



centre for youth
& criminal justice

Young Men in Custody:

A report on the pathways into and out of prison of
young men aged 16 and 17

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Executive Summary

Background

The Centre for Youth & Criminal Justice (CYCJ) was invited to undertake research to look at the pathways of young men under 18 currently in custody as identified in the action plan of the Reintegration & Transition Champions Group for the purpose of improving practice through knowledge exchange and reducing the number of young people in custody.

This report draws together the findings of a review of mainly prison psychology files, along with some social work reports, for a total of 125 young men. These young men were aged 16 to 17 at the time of entering HMYOI Polmont during the year prior to data collection (October 2012 to September 2013) and semi-structured interviews were carried out with 11 young men who were serving sentences at the time of the data collection.

Research questions

The broad purpose of the research was to examine young men's journeys into and out of custody. This involved exploring four key research questions:

1. What do the reports about young men serving sentences in HMYOI Polmont reveal about their pathways into and out of custody?
2. Were options other than custody considered for young men aged 16 and 17 who end up in a young offender's institution?
3. What types of support were made available to young people before entering and while in HMYOI Polmont?
4. What are the young men's attitudes to, and perceptions of, their pathways into and out of custody?

Profile of the participants

The 125 young men included in the research sample had all been serving a sentence in HMYOI Polmont at some point between November 2012 and the end of October 2013. Each of the young men was between the ages of 16 and 17 when he began his sentence.

Prior to sentencing, young men came from 22 of Scotland's 32 local authorities,¹ with the majority originating from: Glasgow (18%; n=22); North Lanarkshire (14%; n=17); Edinburgh (12%; n=15); Aberdeen (10%; n=12); Dundee (10%; n=12); and, Renfrewshire (9%; n=11). While these naturally tend to represent the larger city areas, or built-up conurbations, comparison with population estimates² suggests that all of these areas had a higher proportion of young people entering prison than their population would suggest. For example, while Dundee and Aberdeen

¹ One report did not specify a local authority for a young man.

² GRO(S) mid-year population estimates, 2012

both represented 10% of the young men in the audit, they only make up 2.7% and 3.5% respectively of all 16 and 17 year olds in Scotland.

Key findings

The review of the files of the 125 young men provided the following findings:

Characteristics of the young men

- Their offences were most likely to be violent in nature, in 71% of cases.
- A large proportion (86%) received a short-term sentence (of less than four years) and would normally be eligible for unconditional release after serving half of the sentence.
- At least two-thirds of the young men had previous involvement with the Children's Hearing System; further in 18% of cases the young men's reports did not record whether or not they had such contact.
- For at least 66% of the young men their current time in Polmont was their first experience of custody, but in 20% of the young men's reports it was not recorded whether or not this was their first experience of custody.
- Where information on the alternatives to custody for the young men had been offered and this was recorded in their reports (in only 18% of cases) the alternatives included: community payback orders; fines; supervision orders and restriction of liberty orders.

Support network

- More than half of the young men's reports indicated previous involvement with social work (57%), while 22% indicated no previous involvement and 26% did not record this information.
- In most cases (91%) it was not clear from the reports whether the young people were receiving support from a social worker whilst in custody. But in 6% of cases it was noted that social work support was being provided whilst in custody.
- While 6% of reports specifically indicated that through-care provisions were in place, in 59% of cases there was no specific reference to through-care.
- Where sources of support were noted in reports (these were not noted in 27% of cases), the young men's mothers were the main support for 34%. Other sources of support came from fathers, step-parents, and the wider network of relatives, friends and girlfriends.
- Nearly half of the young men (49%) were residing with their parent(s) prior to entering custody.
- A majority (59%) of the young men in the sample intended to go home to live with their parent following their release.

Health-related findings

- The majority of reports (64%) cited that the young men had no health problems while the most commonly cited health problem was ADHD (14%), followed by depression (6%).
- Reports indicated that 88% of young men did not display a risk of suicide prior to custody, and a similar proportion (90%) did not display such a risk in custody.
- Reports specified that 82% of the young men did not engage in self-harm; although 14% had at least one self-harming episode prior to custody.
- According to their reports 59% of the young men had experienced significant past trauma. The most commonly reported sources of significant trauma were: domestic violence in the home; death of a parent(s); and the separation of parents.
- In 21 cases (17%) reports indicated the young men did not use alcohol prior to custody, and in 25 cases (20%) the young men were reported not to use illicit drugs.
- More than half of the young men (53%) were reported to drink alcohol regularly, while 48% were reported to be regular users of illicit drugs.

Education, employment and training

- In half of the reports, it was not clear whether the young men were still in formal education or at what age they had stopped attending school. But almost one-third (29%) of the young men had left school aged 16 or older.
- At least 80% of the young men had experienced exclusion from school, whilst in 20% of cases there was no mention of this.
- One-third of young men had educational qualifications listed but for 67% of the young men it was specifically stated that they had no educational qualifications.
- Around 35% of reports indicated young men had previously undergone some form of employment or training whilst 61% of reports indicated young men had no previous employment or training.

The interviews with 11 young men provided the following additional findings:

- Seven expressed a lack of clarity or understanding about the reasons for their sentence. Further, nine young men indicated they did not receive any information about what prison would be like:

“Because I had already done a sentence I started a year ago and I didn’t expect it I went up to court four times and they said if I had good behaviour I would get a community payback order. I went up on the fourth time and I was still on good behaviour but he said, ‘No, twelve months’.”

- Five young men interviewed expressed a negative attitude towards being offered an alternative to custody, three noted reservations to taking an alternative, and three said they would have taken an alternative without reservations:

“They tried to give me a community pay-back order but I just refused it... I’ve been locked up most of my life so I’m used to being locked up. Jail doesn’t bother me I’m in that routine now where I’ve always been in trouble from a young age, so it doesn’t really bother me”

- Two young men cited positive attitudes towards their social worker and anticipated continued support upon release; two cited positive attitudes but reservations about continued support; four cited negative attitudes and anticipated no envisaged future support; and three were unclear about both their attitudes and perceptions of future support.

