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(Re)Settlement? Transitions from Custody to Community for Socially Excluded Children and Young People

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'(RE)SETTLEMENT'? TRANSITIONS FROM CUSTODY TO COMMUNITY FOR SOCIALLY EXCLUDED CHILDREN AND YOUNG PEOPLE

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Abstract

Despite recent declines in the use of custody for children and young people, reoffending rates for this age group remain notoriously high at over seventy per cent (Ministry of Justice, 2013) and their aftercare or resettlement support is consistently criticised for failing to address their complex needs. However with recent resettlement developments promising 'enhanced' and intensive provision, this article seeks to explore this using findings from semi-structured interviews and documentary analysis. Making particular use of Levitas *et al.*'s (2007) conceptualisation of social exclusion, this article provides a discussion of the resettlement needs of young custody leavers and an evaluation of current provision and its ability to address such needs. Despite some promising findings, the article shows that there are still inherent failures to meet *all* young people's complex inclusionary needs. It is argued this is because programmes continue to provide superficial support in 'job readiness' and tackling cognitive deficits rather than addressing the poor structure of opportunities and the deep and interacting expressions of inequality facing young people who offend. It is also argued that resettlement attempts consistently fail to recognise that young people's 'settlement' in the first place is highly questionable. Therefore, it is concluded that for resettlement attempts to be more successful, they need to adjust their mission to one of intensive inclusion and perhaps 'starting from scratch'. Fundamentally though, it is argued that both resettlement attempts and society need to more fully acknowledge that young people who offend are in every sense *children* in need.

Keywords: youth justice, desistance, resettlement, social exclusion

Introduction

It has often been argued that the lives of prisoners are categorised by a lifetime of social exclusion and that children and young people in custody are among the most 'deprived and socio-economically marginalised' in society (Social Exclusion Unit (SEU), 2002; Morgan, 2009: 10). It is hardly surprising then that their successful resettlement after custody has been described as a 'significant challenge' (Youth Justice Board (YJB), 2006: 5). This

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certainly appears to be the case with research revealing that historically provision for children and young people is inconsistent and ineffective (Hazel and Liddle, 2013) reflected by notoriously high reoffending rates among this age group (Ministry of Justice, 2013). However with recent resettlement developments promising 'enhanced' and intensive provision, and a lack of qualitative research into the social exclusion of young custody leavers, this article explores how successful *current* resettlement provision is at addressing their complex resettlement needs.

Using a qualitative, explorative approach and informed by the existing literature, namely Levitas *et al.*'s (2007) conceptualisation of social exclusion and relevant desistance theories, this research had two primary aims. The first was to *qualitatively* explore young people's complex needs further, finding out what they are and which are the most significant barriers to young people's successful resettlement. To do this, semi-structured interviews were conducted with five youth justice professionals[2] within a south-west Youth Offending Team (YOT), recognising that listening and talking to people involved in resettlement could 'provide the human voices to counterbalance the wide range of statistical data' on the subject (Sampson and Laub, 2005: 170). By using predominantly open questions, it also gave an insight into what *respondents* saw as important (Bryman, 2012) which often differed from the existing literature and could then be added to the interview guide to discuss with other respondents. Critically, this allowed for the incorporation of the interviewee perspective into the research (Noaks and Wincup, 2004). To cover issues that were not raised naturally, prompts were used around the core areas of social exclusion using the B-SEM (Levitas et al., 2007) and some key aspects of desistance as identified by the literature review. For example, respondents were prompted about problems with 'Participation' (difficulties with education, training and employment (ETE)) 'Resources' (family problems) and 'Quality of Life' (issues with accommodation).

However, the second and predominant aim of the research was to evaluate how successful current resettlement practice is addressing young people's social exclusion. To do this, interview research was supplemented by documentary analysis of four evaluations of recent 'enhanced' resettlement schemes across England (one for each of the three regional consortia and an evaluation of 'Project Daedalus' in London). One of the reasons for this was to remedy some of the limitations of the primary interview research. Namely, due to the

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[2] Interviews lasted between 45 minutes to an hour-and-a-half and were conducted with a resettlement worker, a social worker, a probation officer, a family support worker and a bail and remand/accommodation officer within the YOT. However, due to their identifiable job titles, they will be referred to collectively or by non-identifiable codes throughout the article.

use of non-probability snowball sampling, the final sample was statistically unrepresentative of age, gender and ethnicity. Furthermore, south west YOTs have a much lower use of custody than any other region in England and Wales and characteristics of offenders and their offences vary considerably by region (Ministry of Justice, 2013). For these reasons, results from the interview research were not generalisable to all YOTs and regions (Bryman, 2012). Therefore, using mixed methods enabled the combination of a micro analysis (of the views of professionals in one south-west YOT) with a more macro evaluation (of four regional schemes), adding greater validity to the interview data (Davies, 2011). It also facilitated the evaluation of success in terms of quantifiable outcomes (*how many* reoffended or had increased participation in ETE as a result of the schemes).

