

The Rise and Fall of Custodial Institutions for Young People

Neal Hazel looks back at the ghosts of custody past to identify a typical model of institutional development.

Wheel of change?

Rapid policy development, such as we are currently witnessing in our youth justice system, presents many opportunities for positive change, but it can also bring its own problems. In particular, such development seems to increase our tendency to re-invent the wheel, and any potential for punctures that come with it. It appears all too easy for policy makers, practitioners and evaluators alike to forget the lessons of even the most recent intervention projects, let alone all the attempts to curb the problems of young offenders that stretch back several generations.

This was brought home during our recent evaluation of the first Secure Training Centre, at Medway in Kent (Hagell, Hazel and Shaw, 2000). The centres, and their accompanying Secure Training Order, were heralded as innovative because 'trainees' spent a significant proportion of their custodial sentence back in the community - but this repeated the borstals' disposal created 90 years earlier. It was also seen as controversial, in part because it 'introduced' private agencies into management of institutions, yet such was the norm with reformatories a century earlier until it was abandoned in favour of state control (Carlebach, 1970).

In the case of custodial interventions for juvenile offenders more generally, this country has a rich resource of almost 200 years of policy experience from which we can choose to draw or ignore, including: prison hulks from the 1820s-1840s; Parkhurst juvenile prison from the 1830s-1860s; reformatories, then approved schools from the 1850s; borstals from the 1900s-1980s; Detention Centres (DCs) from the 1950s-1980s; Secure Units (SUs) from the 1960s; Youth Treatment Centres (YTCs) from the 1970s-1990s; Youth Custody Centres, then Young Offender Institutions (YOIs) from the 1980s; and Secure Training Centres (STCs) from the 1990s.

The experiences of running these interventions are certainly not irrelevant today. Elsewhere, Ann Hagell and I have examined each of the above and drawn out some of the common policy issues as they apply to current practice (Hagell and Hazel, 2001). This article builds on that analysis by offering a working model of the typical development of custodial institutions and regimes for young people (see *illus.*). This model is neither determinate nor inevitable. Nor does it represent a pattern that any one institution has conformed to perfectly. Nevertheless, each of the stages explored below have been a recurring feature in the development of custodial interventions.

Stages of institutional development

Philosophical shift and perceived gap in provision

The roots of any new custodial institution or regime can usually be found in a swing in popular political philosophy between a 'punitive' approach, emphasising retribution, and a 'welfarist' approach, favouring more of a treatment model. On the punitive side, detention centres can be seen as part of the "chill wind blowing towards the young offender" (Millham, Bullock and Hosie, 1978) that accompanied rising crime after the Second World War. More recently, many commentators have noted the increasingly punitive discourse about persistent young offenders that surrounded the creation of the STCs. In contrast, the reformatories, for example, were largely the product of the mid-Victorian philanthropic concern with 'saving' children from fallen life. A hundred years later, YTCs were fuelled by the

growing welfarist lobby's belief that some offenders were best helped through specialist treatment. Both institutions counter any misconceptions that custody is the sole property of retributionists.

These philosophical shifts have tended to be combined with a perception of a gap in provision that needs to be filled by a new type of intervention. So, consideration of secure units arose primarily from approved school managers' concerns about having to keep difficult or absconding children. Likewise, YTCs were prompted by a concern that there was no suitable provision for the needs of psychopathic children following the grave crime cases of Mary Bell and Peter E.

Catalyst Incidents

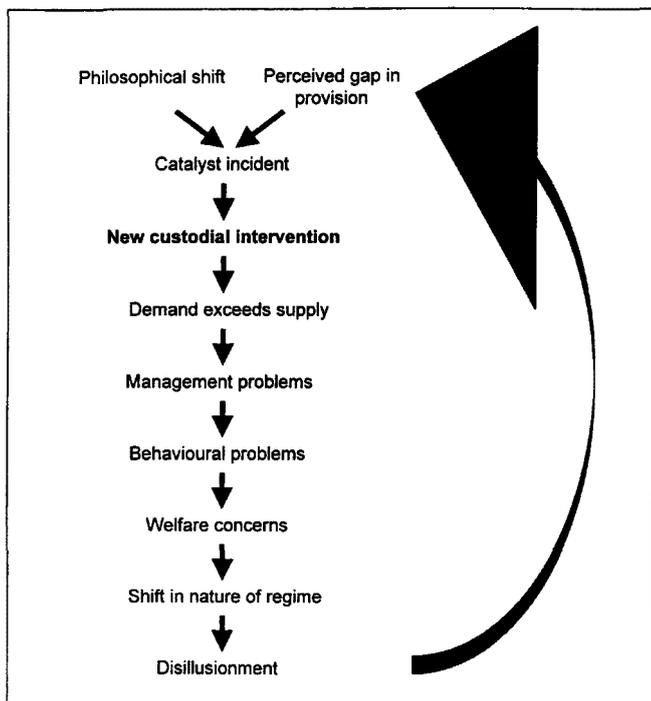
The movement towards a new custodial intervention has often been brought to a head by a critical incident that has captured the media or public attention. The catalyst for SUs, for example, was an uprising at Carlton Approved School in 1959. Similarly, STCs can be linked at some level, if not directly, with recurrent moral panics in the mid-1990s over 'one-boy crime-waves' (e.g. 'Rat-Boy') and the James Bulger murder trial.