“Yes [I had] a nice social worker. When I get out I’ll be going to see her and she said she’s going to work with me again”

- All of the interviewees had been excluded from school and the majority of young men also noted that they did not attend school very often when they were enrolled. There were a variety of barriers to attending school, relating both to difficulties in engaging with learning and also to behavioural difficulties.

“I got chucked out just before they were doing exams. [Residential school] was good for work experience. They would get you work like that but then obviously I got secured and remanded ‘til I was 16 and then they put me in here”

- There was variation in the level of importance assigned to having a plan following completion of sentence. Two young men felt it was ‘very important’ or ‘really important’ and two felt it was ‘quite important’.

“[A plan is] quite important. I always need to be one step ahead. If I don’t do it, stuff will just pop in my head and I’ll go and do that instead”

Recommendations

1. It is important that criminal justice social work reports are available to prison staff, and therefore that they follow young people to prison, so that there is continuity in maintaining future planning which in many cases will include previously agreed pathways plans for through-care and support arrangements for ambitions in education and employment.
2. There is a need to ensure clear information is available for young people about court processes beforehand, and reasons should be given to explain sentencing after the court experience. This could be supported by the development of resources to explain court processes, such as the

through-care process map³. Such resources could then be used as a prompt for discussion in supervision sessions.

3. All Court reports should offer alternatives to custody for consideration. There is a need for more discussion among stakeholders about the value to society of developing more and a greater range of alternatives to custodial sentences. It is also important to address the very real fears young people have about failing to complete alternatives and the value they place on the structure and predictability of prison. Community-based alternatives to custody need a high investment in individually tailored support.
4. Having continuity of support from a social worker for the duration of the sentence should be an important part of the rehabilitative process. There also needs to be continuity in planning which can take account of existing pathway plans and also the young person's developing views about housing, education and employment following the end of sentence. Given the importance of families as the main source of support for proportion of the young people, their needs should also be taken into account.
5. Support for continuing engagement with education should be a priority for this group of young men, among whom a high proportion had negative school experiences. The finding that few of the young men we spoke to were openly hostile about learning, particularly if it was perceived as enjoyable and useful, is encouraging. If our interviewees are typical, this underlines the value of creative, and individually tailored, approaches to supporting learning.

³ See: http://content.iriss.org.uk/throughcare/sw_st_01.php

1 Introduction

1.1 Overview

The Centre for Youth & Criminal Justice (CYCJ) was invited to undertake research to look at the pathways of young men under 18 currently in custody as identified in the action plan of the Reintegration & Transition Champions Group for the purpose of improving social work practice through knowledge exchange and reducing the number of young people in custody.

According to Scottish Government legal advice: 'Alternatives to secure care and custody should always be considered and assessed as required under Section 97 of the Children's Hearing (Scotland) Act 2011. The majority of young people can be managed within a community based setting and this should be a priority. Alternatives to consider include Intensive Support and Monitoring (ISMS). The report writer and court social worker should ensure that they are aware of what alternatives to custody are available to their local authority/the local authority for which they are writing the report. These options should always be explored and assessed as a priority within all reports' (Scottish Government, 2011, p.6).

This report draws together the findings of a review of files (primarily prison psychology files, along with some social work reports) for a total of 125 young men who were aged 16 to 17 at the time of entering HMYOI Polmont during the year prior to data collection (October 2012 to September 2013). Semi-structured interviews were also carried out with 11 young men who were serving sentences at the time of the data collection.

An early version of this report was circulated to a limited number of key stakeholders for comment during May 2014. The final report is very little changed from the interim version: the text has been made clearer in a small number of places; additional use has been made of quotations from interviews with young people; and a section on the implications for practice has been added.

1.2 The Context

Young men who are in prison are there for a variety of reasons and present with multiple issues and needs. Many have been involved in offending over a considerable period of time, while others have committed a serious offence that resulted in custody. Many have difficulties with substance misuse, mental health, and are not in employment or training.

Research in this area highlights that many of the disadvantages young people faced before custody are compounded on release (e.g. offending behaviour, homelessness, substance misuse, low educational attainment, unemployment, ill health and family breakdown), resulting in them being more vulnerable and susceptible to reoffending (Hollingsworth, 2013).

For many years, there has been literature highlighting the need for local authorities and partners to do more to support young people as they leave custodial establishments (Bateman, Hazel and Wright, 2013). When no support is offered, or factors which led young people entering into custody in the first place are not addressed, there should be little surprise when they return to custody.

The Youth Justice Board (2005) emphasise the five pathways that underpin effective reintegration as being: accommodation; education, training and employment; health and substance misuse; the involvement of families and financial stability. These are the risk factors for many young people who enter custody which need to be addressed to prevent them returning once released.

Research suggests that reintegration strategies that produce the most favourable results are 'holistic' in nature (Bateman, Hazel and Wright, 2013). That is, reintegration strategies should focus

on the whole range of individuals' needs and should be integrated with support provided whilst in the prison and in the community. This support is necessary not only in the early weeks of readjustment on release but also in the long term (Hollingsworth, 2013; Gray, 2011; Peters and Steinberg, 2000). Problematically, evidence suggests that young people who leave custody with a lack of resources and support have a higher risk of returning to custody, particularly when there is limited co-ordination between agencies (Griffiths, Dandurand and Murdoch, 2007). Employment or training also needs to be in place prior to their release to reduce the risk of reoffending (HM Inspectorate of Prisons, 2011). Research also suggests that most young people return to their family of origin on leaving secure care and prison establishments regardless of suitability (Gray, 2011).

