, and from inspections of establishments, I am convinced that

the Prison Service is better suited to, and more appropriate for, dealing with adults and that children should no longer be its responsibility. I am also convinced that, whilst some of the particular needs of children in custody are shared with young adults, they have other distinct needs in the areas of protection, education and maturation. I, therefore, conclude that the Prison Service should relinquish responsibility for all children under the age of 18. Furthermore, all criminal justice and community agencies concerned with children involved in crime should be organised within a single unified framework. I suggest that this would be in the best public interest, not least because it would reduce duplication, waste and demarcation (territorialism), thus representing more effective use of resources. An integrated youth justice framework, which included custodial arrangements, would produce coherence and a shared sense of purpose for those working in the various parts of the Criminal Justice process (arrest, diversion or prosecution, acquittal or conviction, sentencing, implementation of sentence and supervision in the community).

8.08 I accept that it is beyond the remit of this review to set out the necessary structure, legislation and processes required to produce such a single criminal youth justice framework. Nor is it appropriate for me to say how it should be organised nationally and operated by local government. My responsibility is to make recommendations relating to the treatment and conditions of prisoners, including those for whom I think imprisonment, as currently practised, to be an inappropriate form of custody. What I am anxious to see changed is what I find happening all too frequently. A child arrives in custody without anyone in the establishment knowing whether or not the Probation Service, the Social Services Department, Child and Adolescent Mental Health Services, educational psychologists or other agencies have been involved with him. Currently there is no requirement for the Prison Service to be informed. Not only is it totally unfair on the Prison Service, which lacks information on which to base what it does with and for the child, but it is thoroughly bad for the child. In short, what happens to a child in custody must be informed by what has happened to him before, and I recommend the establishment of a framework in which this is required practice.

8.09 Within current arrangements, under which the majority of children in custody are the responsibility of the Prison Service, there is very little that is mandatory, nor are there monitoring or compliance procedures to ensure that regimes for children in custody are of a consistently high standard. Invariably, Governors of Prison Service establishments do their best to protect children, as far as they are able, from the effects of overcrowding and budget cuts, but no one is responsible for ensuring that there is any consistency of standards across the estate. Custodial authorities should be obliged to fulfil detailed specifications which, ideally, should be incorporated into performance contracts which are monitored closely to ensure compliance.

8.10 My experience in my present independent post leads me strongly to the view that the appointment of a Chief Inspector of Youth Justice whose task would be to highlight good practice and ensure that the way statutory and voluntary organisations work together is brought to the attention of responsible Ministers could make a very significant contribution towards establishing the sort of integrated approach which is so desperately required. If such an Inspectorate were formed, it should include representatives of all Youth Justice Agencies whose work needs to be co-ordinated.

8.11 Inevitably, it will take time for such a framework to be established and during the interim, while children remain the responsibility of the Prison Service, arrangements for the custody of children should be developed along clear principles applicable to that age group:

- regimes should be structured and disciplined so that children are clear about what is expected of them
- they should receive individual attention, assessment, close supervision and education/training according to their individual needs
- there should be a focus within the establishment on working closely with families.
- aims and values appropriate to the care and control of children in custody, as for example in the Children Act 1989, should be created and enshrined in a common set of rules and practices
- the United Nations Convention on the Rights of the Child should also be incorporated into the common aims and values.

Phasing

8.12 These arrangements will obviously have to be put into place by way of a phased plan over an agreed period. I believe this should start immediately with the youngest, most vulnerable group, which is the 15 year olds (approximately 270 in July 1997). The whole process will need a redistribution of people and resources. I recognise that this will be a difficult task, given the current size of the population of children and young adults in custody, the predicted upward trend and the paucity of suitable accommodation, but it is not one that should be delayed if we are to be serious about limiting the damage the current arrangements are doing.

8.13 In order to make a start it may well be necessary for some of the accommodation which is currently managed by a number of agencies, but particularly the Prison Service, to be brought within the new framework. Establishments should be: of a manageable size for this population (not exceeding 250) equipped with appropriate facilities and linked to Criminal Justice and community agencies from the children's home areas

YOUNG WOMEN BETWEEN THE AGES OF 18 AND 21

8.14 I have argued elsewhere in our thematic review of "Women in Prison", that all women held in custody, regardless of age, have characteristics which are distinctly different from those of men in custody and that, therefore, they should be dealt with separately (see Chapter Six).

YOUNG MEN BETWEEN THE AGES OF 18 AND 21

8.15 Young adults should be separately managed by a reshaped organisation within the Prison Service which should be led and managed by a Director of Young Prisoners accountable to the Director General for all establishments or parts of establishments holding young adults.

