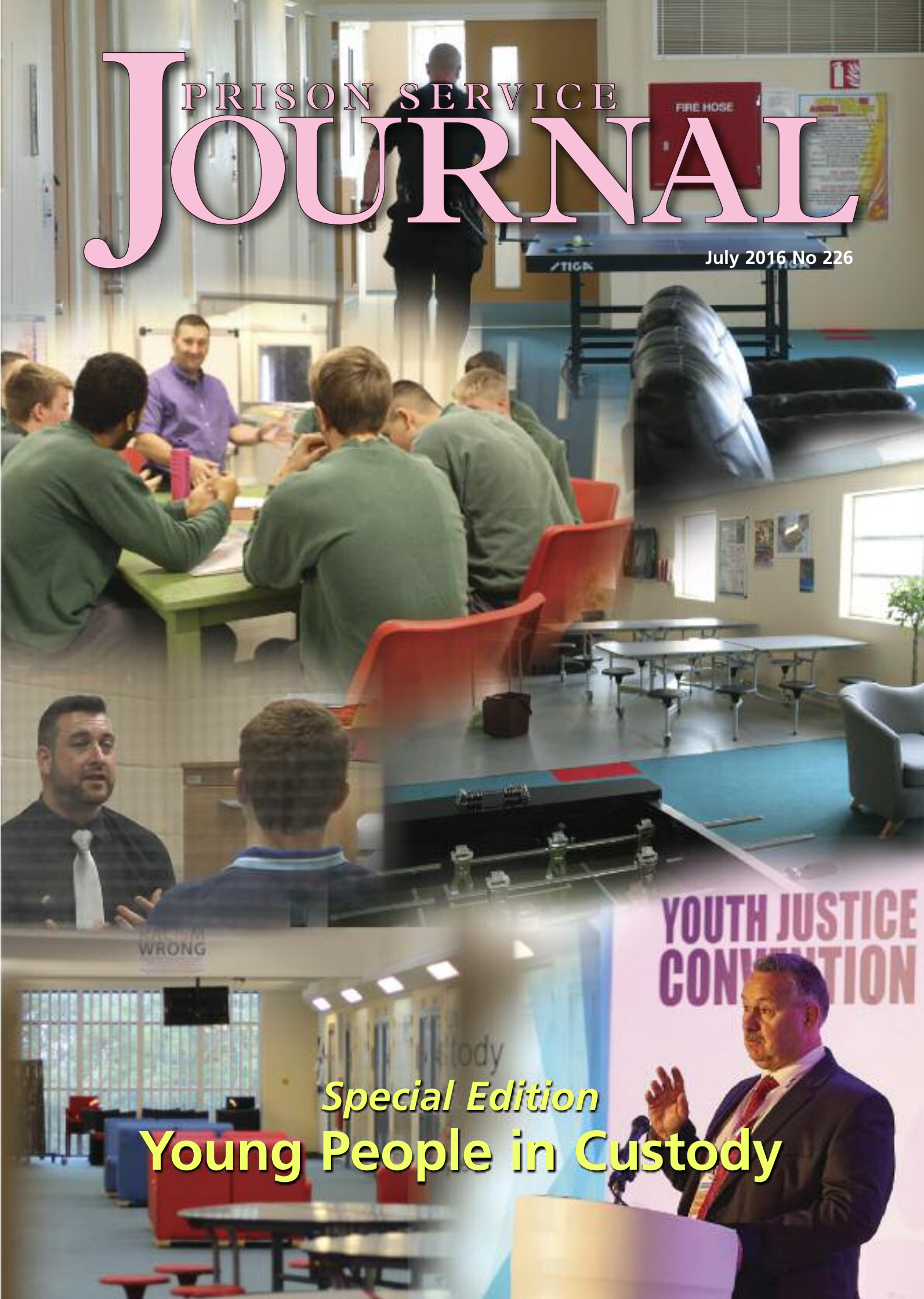


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Young People in Custody

Formal and informal learning in custodial settings for young people

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Introduction

Recent policy interests to place education at the heart of detention are the latest example of a long-held concern about the quality of education for young people in custody. Belief in its reformatory potential has underpinned voluntary and state-led initiatives from the schools established by Mary Carpenter in the mid nineteenth century¹ to recent proposals for secure colleges.²