New custodial intervention and demand exceeds supply

Although usually controversial, the birth of new institutions or regimes has consistently been greeted with enthusiasm by the public, politicians and judiciary. The result has invariably been an increase in custodial sentencing, with demand for places quickly outstripping supply. The most common response, witnessed for instance at Parkhurst, borstals, DCs and SUs, is hurried mass building work and staff recruitment drives. At two-year-old Rainsbrook STC, for example, planning is now underway for a new unit containing an additional 32 places.

Catalogue of management problems

Custodial interventions have been handicapped by a recurring set of management problems. Official reports have repeatedly cited high staff turnover (e.g. reformatories, SUs, STCs), and use of poorly trained staff (e.g. reformatories, borstals, SUs, YTCs, YOIs, STCs). Moreover, critics have noted that behavioural management has been particularly hindered by buildings being unsuitable for their purpose (e.g. SUs, YTCs, STCs).



Behavioural problems

Although perhaps not surprising given the client group and the typical management problems, developing regimes have found it difficult to control the behaviour of inmates. Very public examples have received substantial media interest, such as the army being called in to guard Parkhurst boys after mass escapes, disturbances at reformatories in the 1920s, and riot police being called to Medway STC. More persistent concerns have surrounded bullying and its consequences - from self injury in the prison hulks to suicides in YOIs. Critics have often argued that putting so many young offenders together would inevitably create problems during custody or later, whether through the spread of aggression (a criticism directed at YTCs), or acting as 'schools for crime' (directed at almost all institutions from prison hulks to STCs). The key to controlling behaviour has repeatedly been the adoption of an appropriate rewards grading scheme (particularly clear at Parkhurst, and rediscovered 175 years later at Medway).

Welfare concerns

In addition to questioning the incarceration of children per se, critics have commonly raised public concern about a range of methods of control used in the institutions. Although more extreme in the 19th Century, including starvation and leg irons (prison hulks and Parkhurst), concerns with the use of solitary confinement have persisted from Parkhurst to YOIs. Also, more recent institutions, including SUs, YTCs and STCs, have been similarly criticised for inappropriate use of physical restraint.

Shift in the nature of the regime

Sooner or later these problems have usually prompted a more fundamental shift in the nature of the regime, usually from an emphasis on security and punishment to a softer or more 'child focused' model. This was observed, for example, in: Parkhurst, where staff were surprised to find that removing leg irons and improving diet was more effective; borstals and DCs, which moved from military regimes to educational models; and SUs and Medway STC, which quickly shifted to a more needs-led approach.

Disillusionment

Ultimately, the zeal that greets each custodial innovation cools fairly quickly, usually in the face of negative evaluations or high reconviction rates. The disillusionment that follows usually coincides with a shift in political philosophy or a perception that existing provision is inadequate. Sound familiar?

Looking forwards and backwards

The latest custodial intervention, the Detention and Training Order (DTO), is presently being evaluated by the Policy Research Bureau, Nacro and CCJS. This new regime, introduced in April 2000, operates

across all three types of institution that currently make up the 'secure estate': Young Offender Institutions, Local Authority Secure Units and Secure Training Centres. It will be interesting to observe the extent to which existing differences between these institutional types determine how much the development of the DTO conforms to the above process model. Will each see the benefits of experience, or once again suffer the pitfalls of the past? The cyclical nature of the above model warns us that in rushing forward with the policy 'innovations' of the new millennium, we would be wise not to lose sight of lessons we can learn from projects developed in the past.

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