Engaging with existing literature throughout helped form the analytic framework used to collect and analyse the data from both research methods. This can be summarised as follows:

1   What problems do young people have when trying to resettle after custody? (Informed by Levitas and colleagues' conceptualisation of social exclusion – see 'Literature Review' section for more information)
a) do they constitute 'deep social exclusion'?
b) which are the most significant barriers to successful resettlement, desistance   and social inclusion?

2   What resettlement support is in place to tackle those problems and how successful is it at:
a) addressing young people's social exclusion?;
b) and thus promoting their desistance from crime?

With this in mind, the interview transcriptions and documents were coded by putting labels against words or phrases to attach meaning to the data and to enable the identification of emerging ideas and patterns (Punch, 2006). Data from both methods was categorised into themes and presented as such in the findings and analysis in light of the existing literature and the analytic framework. For example, the interview data was analysed to identify significant problems that young people have when leaving custody, using the core dimensions of social exclusion identified by Levitas *et al.* (2007). Responses from interviewees and data from the evaluations were then analysed to determine how successful current resettlement is at addressing those issues.

A thorough consideration of ethics at all phases was imperative for the research to maintain integrity (Bryman, 2012) and thus was conducted following the ethical guidelines of Plymouth University (Pratt, 2009) and in accordance with The British Society of Criminology Code of Ethics (2006) on the responsibilities of the researcher.

The rest of this article provides a comprehensive review of the relevant existing literature, a discussion of the main findings from this research and finishes with a conclusion, highlighting key messages and their implications for future resettlement developments.

1 Literature Review

A Changing Landscape: a Punitive Turn?

Over the last few decades, criminal justice responses to crime have changed significantly. Many commentators argue that penal welfarism and its associated notions of universalism and humanitarianism are being replaced by a 'new penology' of responsibilisation, managerialism and an actuarial commitment to governing the future through the prediction and management of risk (Crawford, 2009; Garland, 2001; Feeley and Simon, 1992). These changes are particularly apparent within the field of juvenile justice. Since the 1990s, and in the aftermath of the abduction and murder of James Bulger, there has been a growing 'institutionalised intolerance' towards young people (Muncie, 2008: 109), reflecting changes in societal and political discourses about youth crime.

As Muncie (2008) asserts, there appears to have been a 'punitive turn' within youth justice policy and practice resulting in the adulteration and penalisation of young offenders. Indeed, between 1992 and 2002 there was a remarkable 800% increase in the number of under 15s held in custody in England and Wales (NACRO, 2003). Despite recent trends suggesting a 30% reduction in the average population of under 18s in custody since 2000/01, custody remains a popular disposal in England and Wales with 3,925 custodial sentences given in 2011/12 (Ministry of Justice, 2013). Furthermore, reoffending rates for this age group remain stubbornly high and research reveals that reoffending can occur very quickly after release, especially for the youngest offenders with insufficient support (Hazel and Liddle, 2013). This support or 'resettlement' is crucial for achieving better outcomes for young people after custody (Hazel *et al*. 2010). Before resettlement provision is discussed in the latter half of this section, an exploration of the problems experienced by young custody leavers is needed, beginning with a review of the literature on social exclusion.

A Socially Excluded Group?

Social exclusion began to be formally tackled after research such as '*Misspent Youth'* (Audit Commission, 1996) identified that not enough was being done to address the risk factors associated with offending behaviour. Recognising this, New Labour promised a 'determined assault on social exclusion' in '*No More Excuses'* (Home Office, 1997). But what is social exclusion? The term is often used interchangeably with 'poverty', but social exclusion can be seen as more of a *consequence* of material and social deprivation (Levitas, 2006) or 'being shut out' from society (Walker and Walker, 1997: 8).

In an attempt to produce a measurable definition of social exclusion that encapsulated existing literature, Levitas *et al.* (2007: 9) define it as:

> a complex and multi-dimensional process. It involves the lack or denial of resources, rights, goods and services, and the inability to participate in the normal relationships and activities, available to the majority of people in a society, whether in economic, social, cultural or political arenas

The authors also compiled the Bristol Social Exclusion Matrix (B-SEM) which identifies three main 'domains' of disadvantage contributing to social exclusion: a lack of resources (both economic and social), an inability to participate in ETE and reduced quality of life. There is considerable evidence to suggest that young people who offend experience difficulties in each of these areas.

Focusing first on a lack of social resources, which includes quality of contact with family members, friends and 'support networks' (Levitas *et al.* 2007), Jacobson *et al* (2010) who profiled 300 children in custody, measuring 30 types of disadvantage factors in categories of home, family life, psycho-social and educational problems, found that 39% of their sample has been on the child protection register and/or experienced abuse or neglect. Similarly, Harrington and Bailey (2005) surveyed over 300 13-18 year old young offenders and found over a quarter described difficulties with family relationships and over a third had been in care at some point in their lives.