From an instrumental perspective, it is argued that education for young offenders is an important means of social integration. It facilitates the development of knowledge and skills needed for a fulfilling lifestyle and participation in society: *'high quality education ... gives them the opportunity to work hard and fulfil their potential... equipping them with the skills, training and self-discipline they need to stop offending and contribute positively to society in adult life'*.³ However the relationship between education and making a contribution to society is not direct. It relies on opportunities for the education to be applied and also on people's interest to contribute. What is important to consider therefore, is whether young people's learning in custody is likely to foster a desire to make a contribution to society.

On one level, the concept of 'learning' is much broader than the concept of 'education' that is used in secure settings in England and Wales. The term 'education' is often confined to the practice of formal academic learning that takes place in a designated department within the secure setting. It may or may not include other formal learning that takes place such as vocational training workshops or offending behaviour programmes or 'one-off' special initiatives such as arts events by external organisations.

What young people learn within the secure setting, however, reaches far beyond these formal activities. In educational circles, this is described as the 'hidden

curriculum': *'the myriad of beliefs and values transmitted tacitly through ... social relations and routines.'*⁴ If we think of learning in this broader way, then we see how young people through their experiences of custody receive a more general lesson about how they are valued by the society that placed them there. They will learn how they are regarded from the quality of the environment, the rules and daily regime set up for them, and their interactions with staff.

What do young people learn from their time in custody formally and informally? This article considers this question with reference to comments from young people about their time in secure settings in England and Wales. It draws on data from interviews and focus group discussions with young people who were or had recently been in custody. The data were collected during two research projects, one which took place between 2012 and 2014 on the educational experiences of young people in the youth justice system⁵ and the other, conducted with Alison Liebling, Deborah Drake and Joel Harvey which took place between 2006 to 2008, in two Young Offender Institutions (YOIs) and two Secure Training Centres (STCs).⁶ Across the different custodial contexts and time periods some common themes about young people's formal and informal learning in custody emerged. These are discussed below.

Formal Learning Opportunities in Custody

One means by which young people learnt the value the establishment placed on their personal development was through the range and consistency of formal learning opportunities on offer. The young people who received remedial literacy and numeracy classes, appeared to benefit the most from the provision in custody. In one of the YOIs, young people with English as a second language received one-to-one tuition, which they found very helpful. A small number of young people were offered opportunities they would never have had in their home community. For

1. Carpenter M (1851) *Reformatory Schools for the Children of the Perishing and Dangerous Classes*. London: C. Gilpin.
2. Ministry of Justice (2013) *Transforming Youth Custody Putting education at the heart of detention. Consultation Paper CP4/13*. UK: The Stationery Office. Available at: Accessed: 1.1.15.
3. Ministry of Justice (2014) *Transforming Youth Custody: Government response to the consultation*. UK: The Stationery Office. p.13 Available at: <https://consult.justice.gov.uk/digital-communications/transforming-youth-custody/results/transforming-youth-custody-consultation-response.pdf>. Accessed: 1.12.15.
4. Giroux, H. (1981) 'Schooling and the Myth of Objectivity: Stalking the Hidden Curriculum', *McGill Journal of Education*, 17: 282 – 304, p.284
5. See Lanskey C, (2014) Up or down and out? A systemic analysis of young people's educational pathways in the youth justice system in England and Wales. *International Journal of Inclusive Education*. DOI: 10.1080/13603116.2014.961675.
6. See Lanskey, C. (2011) 'Promise or compromise? Education for young people in secure institutions in England', *Youth Justice*, 11(1): 47–60.

example, in one STC they had the chance to take part in special activities — camping and outdoor pursuits — linked to the Duke of Edinburgh scheme.

