

Feltham: time for a new start

Nick Hardwick writes about the Prison Inspectorate's damning findings

Feltham Young Offenders Institution (YOI) has had a troubled past and a fearsome reputation for violence and brutality. In 2000, the racist murder of Zahid Mubarek by Robert Stewart, another prisoner at Feltham, exposed fundamental flaws in the way young people were dealt with in custody at the time.

However, over the last decade, the Prisons Inspectorate found that outcomes for the young people held at Feltham were improving. In 2010 for instance, we reported:

The establishment has worked hard to ensure a safe and ordered environment in which young people generally feel safe. Overall, we found...good relations between staff and young people and an impressive range of activities and resettlement arrangements.

2010 marked a high point. Our most recent inspections this year found that outcomes for the young people had deteriorated markedly and that Feltham as a whole was an unacceptably violent place.

Feltham is divided into two parts. 'Feltham A' holds male children and young people, most of whom are 16 or 17 years of age.. Feltham B holds young adult men aged 18 to 21. We inspected Feltham A in January 2013, Feltham B in March and published both reports simultaneously in July (2013a; 2013b). From both reports there are some points that are worth emphasising.

First, those held on the Feltham A side were children. They were boys (no girls are held in YOIs). Overriding everything else, they needed the rights, care and discipline appropriate to their age.

Violent incidents averaged at two fights or assaults every day. In some of these incidents the levels of violence, as captured by CCTV, were shocking. We saw what were clearly planned assaults, where groups of boys attacked a single victim with the plain intention of causing serious injury. What was so disturbing was not just the perpetrators' lack of concern for the consequences for the victim – but their lack of concern for the consequences for themselves. The attacks we saw took place in full view of staff and there was no attempt to hide what was happening – indeed, the consequences of some of these incidents might have been much more serious had staff not put themselves in harm's way to rescue the victim.

We were also concerned that some boys who had committed serious offences were held in what was essentially an adult segregation unit with a very restricted regime for up to ten days and then confined to their cells for up to 22 hours a day for long periods after they returned to their units.

Low expectations

The Feltham B side was worse. It was a harsh and purposeless environment characterised by mutually low expectations. Almost half the young men held had no work, education or training, and processes to prepare them for release had collapsed.

There was good work happening at Feltham – education and the care for those at risk of suicide on the Feltham A side for instance – and while there were things that staff and management on the site could and should have done to improve the situation, much of what was going wrong in both Feltham A and B was structural and outside direct local control.

It is important to understand these wider structural issues because ministers are currently considering major changes to both the children's and young adult custody estate. In broad terms, the 'Transforming Youth Custody' consultation launched in February 2013 set out a vision for a network of 'Secure Colleges' with education at their heart and asked for providers from the public, private and voluntary sectors to come forward with ideas to run them. At the time of writing, the government's response to the consultation process has still not been given. Last month, the government began a consultation on proposals to change the way in which young adults are managed in custody. It is proposed that in future they should be held in 'dual-designated' institutions with adults.

Dealing first with children under 18, the numbers in custody have fallen dramatically over recent years, and this has further accelerated in the last two years. The number of children and young people in custody under 18 years of age fell by 30 per cent between 2001-2002 and 2011-2012 and fell by almost 30 per cent again from 1873 to 1320 in one year alone between February 2012 and February 2013.

This fall in the number of children in custody is to be welcomed and I hope it continues. Nevertheless, it has had two adverse consequences. First, young people are now held further away from home. For some young people, family may be the source of their problems and a third of the children and young people we survey in custody say they had spent time in local authority care so may not have had a family to support them – but for many, their family is their most effective 'resettlement agency'. If the cost and distance make it more difficult for families to visit there is a real danger this important source of support will be weakened.