Successful reintegration is essential for 'desistance', which can be defined as "...the long-term abstinence from criminal behaviour among those for whom offending had become a pattern of behaviour" (McNeill et al., 2012: p3). To create the right environment for desistance, and also a reduction in the number of young people returning to custody, it is important to focus on the future of young people and assess their strengths and needs, not just on their past behaviour. Interventions need to be dynamic and interactive in nature, focusing on the relationship between worker and young person to ensure engagement (Prior and Mason, 2010). Individualised approaches are needed that build on strengths rather than needs and risks (Weaver and McNeil, 2007) and that respects and fosters self-determination (McNeill, Farrall, Lightowler and Maruna, 2012).

1.3 Research questions

The broad purpose of the research was to examine young men's journeys into and out of custody. This involved exploring four key research questions:

1. What do the psychology and social work reports about young men serving sentences in HMYOI Polmont reveal about their pathways into and out of custody?
2. Were options other than custody considered for young men aged 16 and 17 who end up in a young offender's institution?
3. What types of support were made available to young people before entering and while in HMYOI Polmont?
4. What are the young men's attitudes to, and perceptions of, their pathways into and out of custody?

2 Research Methods

This project addressed the research questions through employing a mixed-method design comprising two separate phases. The first phase involved conducting a detailed audit of the information provided in social work and psychology reports of 125 young men who were aged 16 to 17 at the time of entering HMYOI Polmont during the year prior to data collection (October 2012 to September 2013). The second phase consisted of carrying out semi-structured interviews with 11 of the young men to explore key themes identified in the first phase.

2.1 Data collection and analysis

As noted above, the data collection involved two elements: a review of reports; and interviews carried out with young men who were currently in HMYOI Polmont. The data were then analysed for consistent themes.

2.1.1 Reports

A 55-item audit sheet was designed prior to data collection to capture the backgrounds of the young men from social work and psychological reports as well as assessing the extent to which young people in HMYOI Polmont had received or were receiving support across nine major themes. The themes were: social work; previous offending; risk assessment(s); educational experience; employment; family; health; and an 'other' category that took in additional details. The review included assessing the presence or absence of a discussion on each of these themes across reports and took into consideration the level of detail where it was offered.

Data from reports were collected by the research team within HMYOI Polmont during December 2013. The Scottish Prison Service (SPS) assisted the data collection process by making accessible all files within the boundaries of their data sharing rules. This required data to be collected in-person and under the observation of the records staff. During this time, data were collected through the completion of an audit sheet for each report.

In total, the files for 125 young people were available for review. The intention had been to base this review principally on the social work reports in the young men's files. Only a quarter of the files (32 out of 125) contained a report compiled by a social worker. Since all the files contained standard reports compiled by SPS psychologists, these were used as the primary data source, and were supplemented by social work reports where available. This has obvious limitations for the research, as the audit is undoubtedly constrained by what is routinely collated in psychology reports. A strength of the research, however, is the size of the sample, as a profile of this degree of detail has not previously been compiled with this population of young people. In addition, the interview data adds a richness and personal layer of information to routine audit data.

The research team also carried out research, with similar aims, based on a review of the files of 32 young men aged between 17 and 21 from the Forth and Fife Valley area, and interviews with 12 of them. There are clearly connections between the two projects. For this reason, the discussion later in this report refers to conclusions in the separate Supporting Forth and Fife Valley report which can be found on the CYCJ website. These are introduced with the caveat that the populations differed (in sample size and ages of the young people), that the sources of the file audit data differed, as explained above, and that the interview schedules were a little different.

2.1.2 Interviews with the young men

The second phase of the research required the creation of an interview protocol that consisted of questions around key themes, many of which were present in the audit sheet. The themes considered were: the young men's perceptions of their sentences; alternatives to custody; engagement with social workers; education; and having a plan for the future.

Interviews were conducted by the research team within the prison with young men who had consented to be involved in this additional phase of the research. During each interview two researchers were present, one of whom conducted the interview while the other took detailed notes. A prepared set of questions guided each interview and with the consent of participants, all interviews were audio-recorded and later transcribed.

2.1.3 Data analysis

Data that derived from the review of psychological and social work reports were entered and cleaned before analysing in SPSS. Codes were assigned to the data across variables in order to capture as much detail as possible from the reports. Basic descriptors (e.g. age, local authority) were categorised according to natural delineations and other variables were categorised following a review of all data according to the level of detail present in the reports. For example, the types of support young men had received or were receiving were categorised into themes that were present across all 125 reports which could not have been anticipated from the outset. Where there was a lack of detail in any domain across reports, data were reported to reflect the presence or absence of inclusion across reports. Data were entered in this fashion in order to reveal basic statistics across variables.

Interview data were transcribed verbatim and analysed across all interviews to look for recurring themes. After constantly comparing and refining categories, four broad categories were fully developed which included: information; relationships; the future; and education. A series of sub-themes were developed across the categories which derived from language used across interviews by young people or were analytically imposed.

2.2 Ethical considerations

Prior to conducting the research, ethical approval was obtained from the University Ethics Committee which endeavours to protect the integrity, security and well-being of participants and researchers in sensitive research settings such as prisons. The research proposal was therefore subjected to an extended ethical review.

CYCJ, through its continuing relationship with the Scottish Prison Service (SPS), then obtained permission to conduct the research within the prison. Following this, CYCJ worked in partnership with Barnardo's 'Plan B', a voluntary organisation that provides young people with support within HMYOI Polmont. 'Plan B' assisted with the process of informing all the young men in the sample that the research was taking place.

In keeping with usual ethical standards, young people were asked to formally indicate consent through signing a consent form. Consent extended to three items: to 1) participate; 2) give permission for the research team to review their report; and 3) engage in an interview. Young people were given the option to participate but decline an interview if they wished, and it was noted that not all young people who consented would be interviewed.