For some young people, the education they received in custody was transformative. Often the classes in the YOI or STC were the first experience of formal education in a long while. Their learning successes gave them a sense of accomplishment: *'I've got more qualifications since I've come to prison than I gained on the out'*. They appreciated its relevance for their life after custody: *'I gotta admit I have gained something from coming here ... because if I didn't get that painting qualification I'd be outside doing exactly what I was doing all for the past two, three years, sitting down the shelters, getting drunk, smoking drugs and wasting my time. Now I'll be able to get a job and I'll be able to spend my time doing something and getting paid money.'*

There were other young people, however, who were less convinced by the education they received. They found the daily routine monotonous: *'you do get bored with doing the same stuff every single day. Waking up, going to school ... it really is the same stuff everyday.'* For many of these young people the educational provision they had access to was not sufficiently challenging: *'The education is rubbish in here. They just make us do like easy work which I've done like in Year 1.'* For others, the work was repetitive: *'To me it's not (useful) because I've already done it, so I'm just covering everything again.'*

Experiences of the classroom environment indicated to young people the extent to which the establishment took their learning seriously. Some found the environment conducive to study: *'Everyone was sitting down to do work so I thought ... well, at least, if everyone else is doing work, I might as well do work.'* They got on well with their teachers and enjoyed the class activities. Others however described lessons in which little was achieved because young people used the occasion to catch up socially and the teacher could not maintain order: *'if you get everyone talking you don't get nothing done, innit? And you can do your own work but at the end of the day if you can't even hear what the teacher's telling you, like you can't do nothing can you?'* These young people's expectations of education were low: *'not a lot of people learn in education ... 'cos you just go there, fight, muck about, just... You can't learn... it's jail, it's not like school'.*

Other limitations related to the quality and availability of resources for learning were further indicators to the young people of the institutional commitment to their education. Although on paper the range could look interesting, access in reality could be different. In some cases education classes did not take place because there were not

enough staff. Young people felt aggrieved that their experience of custody was made less tolerable by the failure of the establishment to deliver what it claimed to: *'I think [this] is a poor quality jail because we ride too much bang up and the staff always say there are not enough staff.'* Sometimes the frequency of the opportunities was limited so that only a small number of young people could attend: *'you've got clubs during the week ... which are good... but ... you'll be lucky if you get one anyway because there's so many people putting their name down every week'*. Through these disappointments, young people learned that there was a discrepancy between what was presented and what they had access to in practice.

Young people were also conscious of broader systemic issues which affected their education; the court's decision to send someone to custody for a short period of time, for example could be problematic: *'I was looking forward to doing GCSEs and stuff but because I've got a short amount of time here really, there's no point in it.'* Through the perceived effects of criminal justice decisions on their academic or vocational progress young people were learning tacitly about the value the criminal justice system as a whole placed on their formal education.

For some young people in these two research studies therefore, education in custody was innovative, enhancing, meaningful, engaging. They had opportunities they had not had previously to either catch up on what they had missed or to gain new knowledge and skills. For others there was little sense of formal learning taking place: the curriculum was not engaging, resources were limited and classrooms were primarily places for socialising. These diverse experiences could be found within the same establishment because teaching approaches, learning methods and the needs and aspirations of the young people within them varied. Through the range of courses available (in practice as opposed to on paper) and the quality of its delivery, young people learned the extent to which staff, the establishment and the criminal justice system as a whole were committed to their personal development.

Informal Learning in Custody

The messages young people received about their present and future potential as members of society through the formal educational provision in the secure setting were reinforced or diluted through their informal learning in other spaces within the establishment. From the 'hidden curriculum' young people learnt not only lessons about how they were valued, but also developed their own views about the legitimacy of the establishment as a place of detention. In the young people's view, such learning could have longer-

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term consequences.