It is also clear that as the number of young people in custody has fallen, those that remain contain a greater concentration of the most challenging and vulnerable young people. These difficulties appear to be compounded as the leavening effect of a more mixed population is

reduced. The deterioration in safety we saw at Feltham is also apparent in other YOIs we inspected. There were three self-inflicted deaths in YOIs holding children and young people in 2012. In half of the six male YOIs for children and young people we inspected in 2012-2013, safety outcomes had deteriorated. We judged that two were no longer sufficiently safe. At HMP Hindley for instance, despite a fall in the population, the number of self-harm incidents had risen by 18 per cent to almost 20 a month. There were fights and assaults in most establishments almost every day. Use of force by staff had also risen although much was low level. Not surprisingly, the overall proportion of boys who told us they had felt unsafe in their establishment had risen to almost a third (HM Chief Inspector of Prisons, 2013c).

Evidence

In the light of these findings, in my view the government needs to proceed very cautiously with its plans to reform custody arrangements for children and young people. Put simply, no young person is going to take advantage of better education and resettlement opportunities if they are frightened and looking over their shoulder all the time. All the evidence suggests that concentrating young people in large establishments a long way from home compromises both safety and resettlement. It is also crucial that any new providers have the resources, skills and experience necessary to improve safety, the essential foundation on which other work has to build. However, I hope the government is successful in encouraging greater aspirations for these young people and improving the education and training on offer. They are right to say re-offending rates are too high. I think they are correct in saying that there are organisations working successfully with some of these young people in the community and these skills could usefully be brought into a custody context.

Turning to young adults, the lessons from the Feltham B side are just as complex. At the time of the

inspection we questioned whether Feltham was a viable institution. The decision the National Offender Management Service (NOMS) took shortly after the inspection to no longer use Feltham as a remand centre for young adults but disperse remanded young adults throughout local adult prisons in London was a necessary response to an unacceptable situation.

Young adults' needs

The prevailing orthodoxy has been that young adults' lack of maturity means their needs can best be met by distinct institutions that are geared to their needs with appropriately experienced staff. However, we find YOIs for young adults to be consistently amongst the worst establishments we inspect, with high levels of violence and safety maintained by keeping them locked in their cells for long periods with limited access to work, training or resettlement activities. The NOMS data suggests that young adults are more likely to be at risk from assaults or restraint in dedicated rather than general establishments. It is also true that if young adults are held in adult resettlement prisons, as the government proposes, they are more likely to be placed near to home and family than if in one of the smaller number of dedicated YOIs.

However, in response to the surveys which are part of every inspection we do, young adults tell us that they feel safer and are more positive about their treatment when held in dedicated establishments. Fewer young adults at dedicated sites said they had ever felt unsafe at their establishment than those held at adult prisons. Young adults at dedicated sites reported better relationships with staff – more said that most staff treated them with respect and that they had a member of staff to turn to if they had a problem (HMI Prisons: unpublished inspection survey analysis).

It is also worth noting that our inspection of Feltham B found relatively low availability of illegal drugs and this is true of other young adult YOIs; it is emphatically not true of most adult prisons however, and so one risk at least of placing young adults in the adult estate is that they

would be exposed to a greater risk of substance abuse.

I think the evidence is clear that young adults in custody do have very specific needs but that the current model of provision is failing to meet them. The government's consultation paper points out that the Keith inquiry into Zahid Mubarek's murder recommended that consideration should be given to the advantages of holding young offenders on the same wing as adult prisoners. In my view, most young adults would be better in adult provision in either separate wings or amongst the general population (although there may be some very vulnerable young adults to whom this does not apply) but within that there needs to be very specific age-appropriate provision, set out in regulations, to meet their needs. Of course, there are risks to this approach – but the adverse consequences of the current model are severe, real and happening now.

As it has for many years, Feltham remains a place of great concern. It is not acceptable to have critical report after critical report, occasional improvement but no fundamental change. Furthermore, as was the case with our most recent inspection, Feltham is simply the most notorious example of a more general failing in our treatment of young people in custody. There are risks in any change and they need to be managed carefully – but the risks of allowing the current situation to continue are unacceptable. ■

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References

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