All young people were informed of their rights as a participant, including the option to refuse to participate at any time. It was assured that should a young person consent and later wish to withdraw they could do so without giving reason and without any consequence. It was also

emphasised that all information obtained would remain anonymous; in no way would anyone outside of the research team be able to identify the young people's responses, and these would not be made in any way publically accessible.

It was considered advantageous to have a worker or workers independent from the research team speak to the young men as they would then have someone within the prison that they could contact if they had questions or concerns. This approach meant that potential participants had the opportunity to talk over their involvement with 'Plan B' workers who requested and collected formal consent from participants. 'Plan B' workers passed consent forms onto the research team whom also outlined participants' rights and also reaffirmed consent before each interview.

3 Findings

This section presents the findings from both the audit of reports for all 125 young men in the sample and the interviews conducted with 11 of the young men.

3.1 Audit of reports

The audit of reports allowed us to compile a profile of the young men in the sample, as well as highlighting specific details, including: index offences; length of sentence; previous involvement with the youth justice system; previous sentences; alternatives to custody; social work support; support from family and friends; health problems; trauma, alcohol and drug use; education, training and employment. The limitations of this approach have been outlined in the methods section, and should be borne in mind when interpreting the audit findings.

3.1.1 Profile of the participants

The 125 young men included in the research sample had all been serving a sentence in HMYOI Polmont at some point during November 2012-November 2013. Many of these young men had already been released from prison; however, the review was aimed at providing a retrospective profile of all young men who were in custody during this time period.

Each of the young men was between the ages of 16 and 17 when he began his sentence and the mean age of the young men at the time of data collection was 18.61 years (SD=.908). At this time, 4% were aged 16 years (5); 23% were 17 (29); 29% were 18 (36); 43% were 19 (54); and, less than 1% were 20 years of age (1).

Prior to sentencing, young men came from 22 of Scotland's 32 local authorities,⁴ with the majority originating from: Glasgow (18%; n=22); North Lanarkshire (14%; n=17); Edinburgh (12%; n=15); Aberdeen (10%; n=12); Dundee (10%; n=12); and, Renfrewshire (9%; n=11). While these naturally tend to represent the larger city areas, or built-up conurbations, comparison with population estimates⁵ suggests that all of these areas had a higher proportion of young people entering prison than their population would suggest. For example, while Dundee and Aberdeen both represented 10% of the young men in the audit, they only make up 2.7% and 3.5% respectively of all 16 and 17 year olds in Scotland.

⁴ One report did not specify a local authority for a young man.

⁵ GRO(S) mid-year population estimates, 2012

3.1.2 Offence nature and sentence length

A total of 220 index offences, the offences considered in a sentencing decision, were recorded in the files. Offences tended to be violent in nature (71%; n=156) which includes both petty and serious assault, as well as offences such as robbery, threatening behaviour and attempted murder. The next most frequent type of index offence could be categorised as crimes of dishonesty such as housebreaking and theft from a motor vehicle (11%, n=25). The third most frequent category of index offence (6%, n=14) included administrative offences, or offences related to the process of contact with police or justice systems. These mainly included breach of bail or other conditions, but also included resisting arrest or perverting the course of justice.

Table 1 describes the young men in the sample according to length of sentence, showing that the most frequent sentence length was between one and two years. 86% of the sample received a short-term sentence (less than four years) and would normally be eligible for unconditional release after serving half of the sentence.

Table 1: Numbers of young men by length of sentence

Sentence	Number of Young Men
Less than 6 months	8
6-12 months	31
1 year +	43
2 years +	19
3 years +	6
4 years +	9
5 years +	2
Life	1
Not reported	4
Untried	2
Total	125

3.1.3 Previous involvement with formal systems

Almost two-thirds (63%; n=79) of the reports indicated the young people had previous involvement with the Children's Hearing System (CHS) and 66% (n=82) of reports noted the current sentence was their first experience of custody (including remand).

In 18% (n=23) of cases, the reports made no mention of previous involvement with the CHS and 20% (n=25) did not specify if the current sentence was the young man's first experience of custody, so it is possible that these figures underestimate the true amount of prior involvement with the youth justice or public care systems.

Details of involvement with the CHS were, however, limited and gave little to no indication of the circumstances that led the young man into the system. The reports indicated that more than a third of young people (35%) had previously been looked after or 'looked after and accommodated'.

3.1.4 Previous offences

More than three-quarters of reports (76%) did not specify the number of previous offences, with 11% (n=14) indicating there were no previous offences. In 5% of cases (n=6) there was one previous offence, while less than 2% had three, five or six previous offences, and 3% had either two, seven, eight or nine previous offences. However, the majority of data were drawn from psychological reports, which would not be expected to note the level of offending in detail.

3.1.5 Alternatives to custody

Information on alternatives to custody offered to young men was not noted in most reports, although again it is not expected that psychological reports would address this issue as they are compiled once the young man has entered custody. In 103 of the 125 reports (82%) it was not noted whether an alternative to custody had been offered to the young men. Among the minority of reports where this information was noted, the alternatives included: community payback orders (16%; n=20); fines (4%; n=5); supervision orders (3%; n=4); and restriction of liberty orders (less than 2%; n=2). In addition, less than 2% (n=2) of reports indicated that no alternatives to custody were offered.

Where an alternative was noted, 41% of reports (n=9) did not list more than one alternative.

3.1.6 Social work support

The reports indicated varying amounts of access to social work support prior to entering custody. More than half of reports (57%; n=71) indicated previous involvement, whereas a minority (18%; n=22) indicated no previous involvement. Just over a quarter of reports (26%; n=32) did not indicate clearly whether there was previous social work support provided.