Turning now to 'participation' in ETE, 24% of Jacobson *et al.*'s sample were unemployed prior to custody and out of those who were compulsory school age, less than half were in any kind of schooling. Indeed the majority of their sample had experienced disrupted schooling, either from truancy or school exclusion and it is these kinds of educational disengagement that have been found to be a significant risk factor for offending behaviour (YJB, 2005).

Finally there is evidence of reduced 'quality of life' for young people who offend. Whilst indirectly affected by the other domains (Levitas *et al.*, 2007) this relates to issues with emotional well-being and living environment. Focusing on the latter, the YJB (2007) found 40% of their sample (152 young people in custodial and community settings) had been homeless at some point in the six months prior to custody. Combined with the statistics revealing the inconsistency and inadequacy of family support for many young offenders, and research linking stable accommodation with reduced risk of reoffending (Hazel *et al.*, 2002), these figures are worrying.

'Deeply Excluded'?

It is important to note that young offenders do not experience these factors of disadvantage in isolation. Social exclusion results from a 'set of mutually interacting circumstances, which go on reinforcing each other' (Brynner, 2001: 21) to produce severe disadvantage. Perhaps more telling of the lives of young offenders, Levitas *et al.* (2007: 9) talk of 'deep exclusion' as: 'exclusion across more than one domain or dimension of disadvantage, resulting in severe negative consequences for quality of life, well-being and future life chances.'

This is exemplified by Jacobson *et al.*(2010) revealing the average number of disadvantage factors per child to be 7.4 and around 80% of the children in their sample had five or more factors of disadvantage. Furthermore, Sampson and Laub's (1997: 147) theory of 'cumulative disadvantage' helps us understand the negative structural disadvantage young offending can cause for future life chances. For example, arrest, imprisonment and labelling 'mortgage' a future of further crime, unemployment, weak social bonds and societal disadvantage. This highlights how important it is to get the resettlement process right as crime and its associated consequences significantly add to young people's experiences of social exclusion. But to understand the need to tackle young offenders' complex needs in the resettlement process, we also need to take account of theories of desistance (the process of stopping offending).

Understanding Desistance

Despite research revealing that offenders' thinking and motivation to change are central to the process (Maguire and Raynor, 2006), it is argued that successful desistance also requires a belief that it is possible (Farrall, 2002). As found by Burnett and Maruna (2004: 10) if individuals are faced with 'dire circumstances' on release, much like the deep social exclusion experienced by young people leaving custody, feelings of self-efficacy and motivation can be overwhelmed by reality and will have little impact on desistance.

Similarly, combining lessons from their earlier longitudinal research, Sampson and Laub (2005) emphasise that we need to examine individual motivation within the social context in which individuals are embedded. They suggest that individuals are more likely to desist when their social bonds to employment, education and family are stronger because these societal institutions act as key forms of informal social control and are thus conducive to the formation of new identities as 'desisters' from crime.

In a series of 'Teeside Studies' into the youth transitions of young people growing up in neighbourhoods categorised by social exclusion, MacDonald *et al.* (2011) also found that gaining employment was a significant aid to desistance for their sample. It provided new 'purposeful activity', through the provision of legitimate resources, the structuring of time and

the development of positive social networks or 'social capital'. However, their studies consistently reveal that for socially excluded young people, conditions of economic marginality place 'severe restrictions on the capacity of individuals to make informed choices about steps towards meaningful educational, training and employment opportunities' (Macdonald *et al.* 2011: 148-9). Furthermore, it has been found that surmounting practical obstacles in the desistance process such as educational difficulties, unemployment, homelessness and other factors of social exclusion is extremely hard for individuals with little human or social capital (Bottoms and Shapland, 2011).

Therefore, although offenders' attitudes, thinking and 'readiness' to change are crucial, it appears the 'choice' to desist is affected by numerous social, structural and cultural conditions (McNeill and Weaver, 2010). For example the problem of a persistent lack of quality, long-term jobs and opportunities for young people living in deprived areas can act as significant obstacles to the desistance process (MacDonald and Marsh, 2005). So, for resettlement initiatives to successfully support young people to desist from crime, they need to address their deep and interacting expressions of disadvantage. The extent to which this is achieved will now be discussed.

Resettlement: Addressing Social Exclusion?

Recognition that young people leaving custody experienced significant disadvantage and a series of research revealing inadequacies in aftercare provision was officially realised in *Youth Resettlement: A Framework for Action* (YJB, 2006). The document acknowledged that resettlement should enable young people leaving custody to achieve the outcomes as set out in *Every Child Matters* (HM Government, 2003): being healthy; staying safe; enjoying and achieving; making a positive contribution and achieving economic well-being. The creation of the *Youth Crime Action Plan* (HM Government, 2008) reflected policy support for resettlement and breaking the cycle of offending but also recognised the need for greater involvement from local authority children's services and other agencies to work with Youth Offending Teams (YOTs) in the resettlement process (Hazel and Liddle, 2013). Throughout the last decade, policy support for resettlement has been put into practice through a number of innovations such as Resettlement and Aftercare Provision (RAP), Integrated Resettlement Support (IRS) and RESET designed to provide more holistic, multi-agency resettlement support. However research has consistently found shortfalls in provision.

