

Resettlement of Young Offenders: Can practice make perfect?

Neal Hazel discusses some key challenges and opportunities in moving forward practice in the resettlement of juvenile prisoners in England and Wales.

Most evaluations carry both good and bad news for policymakers. One of the most encouraging findings from recent studies of custodial disposals for juveniles has been the positive attitudes of offenders as they leave the institutions to start the second half of their sentences. As they start their statutory period of post-custody supervision, the majority of young people have seemed determined to start afresh, to work with their supervising officer to sort out their offending behaviour and wider problems. The evaluation of the Detention and Training Order (DTO) which covers almost all custodial sentences for under 18s, showed that three-quarters of supervising officers considered their trainees to be more co-operative upon release than before custody (Hazel *et al.* 2002). Without debating the merits and dangers of custody, this seems to present a unique opportunity for positive intervention with young people who have often been closed to such help for many years.

Conversely, some of the most negative findings have suggested that we have, in many cases, been wasting this opportunity. Failures in support for these young people have seen their positive attitudes short-lived, changing from optimism and determination to disillusionment. Broken promises of support have reaffirmed their distrust in the authorities and left them more disaffected than ever. As Alex, a 16 year old trainee already on his fourth custodial sentence, described to the DTO evaluation: *"They don't want to do much do they. They say they'll do things but they don't. So why should I waste my time for them"* (Hazel *et al.* 2002).

The end result is well known. More than four in every five under 18s released from custody are reconvicted within two years (Hagell 2004), with a substantial proportion rearrested before the end of their supervision period (Hazel 2002). Many, like Alex, return to custody.

Where are we going wrong?

The question of where the breakdown occurs is predictably complex. However, the evidence suggests that the difficulties may lie more in practice than in policy. The DTO evaluation concluded that following custody with a supervised community period was useful in principle, but faced considerable problems in reality. On the ground, the supervision period amounted to a battle to try to counter the negative influences in the young person's life (e.g.

disruptive family life and offending peers) by keeping them occupied with constructive activities, namely education, training, employment (ETE), and leisure. Indeed, involvement in these activities was a critical factor in predicting whether a trainee avoided rearrest. Ultimately, however, only a minority of trainees undertook education (37 percent), work (17 percent) and organised leisure (19 percent). Consequently, negative influences frequently outweighed constructive activities and the battle was lost. Moreover, consistent with their positive attitudes, it seemed that the problems on the ground were less to do with trainees' resistance, and more to do with system failures leading to a breakdown in practice arrangements.

Moving practice forward

What can we do to avoid these system failures? How can we ensure that the practice lives up to policy intentions? These failures clearly present quite a challenge to practitioners, but evaluations and guidance have left us with some ideas for ways forward. The list below summarises many of these ideas into five key areas (inevitably inter-related) for practice improvement that are beginning to emerge as critical to the future success of custody-community disposals for young offenders.

Extending the resettlement process. The DTO was hailed as innovative because it treated the custody and post-release periods as one continuous sentence. However, a young person's problems do not start at sentencing and end at the last DTO supervision session. Thus, teams need to ensure that preparation work for both custody *and* resettlement begins in earnest before sentencing, and confirm continuing support in all areas of life after the justice system suddenly withdraws. Specifically, a practice shift is required to ensure that a holistic approach to "sentence work" involves seamless transitions between *four* phases of pre-sentence, custody, community licence, and community post-licence (YJB 2003). The final "exit strategy" might be helped if Connexions (in England) and the Young People's Partnership (in Wales) were given a statutory partnership with Youth Offending Teams, Yots (Rees *et al.* 2004).

Primary focus on resettlement. In the past, the custodial period has been treated as a necessary interruption to the young person's life, in which the primary aim is detention and the secondary aim is training (thus the name of the DTO). However, as an

end in itself, this does little to aid (and much to harm) the reengagement in society that is essential to prevent offending. As the necessity for early preparation work suggests, the sentence needs to shift in focus onto resettlement from the start. In effect, the whole of the custody phase is treated mainly as a time of preparation for release. In practice this means that training plans, for example, are based on long-term outcomes that span the different phases rather than on custody alone.

Early integration of outside agencies. The DTO evaluation found that practice difficulties tended to arise when resettlement arrangements relied on agencies not primarily concerned with youth justice (despite the multi-agency nature of Yots). Particular problems emerged when trying to find housing for looked-after children, or education for children removed from school rolls on entering custody. The result was that arrangements were often not ready on release (e.g. two in five trainees left custody with no schooling in place). Again, this points to the need to begin making arrangements early in the sentence, ideally sustaining existing contact, and engaging external agencies fully with training plans. Making arrangements before release may also be encouraged by shifting targets for engagement in ETE from the end of the sentence to shortly after release (Rees and Conalty 2004). It also repeats wider questions about the effectiveness of Yots in bringing together agencies.

Better multi-agency coordination. Although the development of multi-agency working has been a key advance in youth justice, there is not always a clarity of roles. In particular, often none of the many agencies involved (including the institution, the home Yot, Connexions, social services, health education), seem keen to take 'ownership' of a trainee from the start to the end of their sentence. One agency (most obviously the Yot or Connexions) needs to be the overall case manager (National Audit Office 2004), whether the offender is in custody or in the community, and avoid the temptation to treat a troublesome child as 'out of sight and out of mind'. For that to work, we also need to ensure that agencies share targets; at present, for example, secure institutions may marginalise Yots during the custody period in order to pursue their own targets (Rees and Conalty 2004). As with many aspects of DTOs, this problem would also be considerably eased if the young people were placed in institutions closer to home, a situation that relies on spare capacity in the system to facilitate placement choice.

Consideration of the psychological impact of release. Successive studies have highlighted the trauma of not just entering custody, but suddenly being released. The disorienting effect of the pace of outside life and difficulties in re-building close relationships can lead to young people withdrawing into their bedrooms and themselves during the critical period for engagement immediately after release (Hazel *et al.* 2002, Hagell *et al.* 2000). Steps need to be taken before and after release to reduce this psychological stress. Custodial institutions need formal programmes leading up to release, ideally involving day release visits back home to see family and arrange ETE placements. Supervising Officers could develop their relationship during custody beyond planning meetings through telephone calls, video conferencing etc. (Rees and Conalty 2004). More emphasis could be placed on working with the family to build relationships throughout the sentence (Hagell 2004), and mentors could be used more widely to provide

additional support. Last but not least, it is crucial that the concerns and expectations of the young people themselves are heard early if we are to limit trauma and maximise engagement.

Resettlement, resettlement, resettlement

Each of these five key areas seem to present a common message about where our practice failures seem to occur and what we can do to fix them. Ironically, although these systemic failures present themselves in the community period of the sentences, their seeds were already sown before release. Each area points to the need for resettlement work to begin long before resettlement occurs, as the continued focus of all agencies concerned. For many this represents a shift both in focus and in culture, but is necessary if practice is to meet the policy aim of one continuous sentence – and be ready to make the most of these young people's positive determination.

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