In most cases (91%; n=116) it was not clear from reports whether the young people were receiving support from a social worker while in custody. Only one report indicated specifically that no social work support was being provided, while eight (6%) noted that social work support was being provided while in custody.

While 6% (n=8) of reports specifically indicated that through-care provisions were in place, in 74 cases (59%) there was no specific reference to through-care support.

3.1.7 Sources of support and relationships

Where sources of support were noted in reports (these were not noted in 27% of cases), the young men's mothers were the main support for 34% (n=43) of the sample. A total of 25 young men (20%) had support from both parents (including step-parents) and seven young men (6%) had support from fathers only. Other sources of support came from the wider network of relatives (6%; n=8) and eight young men (6%) relied on support from other sources such as friends or girlfriends.

Reports indicated that nearly half of the young men (49%; n=62) were residing with their parent(s) prior to entering custody. Some 14% (n=17) of reports did not specify with whom the young men were residing, while it was noted that in 6% (n=8) of cases the young men had no fixed abode.

Other living arrangements prior to custody were noted as follows: looked after and accommodated (4%; n=5); lived with a girlfriend (5%; n=6); living with a grandparent(s) (3%; n=4); living with a sibling (2%; n=3); living on their own (2%; n=3); staying in secure care (2%; n=3); or living with other friends or contacts (2%; n=3).

It was noted that 59% (n=74) of the young men in the sample intended to go home to live with their parent(s) following their release. Where other plans for living following release were noted, these were: with girlfriend (4%; n=5); with grandparent(s) (3%; n=4); with friends (2%; n=2); or on their

own (2%; n=2). In 39% (n=49) of cases files did not indicate with whom the young men were planning to stay following release from custody.

3.1.8 Health problems

The majority of reports cited no health problems (64%; n=80) while the most commonly cited health problem was ADHD (14%; n=17), followed by depression (6%; n=8).

Other health problems recorded were as follows: mental health problems (5%; n=9); trouble sleeping (2%; n= 3); asthma (2%; n= 3); panic attacks (2%; n= 2); mood swings (less than 1 %); stress (less than 1%); migraines (less than 1%); PTSD (less than 1%); and other ailments (2%; n= 3).

Reports indicated that 88% (n=110) of young men did not display a risk of suicide prior to custody, while 90% (n=112) did not display such a risk in custody. Similarly, 82% (n=103) of reports specified the young men did not engage in self-harm; although 14% (n=17) had at least one self-harming episode prior to custody.

3.1.9 Significant trauma

More than half of the reports (59%; n=74) indicated that the young people had experienced significant past trauma.

The most commonly reported sources of significant trauma were: domestic violence in the home (17%; n=21); death of a parent(s) (10%; n=13) and the separation of parents (8%; n=10).

Other sources of significant trauma noted in reports were: death of a sibling/other relative (7%; n=9); removals from home (4%; n=5); exposure to external violence (2%; n=3); death of a friend (5%; n= 6); physical injury (2%; n=2); illness of a parent/family member (2%; n=3); and, desertion of a parent(s) (2%; n=2). Of note here is that the prevalence of bereavement is much lower than found in other studies of this population (Vaswani, 2014), and perhaps reflects the nature of the information included in the reports audited, rather than necessarily providing a full picture of past experience.

3.1.10 Drug and alcohol use

Reports revealed varying levels of alcohol and drug use. In 21 cases (17%) reports indicated the young men did not take alcohol, while in 25 cases (20%) the young men were reported not to use illicit drugs.

More than half (53%; n=66) were reported to drink alcohol regularly, while 48% (n=60) were reported to be regular users of illicit drugs. Twenty (16%) of the young men were described as being 'binge' drinkers or drinking alcohol daily, while 22% (n=27) were reported to use illicit drugs daily.

3.1.11 Education, training and employment

In half of the reports, it was not clear whether the young men were still in formal education when they began their sentence, or at what age they had stopped attending school. Almost one-third of the young men had left school aged 16 or older (29%; n=36), and one-in-ten who were aged 15 and therefore potentially close to or at school-leaving age (10%; n=13). Other ages at which formal schooling ended were below official school leaving age (10%; n=13).

In 80% (n=100) of the reports it was indicated that the young people had experienced exclusion from school, while in 20% of cases there was no explicit mention. Reasons for the exclusions

included: attendance (10%; n=12), fighting (18%; n=23) and behavioral issues (18%; n=23) to the use of alcohol and/or drugs (2%; n=3). Almost one-third of reports (30%) did not specify a reason.

Approximately one-third of young men (31%; n=39) had educational qualifications listed, whereas 67% (n=84) of reports specifically stated that the young men had no educational qualifications.

Around 35% (44) of reports indicated young men had previously undergone some form of employment or training, whereas 61% of reports indicated young men had no previous employment or training.

3.2 The interviews

In the sections which follow, the data from the 11 young men who participated in interviews are grouped under five thematic headings: perceptions of sentences; alternatives to custody; engagement with social workers; education; and having a plan for the future.

3.2.1 Perceptions of sentences

Seven of the 11 men interviewed expressed a lack of clarity or understanding about their sentence. Each young man seemed aware that some sort of sentence was inevitable; however several expressed confusion as to why they had got the sentence they received. The circumstances of determining sentences often seemed complex to the young people, leading to confusion, a perception highlighted by the young man who said:

“I was thinking: they’re trying to try me twice for it, that’s why I [was] in secure. I was thinking I was getting out after secure [but] they said ‘you’ve been remanded’”

It was common for the young men to indicate they felt unclear about the explanations given to them and/or that they felt they had been given insufficient information. This perception is exemplified by the young man who felt he had been misled in relation to the sentence he received:

“I didn’t expect to come here because I had already done a sentence I started a year ago and I didn’t expect it. I went up to court four times and they said if I had good behaviour I would get a community payback order. I went up on the fourth time and I was still on good behaviour but he said, ‘No, twelve months’”

Embedded in each of these expressions are competing interpretations of the applicability of alternative sentences. The interpretations appear to originate from either informal information sources and/or the young people’s own observations. It would seem that these young men felt they were subsequently treated differently, a view evidenced by the young man who said:

“...I’ve never done community service and I ended up in here. Most people you meet in here have done community service. I’ve only been on a curfew and then I came off probation and then I got a sentence”

Similarly, another young man, asked if he understood why he was in prison, responded:

“Not really. I’ve never done anything else really. I never had, like, any other sentence...”