For example, the National Audit Office (NAO) (2004: 2) found that action to address young people's social exclusion is not always taken and YOTs face significant challenges engaging local services in the resettlement process. More recently, an evaluation into the RESET programme revealed that even with its 'enhanced' provision, only seven percent of young

people with the most significant needs received the required level of stakeholder involvement (Hazel *et al.,* 2010). Poor information flow and a lack of continuity between YOIs and the community have also been found (Hazel *et al.*, 2010). In an evaluation of the Detention and Training Order (DTO), Hazel *et al.* (2002), staff perceived one of the primary obstacles to seamless resettlement is the imbalance of resources between local authority YOTs and YOIs, significantly stunting progress in the community.

Turning now to specific areas of social exclusion, although returning to suitable accommodation is crucial for successful resettlement, a thematic report by HM Inspectorate of Prisons (HMIP, 2011) revealed many young people are placed in unsuitable accommodation after custody, such as bed and breakfast lodgings, unsafe family environments or even forced to report as homeless. The use of temporary accommodation by local authorities is also said to be increasing (YJB, 2007) despite the fact that guidance in the Children (Leaving Care) Act 2000 specifies it is only appropriate in a small number of exceptional cases. With research by Centrepoint (2005) reporting that young people using temporary accommodation find it to be unsafe, intimidating, and insecure, it is easy to see how this accommodation can exacerbate the social exclusion of an already incredibly vulnerable group of young people, particularly in terms of poor quality of life.

Provision in terms of ETE also highlight the failings of resettlement support to tackle the social exclusion of young people leaving custody. Unpromisingly, Solomon and Garside (2008) report that government targets to ensure that at least 90% of young offenders in the community were in suitable ETE have not been met. Also, HMIP (2011) reports that only 29% of their sample wishing to continue education and 21% of those wanting employment had anything arranged for release. In the DTO and RESET evaluations, only 40% and 56% respectively were involved with any ETE activity during the supervision period of their sentence (Hazel *et al.* 2002, 2010). Again, this has been attributed to problems with system breakdowns and a lack of continuity in the transition between custody and the community (Hazel *et al.* 2010). Considering a key factor in the desistance process is providing young people with purposeful activity, these statistics are rather damning.

Finally, there are failures to provide resettlement support that improves young offenders' social resources or family relationships. The HMIP (2011) evaluation found in several cases that more structured support is needed to rebuild relationships while young people are in custody. Furthermore, young people are often denied the support that regular visits from family could bring because of long distances between the institution and their home and community (Hazel *et al.* 2002). This is worrying as research suggests that those with this

kind of support or 'social resources' are six times less likely to re-offend than those without it (SEU, 2002). For Farrall (2004: 64) this is because positive and supportive family relationships can provide people with 'legitimate identities and increase self-esteem, contentment and emotional support'.

From this initial evaluation of current resettlement provision, it appears that young people's complex social needs are not being adequately addressed. However there have been some recent more promising resettlement developments that need further examination. For example, the YJB set up three regional 'resettlement consortia' in Wessex, the North-West and South-West of England. These were established to encourage local authority areas to collaborate on resettlement issues, involving numerous 'interested' services and practitioners from youth justice, children's services, voluntary and local agencies (Hazel and Liddle, 2013). This support was intended to be more intensive than usual resettlement work, offering a number of 'entitlements' such as a dedicated YOT worker for the duration of the sentence and enhanced ETE provision. Also promising is Project Daedalus. Funded by numerous agencies, the programme operated on a 'payment by results' model and had two main features. Firstly, young people are placed onto an enhanced resettlement regime whilst in prison and secondly are given a 'Resettlement Broker' to work intensively with the young person both in custody and the community.

These schemes certainly seem encouraging but with reported delays and reductions in funding to Deadalus (Puffett, 2012) and the failure to meet targets to set up a further five resettlement consortia across England and Wales (YJB, 2011) it appeared that more research was needed to explore if current resettlement practice is successful at tackling the intractable problems young people face on release from custody.