Lessons about personal worth: safety

The secure establishment's ability to keep young people safe and its concern for their welfare were two significant dimensions of their informal learning. The experience of custody for many of the young people in the research studies was permeated by fear and anxiety and they soon learnt the extent to which they could rely on the establishment to keep them safe. Arriving at the establishment was a time of heightened uncertainty.⁷ Many of the young people in the studies said they were fearful of what lay ahead and sensed apprehension towards themselves too on the part of staff and the other young people they came into contact with:

When you first arrive you don't know what to expect ... I hadn't been to prison before, so I was expecting the worst ... people to just start on me because I'm new or something like that. And the guards that don't know what to expect from you, and some of them are just a bit paranoid. And you're a bit paranoid because you don't know what the guards are gonna be like to you. So it just creates a little bit of tension.

Everyone used to look at me. I [thought] ... oh god, I want to get home.

Although the rules of the daily regime of institutional life became clearer, young people were faced with uncertainty throughout their time in custody as new people arrived. Some of the newcomers came in 'acting tough'. Others arrived to find rivals from the community outside: 'my boy got killed ... [and] the boy that did that came to prison ... and he got put on this unit'. As a consequence, the arrival of a new young person often signalled the potential for conflict: 'There are loads of fights, but that is the new people'.

There were numerous occasions when fights between young people could happen: during association/social time, on the way to activities, in education, in the showers (in the YOIs), or at meal times. One person might be targeted by others or a dispute might flare up over seemingly small events: whose turn it was to play table tennis, a misunderstood comment or look. Some people did not feel safe: 'I don't think there's enough safety ... people can fight just like that'. While there were frequently times when life was settled on the wings or units, there was always the potential for disruption: new young people arrived, staff moved on, there were changes in the moods of those who were there.

The volatility of life in the STCs and YOIs generated different responses. Some young people withdrew from as

many social activities as they could, adopting a 'keep head down and hope' policy. They would stay in their rooms and sleep for most of the day. Others looked for friends who would provide support and a small number looked to the staff. On some occasions young people felt the staff provided the support they needed: 'If you have any problems they listen to you and then make something happen straight away. If somebody is like hitting you or bullying you they make sure something happen'. However, others found this could be a risky strategy: 'If you go to a prison guv... sometimes the other boys make it worse ... If the person finds out that you've gone to the guv, even the people that wasn't involved, they get involved just to say like 'Why? Why did you go to the guv?' In these environments, young people learnt that their personal safety was at risk and the establishment could not always be relied upon as a safeguard. As one young man said: 'you have to keep watching your back'.

Lessons about personal worth: welfare

Young people learnt how much the establishment was concerned for their welfare partly through the conditions of custody and the regimes that were designed for them. Most young people in the STCs appeared to be satisfied with their living conditions and some expressed appreciation at having a room of their own and three meals a day. In the YOIs there were many more negative comments about the living conditions: the cleanliness of the cells, the condition of the prison clothes, the quality and quantity of the food, the lack of a constant supply of fresh drinking water. Moreover, when equipment was broken it took a long time to repair and people gave examples of having to endure cold nights sleeping in their coats because window catches were broken or not being able to shower before a court appearance because the showers were out of order. Sometimes support services were slow — healthcare or unit staff took a long time to respond to requests for help and other times, the length of time it took to process requests could mean they missed out on what they were entitled to: 'I should be getting about three visiting orders like a month or something like that, but when you've gotta get like the SOs to sign it and whatever it don't really go out in time so ... sometimes you get two ... It depends how ... fast it gets done.'

However, young people learnt most about the extent to which their welfare was a priority from their interactions with staff. Unkind or thoughtless responses were remembered vividly. One officer had told a young man in front of others that he had wet his bed. Another had not allowed a young man to get the hot water he needed to make his supper: 'I'm going 'I need to get some hot water' and he goes 'No'. And he just shut my door. So I went without food all that night just because of that one guv.'