8.16 In my view it would be wrong to ignore *the particular needs of those aged 18 to 21 by regarding them as adult prisoners. For many the process of maturation will still be taking place beyond the age of 18 and they still require help and direction to become adults.* The inability to withstand peer pressure is a particular feature of this

age group. By placing young adult offenders with adult prisoners there is a greater risk that they will model themselves on people who are criminalised. Frequently, these young men will associate themselves with dominant gangs in prison in order to attract status and kudos, thus reinforcing the street culture from which many of them come and the criminal values which dominate their lives. Others will be vulnerable and, if mixed with adults, might well be preyed upon.

8.17 Therefore, establishments or parts of establishments for young prisoners should have a different ethos from adult prisons, based on the principles such as are contained in Chapter Four. There should be a clarity of purpose which should concentrate on attempting to divert young adults from future criminal activity. I very much like the published aim of Lancaster Farms YOI "prevent the next victim". Each young offender unit should have a clear statement of purpose which must refer to the expected outcomes for each young prisoner.

8.18 Regime requirements are wholly different for this age group and the links with other Criminal Justice and community agencies have to be much closer than with the adult estate. Regime activities should be specifically designed for their needs. All young offenders, whether held in designated establishments or in units of adult establishments, should take part in at least three regime elements during the time that they are in custody.

- *Intensive induction* which should include a detailed explanation by staff not only about what happens in the establishment but why it happens. It should include an enhanced thinking skills course which encourages participants to re-examine the way they deal with problems and difficulties. There should be certificates for those who complete them successfully.
- The second mandatory part of every regime for young offenders should be a "*gateway to employment and training course scheme*". This should include training in health and safety, and in what a good employer is looking for. It should involve close collaboration with job centres and other similar organisations. Again, if this activity is completed properly it should be rewarded with certification.
- Finally every young adult, before he is released, should undertake a *practical, challenging pre-release course* tailored to his individual needs which should include a realistic review of what his home and family circumstances are likely to be when he is released. Too many young offenders leave establishments with unrealistic expectations. *Above all, pre-release courses should be designed to help young adults to cope if things go wrong once they are released.*

8.19 Mindful of the importance of family ties and employment in assisting offenders to stay out of trouble, I very much favour trying to keep them as close to home as possible. It would be wrong to imagine that establishments exclusively for young offenders are necessarily better at caring for their young prisoners than local prisons. My team have seen several examples of valuable work being carried out on a small scale by skilled and enthusiastic staff in local prisons, which matched, and sometimes surpassed, comparable work in designated establishments, not least because staff in the former have the advantage of dealing with a predominantly local population, making use of local knowledge, in reasonably sized units. I recommend that, as part

of a full review of the estate, designated units for young adult prisoners should be set up in more adult establishments to assist in developing family and employment links with home areas. Whilst young adults would reside in separate units within adult establishments, they should have common access to services and mix with adult prisoners in making use of them. However, although facilities would be shared, the education and physical education programmes for young prisoners should be tailored to meet their needs, which, in many ways, will be significantly different from adult prisoners.

8.20 I am strongly against the use of very large young offender institutions such as Glen Parva and Feltham, which are inhibited in developing the type of ethos suitable for young offenders by reason of their size. Committed staff in these institutions are trying, against the odds, to sustain an appropriate ethos, but their efforts are overwhelmed by the size and unwieldy nature of the institution. All large establishments within the young offender estate should be divided into manageable units which should operate separately.

8.21 Designated units should be run under revised statutory rules for young prisoners, rather than adult rules, to ensure that regimes are developed to provide every opportunity for young offenders to lead a good and useful life on release. These rules should also apply to young prisoners on remand who are presently held under adult prison rules.

8.22 I recommend that the Prison Service should pilot experimental regimes for young adults, based on a full working week, with the prospect of young prisoners earning enhanced wages and with direct employment links to the community on release. The regime at Buckley Hall which focuses on training and employment of prisoners, many of whom form part of the long-term unemployed, involves the prison, local employers, the Probation Service and educational colleges. This promising type of regime, suitable for young adults in prison, might give the Prison Service the opportunity of working alongside the Government's Welfare to Work proposals.

8.23 I strongly recommend that units holding young adults should have performance criteria related to specific outcomes for young prisoners, some of which should be shared with other agencies in the Criminal Justice System. Examples of these might include:

- every young prisoner should have a programme of positive activities starting from the day he is discharged, supervised and assisted by designated individuals from community agencies
- every young adult should have suitable accommodation on release available for a minimum of three months
- every young adult should be discharged with access to sufficient funds and clothing to enable him to survive without reoffending
- every young adult should be given a definite date for receiving his benefit which will be within 10 days of release
- every young offender should have a series of booked appointments for three months with supervising agencies to monitor progress and provide support.

8.24 These and other agreed outcomes should be part of a clear, detailed specification for the running of units for young adult offenders. It follows that effective monitoring and compliance arrangements should be in hand to ensure that targets are achieved.