2   Findings and Discussion: A Socially Excluded Group?

This section reports the findings from the first task of this research. Recognising the abundance of quantitative data on the subject, the aim was to *qualitatively* explore the kinds of problems young people have when trying to resettle after custody, using interviews with youth justice professionals. Perhaps the most significant theme that arose were problems with accommodation. This was also seen as one of the strongest contributing factors to likelihood of reoffending during the resettlement process. For example:

> *If they've got nowhere to live, they're on the streets or in unsuitable emergency accommodation and they're more likely to be more vulnerable and get into substance misuse. They'll have no money, no chance of a job or regular education…their risks are really escalating.* (Respondent Two)

Perhaps unsurprisingly, and consistent with the findings of Jacobson *et al.* (2010) and Harrington and Bailey (2005), discussions of housing difficulties were often interwoven with discussions of family difficulties and parents at 'breaking point' with their child's behaviour. Chaotic home environments, strained relationships, 'totally dysfunctional families' and generally a lack of 'real family support' or the 'right emotional warmth' were recurrent themes in this research. Confirming other findings (HMIP, 2011, Hazel *et al.*, 2002), respondents also expressed that the distance between Ashfield (the closest YOI) and the young people's home was a significant hindrance to maintaining family relationships and improving resettlement outcomes. This is worrying as family support was seen to be vital for alleviating other resettlement problems:

> *If there's a supportive family there, everything falls into place really. It doesn't always work, but if the family sticks by them then other issues are easier to work out*
> (Respondent Three)

The literature review revealed that young people leaving custody have substantial problems relating to ETE and the interview research certainly confirmed this. All respondents spoke of problems with literacy and numeracy, low educational attainments and histories of school exclusion and unemployment. Difficulties with ETE on release were also seen as significant barriers to the resettlement process and desistance because a lack of participation led to 'hanging around' and 'boredom' which were viewed as particular risk factors to reoffending. Many spoke of young people needing constructive activities, much like the 'purposeful activity' referred to by MacDonald *et al.* (2011) as crucial for desistance.

Indeed, throughout the interview research, a stark picture began to emerge of a group of marginalised young people experiencing problems across all three 'dimensions' of social exclusion. Respondents were unanimous that often young people experienced 'massive wrap around problems' and as one respondent aptly said:

> *These youngsters have got the anxiety of coming out, they might have troubles at home and maybe nowhere to go…they're trying to form new networks but they haven't got the skills to do it…they're being rejected more than most because they've got a criminal record and we expect them to not reoffend?*(Respondent Five)

It also emerged that many young people leaving custody have just not felt the appropriate support from their families or experienced inclusion from society, and often their difficulties with accommodation, ETE or indeed their offending behaviour are merely symptoms of this. Similarly, comments from respondents highlighted that the term 'resettlement' is something of a misnomer:

> *We send someone to a YOI and nothing changes back here in the community… they're coming back out to the exact same environment and all of those pressures are on them again as soon as they walk out of the prison gate.*(Respondent Five)

Indeed as Farrall and Caverly (2006) argue, the use of 're' words like 'resettle' and 'reintegrate' imply that people are in some way returned to a state of 'integration' that they previously occupied. However, as respondents highlighted, this state rarely exists for young people prior to custody and they are often merely returned to environments that are still entrenched with problems of social exclusion. If we are to look again at Levitas *et al.'*s (2007: 9) concept of 'deep exclusion', the interview research appears to highlight that young people leaving and *prior* to custody are experiencing severe and multiple disadvantage that result in 'severe negative consequences for quality of life, well-being and future life chances'. So, how successful is current resettlement provision at addressing this?

3   Findings and Discussion: How Successful is Current Resettlement?

To answer this question, the findings of the interview research are supplemented by findings from the documentary analysis of the four evaluations of 'enhanced' resettlement provision[3]. Due to space constraints, one issue from each of the three dimensions of social exclusion (Levitas *et al.* 2007) will be discussed: accommodation (quality of life); family support (resources) and young people's engagement with ETE (participation).

Safely housed?

Documentary analysis revealed that housing provision in the resettlement process is still inadequate, even through 'enhanced' initiatives such as the regional consortia. For example, in the WRC only 71% of young people were regarded as having 'satisfactory' living arrangements on release from custody (Ellis *et al.* 2012) and 7% of young people did not have any accommodation arranged immediately before release in the SWRC (Wright *et al.,* 2012). Respondents from the interview research also raised concerns about housing provision:

> They're often put into a B&B with absolutely no support and was probably safer in custody. (Respondent Two)

> There's just not enough suitable accommodation, these places are full of
> adults and some of them are prolific offenders and you'll 'pay by the hour' so you can
> imagine what people use it for… (Respondent Four)

Both research methods revealed there are simply not enough resources or a strong enough infrastructure to provide sufficient flexible housing provision (for example intensive 'supported' accommodation) to reflect the complex needs of young people leaving custody.

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[3]These are the *'Evaluation of the London Youth Reducing Re-offending Programme'* or ' Daedalus' (Powell *et al.* 2012); *'Evaluation of the North West Resettlement Consortium (NWRC)'* (Hazel *et al.* 2012); *'Evaluation of the South-West Resettlement Consortium(SWRC)'* (Wright *et al.* 2012) and *'Evaluation of the Wessex Resettlement Consortium (WRC)'* (Ellis *et al.* 2012). More information about these schemes can be found in the literature review.