One can also infer from this response that this young man did not understand his progression from court to prison, given his lack of previous sentences. It is likely that the lack of clarity is compounded by the competing interpretations, since young people appear to be basing their views on the experiences of others (e.g. peers and family). In other words, the lack of clarity for some young

people necessitates drawing on informal information sources, which, in the experiences of several young men, resulted in misconceptions.

While three of the young men interviewed indicated they were aware of why it was that they received the sentence they did, others expressed varying levels of awareness.

“Maybe [it was] because I was high risk”

This divergence in awareness suggests that there are barriers related to accessing information. The perceived lack of information also extends to the young people’s admission to prison. Nine out of the 11 young men interviewed said that they did not receive any formal information about what prison would be like. Three of these nine indicated they had previously been in custody and had knowledge of what to expect. However, several of the young men stated that they received information from an informal source (e.g. friends and family) while only one stated that he had received information formally during an induction session.

“My mum was in prison before I came in and she said it’s not a nice place to be. But she said to me this is the life style she thought I was going to have so I’ve never really had much support from her... She was on drugs and I never really had a chance. It’s not a place to be”

How this variance relates to future desistance is unclear; however, exploring both awareness and access to information as it relates to young men’s structure of social support would be particularly advantageous.

3.2.2 Alternatives to custody

Across interviews a range of attitudes was expressed toward being offered an alternative to custody. Five out of the 11 young men expressed a negative attitude toward being offered an alternative, three noted reservations to taking an alternative, and three said they would have taken an alternative to custody without reservations.

Among the five men who expressed a negative attitude toward alternatives, their views appeared to be related to previous experiences and social pressures. The former refers to experiences where, over time, young men have not only adapted to life in custody but have also said that they have become used to the routine that prison provides. This is best exemplified by the young man who said:

“They tried to give me a community pay-back order but I just refused it... I’ve been locked up most of my life so I’m used to being locked up. Jail doesn’t bother me. I’m in that routine now where I’ve always been in trouble from a young age, so it doesn’t really bother me”

Whereas this young man stated that prison did not ‘bother’ him, the need for a highly structured atmosphere seems apparent in considering possible alternatives. This is conveyed through his rejection of an alternative that would allow more independence. The disadvantages of loss of liberty are offset by the advantages of the known (structure and routine) versus the unknown (the expectations of community pay-back orders with uncertain pay-offs).

Similarly, another young man said:

“Since I turned eight it’s just been a life of jail. I must have spent about a year since I turned eight, with my mum and dad, the rest of its just been in and out of secure, in and out of residential and now this”

This young man had also, to some extent, adapted to life in a secure setting away from his family.

The idea of social pressures was also evident across interviews. Three young men said that social interactions would probably have jeopardised their chances of successfully finishing the alternative. Two of the young men felt they might end up back in custody from these interactions regardless and therefore viewed custody as the 'better' option.

"I would have probably took [an alternative] but I don't think I would have done it... because obviously I stay in [place name]. It's full of different schemes, the same as anywhere. All of the schemes fight and community service in all of them different schemes - there's got to be one or two people that are going to be doing community service, so if I was there I would end up boxing anyway, end up back in the jail, so I'm better off just taking the sentence"

The three men who expressed reservations about alternatives to custody identified issues with relationships and practicalities as barriers to successfully completing an alternative, based on previous experiences. One said:

"I didn't go to it [community payback order]. [I had] family issues and stuff going on in my life that I couldn't handle at the time"

In his view, this was not taken into account at the time, and he went on to describe the sequence of events leading to prison:

"I got taken back to court and they put me in here"

Two of the young men also identified practical matters as being particular concerns. Beyond the logistics of locating and attending at hours young men felt were unreasonable, the idea of costs to attend also appeared to pose barriers.

...getting up early [for a community payback order] and going to see the social worker. I did a few times but I ended up patching it... If I had more money [it would be different].

Only three young men said they would have taken an alternative without reservations. These positive attitudes toward alternatives appear to be associated with being given a chance to *reach their potential*.

"Any of them [alternatives]. Any of them that wasn't jail... like I said this is the fifth time I've been in jail and I'm only 17. I've not actually had a chance to prove I can work. Every time I get out I stay with my mum, but I end up getting chucked out because I smoke weed and I end up sitting out my nut every day in my house"

On the other hand, another young man noted the value he assigned to being offered options which in his view could support his career plans.

"Yes [an alternative would have been] definitely a hundred times better. If I got a community service then I would have done it. If I got a curfew I would have done it. Now I'm in here. I've got my football career which I'm fighting to keep my fitness and that going. You don't get fitness all the time in here. The work party I go to is hard to fit into a slot. I just wish it never happened to be honest"

3.2.3 Engagement with social workers

Interview data also revealed differing attitudes toward social workers and the level of support from social workers young men anticipated upon their release. Two young men cited positive attitudes toward their social worker and anticipated continued support upon release; two cited positive

attitudes but reservations about continued support; four cited negative attitudes and anticipated no future support; and three were unclear about both their attitudes and perceptions of future support.

Among the positive attitudes, some of the young men highlighted supportive relationships, in one case likening the social worker to a parental figure:

“My social worker’s like my dad to be honest. He’s been there since I started acting up basically. He’s been like a male figure in my life...”