CHAPTER NINE

RECOMMENDATIONS

9.01 I recognise that, in speaking about a youth justice framework, I am straying beyond my immediate remit, but the truth is that the issues raised here about the custody of young people cannot be effectively addressed by the Prison Service alone. Therefore, it would be less than helpful to confine my recommendations to the Prison Service. Where my recommendations necessarily have implications for other agencies they should be read as addressed to the Secretary of State who, I am confident, will read them in the spirit in which I have written them.

TO THE SECRETARY OF STATE

Children

9.02 I make the following recommendations about the treatment of children:

- 1.** In order to reduce the harmful effects of custody on children, the energies and resources of Local Authorities, community and Criminal Justice agencies should be used collaboratively and managed through shared performance indicators to:
 - identify potential problem situations for children and provide families and schools with support and guidance to prevent children growing up as offenders (1.07)
 - reduce offending and divert children whenever possible from custody (1.07, 3.10 and 3.12)
- 2.** Some children need custody for their own and the public's protection but it should be used as a last resort and custodial institutions for children should serve identifiable geographical communities. (2.07)
- 3.** The length of time young people are held in custody on remand should be reduced. (3.07)
- 4.** No young person should leave the court until all relevant reports and information relating to him have been collated and passed to the establishment. (4.09)
- 5.** Authorities responsible for the custody of children should be obliged to fulfil detailed specifications which should be the subject of contracts. These should reflect clear principles applicable to that age group (for example, Children Act 1989) and be closely monitored to ensure compliance. (2.20, 4.04 and 8.09)

6. The bringing together of all Criminal Justice and community agencies who are concerned with children involved in crime should be organised within a single unified framework. (8.07)

7. An independent Chief Inspector should be appointed to monitor the treatment of children throughout the youth justice system. (8.10)

8. The Prison Service should relinquish responsibility for all children under the age of 18. (2.21)

9. Staff who work with young people in custody should be specially selected, trained and supported: their professional conduct regulated by a code of practice. (4.03)

10. Custodial institutions for young people should provide:

- a safe environment
- a culture which promotes social responsibility
- opportunities to grow up and to change
- opportunities for education and work skills
- continuing care involving families
- preparation for a life free from offending. (2.08, 2.12 and 2.16)

11. Local Authorities should pay the costs of all children held in custody. (3.03)

12. Agencies in the community, including the NHS, should work together with custodial authorities to develop their input to establishments holding children who may be in need of a range of services more appropriately provided by community organisations. (4.39)

13. Mental health problems among young people in trouble with the law should be acknowledged and addressed. (5.33 and 5.40)

Young Adults

14. The Young Offender Institution Rules 1988 should be revised to provide instructions and operating standards for the running of regimes for all young people in custody, whether on remand or sentenced. They should address the particular problems of adolescence. The Rules should be renamed accordingly. (2.19)

15. Establishments or designated units holding young prisoners should be run according to these rules and standards and be subject to mandatory monitoring and compliance arrangements. (2.20)

16. The legal obligations of Governors regarding their duty of care for young prisoners should be specified. (2.24)

17. Units holding young adult prisoners should have performance criteria related to specific outcomes for young prisoners, some of which should be shared with other Criminal Justice and community agencies. (8.22 and 8.23)

To the Director General

18. A Director of Young Prisoners should be appointed whose duties should include:

- responsibility for the quality and delivery of consistent regimes for young prisoners held by the Prison Service (8.14)
- developing accredited programmes appropriate for young prisoners to tackle offending behaviour and social problems (4.77)
- ensuring that performance indicators related to effective justice, fairness and impartiality should be introduced in every establishment holding young people (4.04)
- ensuring that the excellent Prison Service anti suicide policies work effectively in every establishment (4.48)
- developing appropriate, structured pre-release training for young adult prisoners (8.17)
- ensuring that "health promoting status" is achieved in all establishments holding young prisoners (5.16)
- ensuring that Governors of establishments holding young adult prisoners develop appropriate working arrangements with Directors of Social Services, Chief Probation Officers, Area Child Protection Committees (where appropriate) and staff from other statutory and voluntary organisations with responsibility for young prisoners (4.38)
- ensuring that suitable national training courses are developed for staff working with young people in custody (7.21)
- ensuring that all establishments holding young prisoners build into their regimes the continuous tackling of bullying behaviour. (2.17)

19. As part of a review of the estate, more units for young adult prisoners should be established in adult prisons to assist in the maintenance of links with families and home areas. (8.18)

20. All large establishments holding young prisoners should be divided into manageable units which operate separately. (8.19)

21. There should be reliable financial information which identifies the detailed costs of properly supervised constructive regime activities for young people in Prison Service establishments. (1.13)

9.04 As far as young adult women are concerned:

22. Young adult women in custody should be the responsibility of a Director of Women's Prisons but there should be close liaison with the Director for Young Prisoners in order to adopt those aspects of regimes which have relevance for young women. (6.05 and 6.06)

23. The range and style of programmes for young women in custody should reflect their special characteristics. (6.27)