Another finding from this research and reported by Hollingsworth (2013) is that local authorities and children's services regularly evade their obligations to provide housing to homeless young people leaving custody, particularly to sixteen and seventeen year olds. However this is woefully unacceptable. Although the statistics of young people actually needing emergency accommodation after custody may be small numerically, their significance in terms of social justice is huge. Ensuring safe and sustainable housing outcomes for *children* is something that local authorities should legally and reasonably be expected to do something about. It is also blindingly obvious that aside from its benefits in reducing reoffending (SEU, 2002), without suitable accommodation it is very unlikely that a young person leaving custody will achieve any of the five '*Every Child Matters'* outcomes.

Improved Family Relationships?

It was clear from the interview research that there is a genuine commitment and use of initiative from workers at the south-west YOT to contribute constructively towards this. Recognising the financial and practical difficulties associated with the distance between the young person's community and the nearest YOI and the lack of support networks for parents, workers developed a scheme to take a group of parents in a minibus to Ashfield every month. This is particularly praiseworthy as one of the shortfalls in terms of family support that emerged from the documentary analysis was a need for more 'support groups for parents', 'more regular contact with the family from staff' and for more engagement of the family with the resettlement process whilst in custody (Powell *et al.*, 2012: 53). Respondents from the interview research highlighted that monthly visits allowed for the young people to have regular visits with their resettlement worker to help arrange plans for release in terms of ETE, accommodation and generally offer support.

However, concerns were raised about the imminent closure of Ashfield and its impact on family relationships and resettlement as a whole. Although the decline in custody rates recently (Ministry of Justice, 2013) is certainly a positive thing, the decreased demand for custodial places will inevitably result in the closure of a number of YOIs like Ashfield. This may have an unintended impact on the resettlement outcomes of young people who do receive a custodial sentence in the south west.

Improved 'Participation' in Education, Training and Employment?

The literature review revealed significant failings of past resettlement provision to adequately arrange, engage and sustain young people's participation in ETE. Do the findings from this research fare any better? Initial documentary analysis of the evaluations was promising. For example, in the NWRC and SWRC, ETE was arranged for 76% and 77% respectively of young people in the supervision period, comparing favourably with previous resettlement evaluations (Hazel *et al.,* 2002; Hazel *et al.*, 2010). However further analysis revealed more

of an emphasis on *arranging* rather than sustaining engagement with only around a third still attending their placement at the end of the evaluation period. So why is current resettlement still failing to engage and sustain *all* young people's participation in ETE? First, as found in previous research (Hazel *et al.,* 2002) respondents from the YOT found it difficult to match the provision offered in the YOI:

> *It's not joined up…the provision between YOIs and what can be offered in the community are miles apart…when they come out the opportunities and services aren't there in the same way.*(Respondent Five)

Second, echoing previous findings, this research revealed that YOTs are still facing difficulties engaging local schools and colleges within the resettlement process. Their reluctance to take young people with histories of disruptive behaviour or criminal records and their tendency to restrict intakes to term times leaves many young people without education or 'purposeful activity' (MacDonald *et al.,* 2011) for months. As a result, young people leaving custody are often enrolled at specialist pupil referral units where provision is reduced to 45 minutes a day, a stark contrast to the more intense provision offered in custody. Arguably it is unsurprising that there are challenges in motivating young people to engage. Perhaps, as respondents suggested, more statutory involvement from mainstream schools and colleges and the offering of 'roll-on, roll-off' courses would be more amenable to the chaotic lives of such a socially excluded group.

In terms of employment support, the documentary analysis revealed despite improvements in partnership arrangements, the type offered was often limited to the construction industry and needed to be expanded to cater for the wider ETE needs and interests of young people in custody (Wright *et al.*, 2012; Ellis *et al.,* 2012). Respondents from the interview research reported challenges engaging local employers, especially in light of the current economic climate. Consistent with the findings in the Teeside studies (MacDonald *et al.*, 2011), this research revealed that the decreased availability of jobs and the increased competition for them significantly limit young people's ability to secure and sustain legitimate employment:

> *With general unemployment at the moment, the reality is that it's difficult to get a job anyway. Added on top of that they're a young offender, added on top of that they've just got out of custody, on top of that they're quite chaotic and they've got issues with drugs, they're not used to going to a 9-5 job. They're facing quite a lot of odds really.*(Respondent One).

The above comment and generally young offenders' experiences of ETE is reminiscent of Sampson and Laub's (1997: 147) theory of 'cumulative disadvantage'. Young people's early offending and imprisonment appear to undermine their future life chances and thus

'mortgage' a future of further crime and social exclusion. Or as some respondents alluded to, a 'vicious cycle' of offending and disengagement from mainstream society.