Another young man said:

“Yes [I had] a nice social worker. When I get out I’ll be going to see her and she said she’s going to work with me again”

One can infer that these young men were not only anticipating support in future, but that they were also open to and maintaining a positive attitude toward social work support given their experiences.

The divergence in attitudes included those with reservations toward and/or future accessibility to social work. Among the reservations voiced, several young men indicated that they were either unsure whether support would be there for them, or thought support might shift from their current social worker to another worker.

“...by the time I get out it’s going to be August and my social worker isn’t going to be working with me anymore, so it’s just got to be my through-care and after-care worker just now, and then see what happens from there”

The uncertainty expressed relates, to some extent, to the young men’s perception of the future. The shift in sources of support also challenges the likelihood of developing strong and positive social relations with a consistent source of support which is an essential ingredient for desistance. This may, in some way, relate to the negative attitudes that some young men revealed.

“My SACRO worker, he’s going to help me this time. Not like my social worker that just pretends that he cares and that...”

Where he noted an alternative source of support, the disapproving view and negative attitude toward his social worker may in part stem from inconsistent support over time. This negative attitude invariably challenges the likelihood of desistance in that a key source of support is viewed as inadequate.

3.2.4 Education

During interviews, all of the young men indicated that they had been excluded from education at some stage. The majority of young men also noted that they did not attend school very often when they were enrolled. Within these expressions, however, were a variety of barriers to attending school, relating both to difficulties in engaging with learning and also to behavioural difficulties.

Two young men described their previous experience in education as ‘really difficult’ and indicated that the source of their problems lay in learning difficulties.

“It was really difficult because I have ADHD and I would try and get on with my work. I’m not dumb or anything, I’m smart. I used to try and do my work, but I used to get very agitated and hyper and I’d lose my temper like the flick of a light switch. I kept getting into trouble, fights and that sort of stuff”

"[School] was really difficult, really difficult. I struggled through school all the time. I never really got on with anyone. I just used to always get suspended or kicked out of school or moved school. I never had a good experience at school"

Some of these young men attributed their difficulties in settling in school and behaving appropriately to their lack of attendance at school.

One young man stated:

"I was always the one that was starting the stuff and I was always looking for attention and that..."

For most, behavioral issues contributed to a perceived chain of events leading to custody. This is exemplified by the young man who said:

"I got chucked out just before they were doing exams. [Residential school] was good for work experience. They would get you work like that but then obviously I got secured and remanded 'til I was 16 and then they put me in here"

However, across all interviews, young men could identify an aspect of education that they enjoyed. Their attitudes toward education were therefore broadly positive while some were more neutral.

"I went to a work skills course in college. I'm going back into college when I get out"

Some of the young people we interviewed had developed enthusiasm for activities they had been introduced to while in prison. Two described to us their interest in working with animals as a result of participating in dog training and another young man told us about learning about bicycle mechanics. All three were clearly learning specific and more general life skills, though none described their participation as being educational.

3.2.5 Having a plan for the future

Interview findings revealed variance in the level of importance assigned to holding a plan following completion of sentence. Two young men felt it was 'very important' or 'really important' and two felt it was 'quite important'. Three attributed some value to holding a plan, one felt it was 'not really important' and two others were unsure.

The young men who attributed significant value to having a plan indicated that they felt the lack of a plan brought about negative and even cyclical events and results. For example, one young man said a plan was:

"...very important because if I don't have a plan I'll just fall back on myself and I'll end up back in here"

Another young man had views about what might happen without a plan:

"[A plan is] quite important. I always need to be one step ahead. If I don't do it, stuff will just pop in my head and I'll go and do that instead"

Another young man associated his lack of a plan to the high likelihood of returning to custody:

"...really important. The other times when I was in remand I left without support and came straight back"

Those who attributed some sort of value to holding a plan did not directly speak of a plan. Rather, they spoke about getting their 'life back' or putting their 'head down'. We can infer from these examples that some sort of plan, no matter how vague, is of value to these young men. Yet across these examples, it is evident that there are social temptations to staying the course of a plan. This is noted by the young man who said:

"...last time I was in prison she [social worker] helped me and gave me a plan, but I just ended up going out and seeing all my same pals again and patching it"

In other words, a plan in itself was seen as valuable; however, the young men noted obstacles toward continuing with a plan, especially where they felt these would become derailed by becoming involved again with their peers.

Sometimes even with a plan and agency support young people can face considerable barriers in putting their plan into effect.

"Last time I got out the women from Plan B helped me get a college course but when they got back to me I was in court and I ended up getting the jail"

Where some young men felt obstacles rested with their personal choices, others felt they were influenced or even created by other forces.

The two young men who were unsure about the importance of having a plan, as well as the young man who assigned very little value each spoke in ways suggesting that they had not thought extensively about a future plan, or were perhaps unsure of how a developed plan could support their reintegration. One young man said:

"[A plan is] not really [important]. Just what I said [I just want] a wee job and that"

When probed further on this, however, the young man did not reveal any further details about how this may be possible or what he would like his future to look like.

4. Reflections on the Findings

4.1 Discussion

The young men whose experiences are documented in this report have had, for the most part, a childhood marked by disadvantage, disruption and exclusion. Finding themselves in prison, even with the access to the range of supports this provides, makes these young men among the most marginalised youth in our society.

These young men present a challenge for society in general, and for the professional community in particular. Almost three-quarters had committed offences of a violent nature and the use of prison as a disposal is indicative of the physical risk of harm they present to themselves and others.

At least two-thirds of the young men had previous involvement with the Children's Hearing System. They tend to be young people with a history of vulnerability for whom society's patience has run out. For at least two-thirds of the young men whose files were reviewed, the current sentence was their first time in custody. The direct impact of imprisonment is the loss of the right to a normal childhood, but having a child in prison adds to the stress on families who are usually already dealing with many difficulties.