7. Harvey, J. (2007) *Young Men in Prison: Surviving and Adapting to Life Inside*. Willan.

Yet, for many of the young people the support and compassion they received from staff was the most humane part of their experience of custody. Comments showing that staff were concerned for their welfare were highly appreciated: *'They say 'Goodnight' and 'How are you? Are you all right?' stuff like that ... those little tiny things.'* Some young people said this was the first time they felt anyone had been there to help them and they gave examples of when staff had gone to considerable effort on their behalf, such as phoning up a family member to inform them of the young person's unhappiness and arranging a visit. The opportunity to have a good laugh and a joke with staff or just to chat about everyday things was part of what made the time in custody bearable for some: *'they are very nice to talk to — to free your mind'*. Through these displays of kindness and empathy young people learnt that they could trust and seek help from those in authority.

Lessons about the legitimacy of authority

The importance of perceived legitimacy of authority for maintaining order in prisons is well-documented.⁸ Its relevance in custodial establishments for young people in custody was equally clear. As indicated above, young people developed a perception of the fairness and effectiveness of the staff use of authority. They were quick to identify practices and behaviours by staff that seemed unjust or not befitting their role. The young person above who was denied hot water seemed resigned: *'what you came to expect', being in custody: 'I'll just have to like deal with it won't I? ... he's the guy, we're prisoners'*. However, a sense of being treated unjustly could have more direct negative consequences: *'The guys have bad days and things and you don't know what's wrong with them. A simple thing like walking to the cell a bit slowly because you've got something in your hand or whatever and they give you an IEP (sanction) for no reason. I get a bit angry and I get wound up and start doing things I ain't meant to do.'*

Some young people commented openly on the extent to which staff acted as role models of authority and what they learnt from their observations and interactions with them. They noted when authority was used inappropriately: *'They take away things that they shouldn't and give you things that they shouldn't'*. They were also aware of the mixed messages about behaviour young people were picking up from the way staff acted: *'The staff are swearing ... if they're gonna dock you points for swearing I should*

hope they're not gonna be swearing' and from the way they reacted to young people's behaviour: *'[The staff] tell you, it's not good to use physical violence, you can speak about things here, you can ask for things, you don't need to shout. But then you ask and nobody hears you. And you ask again and still you get ignored and then you start screaming and shouting and throwing things around and everyone will be listening...'* The learning points from such experiences were clear: *'It's like you get a lot worse punishment when you're good ... so people might as well think, 'well, I'll mess around then... because I'll get it easier.'*

Many young people in custody accepted the normality of staff use of force in order to exert control but saw little value in it. Some adopted a 'don't care attitude' and claimed physical restraint had little effect on them. Others felt the use of physical restraint made them more angry which had a negative impact in the longer term: *'All that happens is*

they get PCCd and taken to their room and that don't really teach them anything because then they'll just have more anger at that person'. These observations could lead to a general view of the establishment's effectiveness: *'so I don't see how they can call it a secure training centre 'cos it don't really train you in anything to do with like your attitude towards people or ... the way you treat people.'*

The extent to which young people felt their views were taken into account was an indicator of the respect they were given by the

establishment and arguably had broader implications for their views of the legitimacy of authority.⁹ In some settings there were formal mechanisms through which young people could express their views, for example, learner voice discussion groups and young people's councils. These were well received when they clearly led to improvements to young people's time in custody. Perhaps more important, judging from the young people's comments, were the opportunities for informal dialogue to resolve the tensions, disagreements and conflicts in the everyday life of the establishment.