Another theme that emerged was as a result of difficulties securing employment for young people, ETE programmes delivered in custody often focused instead on 'job readiness' modules (improving employability and confidence) or programmes based on cognitive behaviour models. For example, Daedalus delivered The Juvenile Enhanced Skills programme subscribing to the idea that offending behaviour is 'a product of the lack of basic cognitive skills that enable individuals to make pro-social behavioural choices' (Powell *et al.* 2012: 7). There are a few problems with this approach. Firstly, as McNeill (2006) argues, resettlement interventions focused on tackling individuals' 'deficits' may improve their cognitive skills, their employability or their 'human capital' (Farrall, 2002); but they cannot engender the ''social capital' that resides in the relationships through which we achieve participation and inclusion in society' (McNeill, 2006: 50). For instance, relationships formed through employment encourage notions of obligation, mutual trust and provide individuals with information channels, knowledge and social networks which are significant factors towards desistance (Farrall, 2004).

Secondly, it implies that once young people are 'equipped' with the appropriate skills for employment, they will be ready and able to embark successfully on the resettlement process and make the right choices to take advantage of its opportunities. For example, in Daedalus, provision was designed to make young people 'job ready' to 'ensure that they take up and sustain their engagement in any employment opportunities' (Powell *et al.* 2012: 50). Such responsibilising discourses place the onus on young people and fail to recognise the social structural constraints such as a poor structure of ETE opportunities and the interacting expressions of deep social exclusion that not only reduce the *availability* of choices but also restrict young people's *abilities* to make 'sensible' ones (MacDonald *et al.*, 2011; Gray, 2011).

Conditionally Resettled?

Another finding from the documentary analysis was that for young people leaving custody, a 'motivation to change and improve their resettlement opportunities' was a key prerequisite for entry onto intensive, enhanced resettlement programmes like Daedalus (Powell *et al.*, 2012: 42). Similarly, some respondents in the interview research spoke of programmes that operated on a 'carrot and stick' analogy whereby offerings of resettlement support are juxtaposed with coercive threats of breach and punishment if the young people fail to engage. There are a few problems to note here. It is first evidence of 'conditional inclusion' (Gilling, 2007: 151) whereby only the 'responsibilised' or those 'willing' to change are offered

an 'enhanced' chance at reintegration. Secondly, this kind of conditional resettlement provision is an example of the criminalisation of social policy whereby the universalistic purposes of social intervention have become obscured by crime prevention objectives categorised by 'eligibility' and conditionality (Rodger, 2008).

Furthermore, the intractable factors of young people's social exclusion such as poverty, unemployment and homelessness are conveniently replaced with an emphasis on individualised *criminogenic* risks and personal responsibility (Goldson, 2002; Kemshall, 2007). Indeed as Field (2007) argues, the assumption that resource-limited YOTs can provide genuinely realistic opportunities for young people to turn their lives around means that refusal to take advantage of them becomes a moral failure on the part of the young person. This perceived 'failure' then serves to legitimise more intrusive and punitive intervention into their lives (Kemshall: 2005, 2007). For example, all respondents referred to the resettlement programme 'Intensive Supervision and Surveillance Programme' (ISSP) which can be given to a young person as a condition of community supervision in the second half of their DTO and often involves an element of electronic monitoring (YJB, 2004). Although some respondents spoke of ISSP as a 'package of support' dealing with various problems, others referred to it as being an 'additional punishment' placing too many burdens on young people and resulting in inevitable failure or breach. Even the language of 'supervision' and 'surveillance' suggests that increasingly young people are seen as a 'repository of risks' (Kemshall, 2008: 30) needing regulation rather than support and care. This preoccupation with risk not only decontextualises and exacerbates the experiences of social exclusion facing young people but also legitimises the provision of resettlement services and interventions which are 'ultimately neither inclusionary nor 'child-centred'' (Jamieson, 2009: 197).

Grounds for Optimism?

Although the findings so far have been rather scathing, it is important to note there are some positive things to note. For example, the enhanced schemes analysed in this research have all had a positive reduction in reoffending rates and stakeholders reported that resettlement outcomes for young people had considerably been improved through the provision. On a similarly positive note, one of the most significant findings from this research was the genuine commitment of respondents to engage constructively and innovatively with addressing the social exclusion of young people leaving custody, despite being aware that there is very much a political drive to control and punish. This is consistent with other research (Burnett and Appleton, 2004; Ellis and Boden, 2005) that has found evidence of a

continuing social work ethic within YOTs, or of a developing youth justice culture more inclined towards care and welfare than suggested by the 'punitive turn'.