The file audit showed that a very high proportion of the young men had experienced exclusion from school and all 11 interviewed said they had been excluded from a school at some stage. Some

experienced multiple exclusions. Poor attendance and disruption had interfered with schooling. Gaps in education, compounded for some by learning difficulties, and for others by getting into trouble for challenging behaviour and into fights with fellow-pupils, made schooling a very unsatisfactory experience. "I struggled through school all the time." It was not always clear from reports what the educational status of the young men was immediately prior to prison. A high proportion had no educational qualifications and a majority had no previous experience of employment or training. Despite their poor experiences, few of the young men we spoke to were openly hostile about learning, particularly if it was perceived as enjoyable and useful. This finding is supported by a similar finding in the interviews with 12 young men in the parallel Forth and Fife Valley study.

A high proportion of the young men had experienced significant past trauma. While most had not been noted as having a risk of suicide prior to custody, a high proportion was assessed as a suicide risk in prison. Around half were noted to take alcohol regularly and a similar proportion was noted as being regular users of illicit drugs. The interviews did not explore health issues with the young men but it is clear that health problems and the support available will present a significant additional challenge for many young people building new lives following custody.

There was a lack of clarity or understanding about their sentence in the majority of the young men interviewed. This was also a finding in the parallel Forth and Fife Valley study. Being unclear about the explanations given or feeling they had been given insufficient information was common. Most of the young men also told us that they had not received information about what they could expect in serving their sentence in prison. Some appeared to rely mostly or exclusively on friends and family for information.

In reviewing the files it was not always clear whether alternatives to custody had been considered by the Court. In fact, we could confirm that alternatives had been considered in only 18% of cases, but this is likely to be a considerable underestimation of the reality because we were reliant on SPS psychologists' reports, rather than social work reports, in the majority of cases and we would not necessarily expect to find details of disposal considerations in these reports. The parallel Forth and Fife Valley study, which was based on social work reports, found that in 12 out of 32 reports it was not indicated whether alternatives to custody were appropriate.

The young men we interviewed varied in their attitudes towards alternatives to custody. Only a minority would have opted for an alternative if it had been offered. This finding is not particularly surprising, when considering the complexity of influences. For at least some of these young men, prison represents a highly structured life which is relatively appealing compared to the social and economic uncertainties of life outside. For some also, it provides the security of the known, an extension of institutional life they have experienced in residential school and secure care. "I'm in that routine now where I've always been in trouble from a young age, so it doesn't really bother me."

The young men were also realistic about the social and practical barriers they would face in being successful in an alternative to custody. For some, the expectation of failure meant that committing to an alternative to custody only meant postponing the inevitable, 'patching' it, and eventually ending up in prison. This finding suggests that, to be successful, alternatives to custody need to have a high investment in tailored support.

It was not clear from reports (for 91%) whether there was continuity of support from a social worker while the young person was in custody. (Only seven of the 12 young men interviewed for the parallel Forth and Fife Valley study said they received regular visits from social workers while in prison.) The interviews carried out for this study revealed both positive and negative attitudes to expectations of social work support, largely depending on previous experience. The fact that several of our interviewees were uncertain about the support they could expect or felt that their case would

shift to an unfamiliar worker, is worrying and, if typical, suggests a need for better communication and more clarity about the aims and expected outcomes of social work support for this group.

It was not always clear from the reports what continuing support was available to individuals, and therefore the degree of continuity in social and emotional relationships within their family and friendship networks. About half of the young men were living with a parent prior to entering prison, and a higher proportion (59%) expected to go to live with a parent when they left prison. In a third of cases mothers were said to be the main source of support.

The young people we spoke to had differing views about the importance of having a plan for the future. Some recognised that having a plan would help them to avoid custody in future, while others anticipated difficulties in avoiding peer pressures to be involved in activities carrying the risk of arrest and further sentences. Aims were more likely to be expressed in immediate and utilitarian ways: having a 'wee job' or 'keeping the head down'. This is not surprising, and perhaps realistic, but it does highlight the importance of continuity of social work planning for and involving young people, prior to, throughout, and beyond prison.

4.2 Recommendations

1. It is important that criminal justice social work reports are available to prison staff, and therefore that they follow young people to prison, so that there is continuity in maintaining future planning which in many cases will include previously agreed pathways plans for through-care and support arrangements for ambitions in education and employment.
2. There is a need to ensure clear information is available for young people about court processes beforehand, and reasons should be given to explain sentencing after the court experience. This could be supported by the development of resources to explain court processes, such as the through-care process map⁶. Such resources could then be used as a prompt for discussion in supervision sessions.
3. All Court reports should offer alternatives to custody for consideration. There is a need for more discussion among stakeholders about the value to society of developing more and a greater range of alternatives to custodial sentences. It is also important to address the very real fears young people have about failing to complete alternatives and the value they place on the structure and predictability of prison. Community-based alternatives to custody need a high investment in individually tailored support.
4. Having continuity of support from a social worker for the duration of the sentence should be an important part of the rehabilitative process. There also needs to be continuity in planning which can take account of existing pathway plans and also the young person's developing views about housing, education and employment following the end of sentence. Given the importance of families as the main source of support for proportion of the young people, their needs should also be taken into account.
5. Support for continuing engagement with education should be a priority for this group of young men, among whom a high proportion had negative school experiences. The finding that few of the young men we spoke to were openly hostile about learning, particularly if it was perceived as

⁶ See: http://content.iriss.org.uk/throughcare/sw_st_01.php

enjoyable and useful, is encouraging. If our interviewees are typical, this underlines the value of creative, and individually tailored, approaches to supporting learning.

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