Young people were appreciative of those staff who were able to handle situations of conflict through dialogue. One young woman compared the differences in approach between two STCs she had attended. In the one she was physically forced into her room and left alone and angry with the matter unresolved. In the other, staff had gone into her room and discussed the issue with her and drawn it to a conclusion: *'they'll stick you down and talk to you in your*

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8. Liebling, A. with Arnold, H. (2004) *Prisons and their moral performance: a study of values, quality and prison life*, Oxford: Oxford University Press; Sparks, R., Bottoms, A. E., and Hay, W. (1996) *Prisons and the problem of order*, Oxford: Clarendon Press.
9. Bottoms and Tankebe, 2012.

room. They won't just lock the door and make you go mental in your room [and] smash everything up ... 'Cos [in the other establishment] they just lock you in your room ... and then you just go mad.' One young man in a YOI described how he and a member of staff had been able to discuss their differences and resolve a problem by sitting down and talking it through. He valued the honesty of the exchange: 'When I first came here I was having a problem with this one guy and I made loads of complaints about him. And since then ... we've worked things out. And just had a little chat. I told him 'I respect you, yeah, so why do you not respect back? Why are you trying to like treat me like some little kid? ... I'm being mature to you. So why should you try and be like a bit immature to me?' ... He was just like 'That's true, but ... the attitude I'm getting from you is that you think that you're a big man'. And that's what I was trying to say to him 'I don't really think that. I'm just trying to, like, be me in a way that you get me'. 'Cos I said it to him and since then like we've just gotten along.'

Young people's informal learning experiences thus varied between and within the different establishments. Poor conditions, whether due to inertia in getting repairs, what Sykes refers to as 'the principle of bureaucratic indifference' (1958:291) or to under-funding or lack of resources, were interpreted as a lack of concern for their welfare. By far the most significant factor influencing the young people's perceptions of their treatment were the attitudes and behaviour of staff. It was often the small exchanges, the acts of kindness or unkindness that had the greatest impact on young people's perceptions of custody and the legitimacy of the custodial authority.

Informal Learning Outcomes

It is difficult to establish the longer-term effects of such informal learning in custody but some young people spoke about consequences they perceived both in terms of their view of themselves and their interactions with others. Those who felt the custodial authority was unfair or ineffective in its moral purpose, viewed the outcomes as primarily negative:

To me prison don't learn, make you learn how to be better. It makes you learn how to be sneakier ... not getting caught again. So prison makes people lethal.

This place is like a broken down children's home. It is not helping anyone. If anything it makes things worse ..

If [the guys] tell you to do this, you do it or you get lost like. You learn that. OK you're not invincible

... but when you get back on road, yeah, you just take your anger on someone else. Right. You won't have learned... it's not really better.

However, when a young person found the support and care that they needed, the experience could be transformative: 'I came here and (it) made me realise that I am a caring person and I do care for people ... whereas before it was like I was fighting it, because I didn't want to let my guard down and make myself vulnerable to people.' These young people's comments, negative and positive, suggest the potential effects of their experiences in the present for their interactions in the future. Adverse experiences of authority were associated with feelings of anger and injustice which, they felt would negatively affect their interactions with others on leaving. In contrast, positive experiences were associated with an optimism about their future and a lasting regard for those in authority who had treated them decently; some young people said if they came across these members of staff 'on the out' they would go over and shake their hand.

Conclusion

The narratives of the young people in the two studies illustrate the conflicting messages they received when in custody. Young people could have personally enriching experiences but they could also experience poor, rough and inconsistent treatment. All of these experiences are 'educational' in the broader sense and it is relevant to consider the effects of such inconsistency. Are young people learning that those in authority are committed to their personal development and social integration? Or conversely are they being taught that authority is not to be trusted or respected?

Their comments suggest that when we are thinking about custodial establishments as places of education, we need to be mindful of what the young person is learning through informal as well as formal channels. Through their collective encounters in the secure setting, inside and outside the classroom, young people learn the extent to which they are valued as present and future members of society. This broader perspective on education positions all members of staff in secure settings as educators, not just those who are formally designated as such. The research also indicates that acknowledging and responding to the views and feelings expressed by young people is not only relevant for understanding the learning that is taking place in custody (either by design or default) but also for shaping their views of the legitimacy of the custodial authority and arguably their broader sense of allegiance to the society that deprived them of their liberty.