Indeed as one respondent aptly said:

> *You can have the most fantastic programme in the world but if you can't get them to engage, it means nothing. The fact that your attitude as a worker is actually a really caring one, that they feel like someone's supporting and investing an interest in them…I think that's the key difference.*

4   Key Messages, Implications and Concluding Thoughts

Before a conclusion and discussion of some 'key messages' is offered, it must be noted that this research is not without limitations. Due to time and resource constraints, the sample size was smaller than intended and is unrepresentative of the target and general population. Thus the results and conclusions cannot be generalised with confidence (Bryman, 2012). It was also not possible to interview young people and more research is desperately needed to better understand the resettlement experiences, aspirations and needs of this minority group. Despite these limitations, due to the invaluable input from both respondents and evaluations it is still possible to draw some significant conclusions from this research.

The first aim of this research was to explore the problems experienced by young people on release from custody and consistent with the literature review, respondents revealed that many young people leaving custody experience deep social exclusion across all three dimensions of disadvantage of the B-SEM (Levitas *et al.,* 2007). However, the second and predominant aim was to evaluate current resettlement by combining findings from the interview research and documentary analysis. Despite finding some grounds for optimism, echoing the findings of previous research (Hazel *et al.* 2002, 2010; HMIP, 2011; NAO, 2004), there are still multi-agency failings, discrepancies between provision in YOIs and the community; a persistent lack of sufficient resources; inadequate input from children's services and generally a lack of appropriate, flexible provision to meet the needs of such a vulnerable group. Although these shortcomings do help explain why current resettlement is still failing, it is argued that more troubling problems act as barriers to its success.

There are still inherent failures to recognise how young people's motivations to desist are explicitly linked to their circumstances. As highlighted throughout, the deep social exclusion facing young people on release can have a detrimental impact on feelings of self-efficacy and motivation (Burnett and Maruna, 2004). Yet some resettlement schemes and programmes are offering 'conditional' resettlement only to those 'willing' to change and engage with the process. These marginalised *children* need to be offered unconditional inclusion and support if they are to even begin to achieve any of the *Every Child Matters*

outcomes discussed in the literature review. Furthermore the failures found in this research to provide some young people with suitable accommodation to return to are simply inexcusable, if only from a social justice perspective. It appears that responsibilities to protect this group are often evaded by central and local governments. Perhaps as Hollingsworth (2013) argues, the law needs to more explicitly recognise young custody leavers' legal status and rights as a *'child'* before 'offender' under the 1989 and 2004 Children's Acts. She suggests that:

> The establishment of a system which seeks to support all children leaving custody, one that is comparable to that available for care-leavers and which has a firm legal basis, could thus help protect the child's foundational rights (Hollingsworth, 2013: 44)

Optimistic steps towards this can be found in the recent implementation of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act which gives all children and young people remanded in custody LAC status (Walker and Harvey-Messina, 2012). This is potentially ground-breaking as it will not only ensure that young people leaving custody are entitled to the short and longer term support owed to them but will also give local authorities a firm financial incentive to reduce the numbers of young people sent to custody. It might also begin to break down some of the political and public dichotomies between 'deserving' children in need and 'undeserving' children who offend (Goldson, 2002).

The second barrier to successful resettlement can be found in its conceptualisation. This research has revealed that the term 'resettlement' is something of a misnomer. Young people are often incredibly unsettled before custody and are simply returned to environments still entrenched with problems of social exclusion and inequality. If we are to be successful in addressing the needs of those who offend, 'resettlement' needs to be reconceptualised as a mission of 'settlement', intensive inclusion or perhaps 'starting from scratch'. As argued by Gray (2011), this research has found that young people's complex inclusionary needs are too often reduced to addressing their individual deficits and criminogenic risks. Such an approach not only bypasses the social context to young people's offending but conveniently substitutes it for a conceptual emphasis on blame, individual responsibility and moral agency (Goldson, 2002) that is neither conducive to inclusion or successful desistance.

Furthermore, this research has found that responsibilising discourses inherent within current resettlement provision fail to recognise that young people's 'cumulative disadvantage' (Sampson and Laub, 1997), interacting expressions of deep social exclusion and a poor structure of ETE opportunities significantly affect their abilities and capacities to make 'responsible' resettlement choices. Programmes intent on making young people 'job ready'

will not be successful if appropriate employment opportunities do not exist upon release. If we are to provide young people with genuine chances at both inclusion and desistance, as Gray (2007, 2011) argues, 'transformative' action is needed involving a comprehensive and generous redistribution of resources and opportunities for economically and socially marginalised young people. This is certainly something that central and local governments should legally be expected to contribute towards.

It is thus argued here that there are still inherent failures to meet *all* young people's complex resettlement and inclusionary needs. Ultimately, programmes are still too quick to blame and responsibilise young people which absolves society of its implicit role in both creating and ameliorating the conditions that cause their offending behaviour. For resettlement attempts to truly address the social context to young people's offending and give them genuine opportunities and motivations to desist, they need to adjust their mission to one of intensive inclusion and unconditional support. Fundamentally though, until society is ready to *fully* acknowledge that young people who offend are in every sense '*children* in need', and is thus willing to accept the consequences; a future without social exclusion for those leaving youth custody is sadly unlikely.

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