

Violence, Control and Restraint: The Harms to Young Adults Particularly Upon Transition

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Abstract: The transition into the young adult/adult estate at age 18 years is marked by a significant loss of provision and shift in institutional treatment. One of the many harms endured is the change in restraint which is harmful and damaging yet prevailing. The data presented here show how the distinct needs of this vulnerable population are widely overlooked. This article extends the literature regarding young adults and argues that there should be greater exploration and understanding of their behaviour and the impacts of transitions. This, in turn, leads to recommendations for changes to practices within the young adult/adult estate.

Keywords: harm; prison; restraint; transition; violence; young people

Young adults held within custodial settings are more likely than the general population to have experience of adverse childhood experiences (ACE) such as witnessing or being a victim of abuse and violence (Prison Reform Trust 2019). This has significant implications upon physical and mental health and well-being (Anda *et al.* 2006; Hughes *et al.* 2016) and signifies how this population are vulnerable. They are also undergoing a critical period of neurological development and identity formation. While there is a broad body of literature that acknowledges the vulnerability¹ of the youth custodial population and the requirement to provide safeguards for them, it is only recently that the particular needs of young adults (aged 18–24 years) within custody have begun to attract critical attention. Evidence which demonstrates that developmental maturity extends beyond typical definitions of adulthood at age 18 years has led to calls for a distinct approach which is not present within the criminal justice system (Harris 2015; HM Inspectorate of Prisons 2021; House of Commons Justice Committee 2016).

To acknowledge their vulnerabilities, children aged up to 18 years are held within three types of institution within the youth custodial estate which, although are not without criticism (Goldson 2015; HM Chief

Inspector of Prisons 2017), are smaller and better resourced than prisons within the young adult/adult estate. As ‘adults’, upon turning age 18 years, young people transition into young adult/adult prisons. There are three ‘distinct’ male young adult young offender institutions (YOIs),² Feltham (split site)³ and Aylesbury hold 18- to 21-year-olds, and Deerbolt holds 18- to 24-year-olds; however they only accommodate 6% of the age 18–25 years population with the remainder dispersed among the wider adult prison estate (HM Inspectorate of Prisons 2021). Such institutions are said to be ‘coterminous with adult prisons’ (National Preventive Mechanism 2018, p.51) and as they operate under the same prison service orders (PSOs) and prison service instructions (PSIs) as adult prisons⁴ how ‘distinct’ these institutions are is unclear. The definition of ‘young adults’ in this context is ambiguous, historically, it has been set at age 18–20 years for sentencing purposes. While HM Prison and Probation Service (2019) recognises the ongoing development of those aged up to 25 years, it has been argued that it is not translated into suitable provision for this population (HM Inspectorate of Prisons 2021; House of Commons Justice Committee 2018).

Beyond age 18 years, young adults continue to develop neurologically to adult capacity which impacts upon their behaviour and reasoning (House of Commons Justice Committee 2016). The final part of the brain to mature is the frontal lobe, the area associated with planning and impulse control (Johnson, Blum and Giedd 2009). During this period, young adults have heightened selectivity and reactivity to negative stimuli (Tanner and Arnett 2009). Therefore, their actions and responses are different from those of adults who have increased capacity as they have stabilised neurologically. As young adults within the criminal justice system are frequently drawn from disadvantaged backgrounds and prior experience of harm and abuse (Hughes *et al.* 2016) the traits of ongoing maturity are more pronounced, not least because while they may physically mature, the experience of incarceration also stalls developmental maturation (Gooch 2016).

There is a lack of distinction of treatment between young adults and adults, despite fundamental differences in their neurology and subsequent needs (House of Commons Justice Committee 2018). This has resulted in young adults reporting much poorer outcomes across many aspects of their prison life (HM Inspectorate of Prisons 2021). There is little exploration of their experiences of practices within the young adult/adult estate, particularly for those who have made the stark transition from the youth custodial estate. Upon transfer, there is an arbitrary shift in provision and practices based on institutional constructions of age. This article focuses on young adults’ prison experience of violence and restraint. While there has been much criticism of restraint on children, there is little evidence which challenges the change of practice upon transition and explores its use upon young adults. Using interview data, drawn from a project which explored transitions between the youth custodial estate and young adult/adult estate, and FOI requests, this article argues that arbitrary mechanisms to control young adults disregard evidence about their particular needs, and exacerbates the harms of imprisonment to an already vulnerable and overlooked population. The article concludes that there should be increased

safeguards reflective of the youth custodial estate and greater investment in staffing provision and training to understand young adults' behaviours and improve de-escalation strategies.

Literature Review

The use of restraint on children in custodial establishments has long been controversial, and critical attention has been drawn to it through a number of reviews (Howard League for Penal Reform 2006, 2011, 2016; Smallridge and Williamson 2008; Taylor 2020). Following the distressing deaths of two young people, Gareth Myatt and Adam Rickwood, due to inappropriate restraint procedures being used against them (HM Inspectorate of Prisons 2015a), The Independent Review of Restraint in Juvenile Settings led to the introduction of minimising and managing physical restraint (MMPR) guidance to be used within secure training centres (STCs) and YOIs. While it is intended that such physical restraint measures are a last resort, using only minimal force which is both 'reasonable' and 'necessary', MMPR forms part of official behaviour management guidance (National Offender Management Service 2014a; Youth Justice Board 2015). Staff within STCs and YOIs undergo eight days' initial training and one day refresher twice annually for MMPR which focuses on behaviour management techniques and diversion strategies. They are trained to 'recognise a young person's behaviour' and 'assess threat' (Youth Justice Board 2015, p.3) as MMPR is intended to focus on staff relationships with young people to de-escalate violence. Within YOIs, but not STCs, restraint may be used for 'good order or discipline' (House of Commons House of Lords Joint Committee on Human Rights 2019).

The MMPR guidance (Youth Justice Board 2015, p.3), while avoiding the 'debate' on the 'ethical and legal issues' associated with restraint, retains the language of 'safeguarding' required with this group (National Offender Management Service 2014a) yet this is not extended to young adults. This symbolises the stark shift in practices and treatment from care to control that occur from age 18 years, which are undoubtedly damaging and harmful (Price and Turner 2021). The transition presents a 'cliff-edge' of support, services and provision for young adults (Social Exclusion Unit 2005; Transition to Adulthood Alliance 2009) justified on the arbitrary construction of adulthood despite their ongoing neurological development.

The legal obligations associated with control and restraint (C&R) within the young adult/adult estate fall under the broader instructions on use of force, which state that it must be proportionate to the seriousness of the circumstances and necessary (HM Prison Service 2005; National Offender Management Service 2015). In line with the Council of Europe (2020) recommendations of restoration and mediation, staff must consider de-escalation strategies. Staff receive basic 32 hours' initial training and annual refresher training; advance training is for five days with two days for annual refresher (HM Prison Service 2005; National Offender Management Service 2015). There is a target of 80% of staff receiving MMPR or C&R training; however, data from 2018/19 shows that a fifth of prisons had not

met this (Ministry of Justice 2019). Young adults are not subject to differing C&R practices from the wider adult estate and there has been little focus on its impact upon those aged over 18 years. While C&R guidance follows a similar rhetoric to MMRP, that is, used only as a last resort, the restraint techniques are markedly different (HM Inspectorate of Prisons 2015a; National Offender Management Service 2014b); for example, staff within the youth custodial estate must not carry batons (National Offender Management Service 2014a) but C&R in the young adult/adult estate can include the use of batons in exceptional circumstances (National Offender Management Service 2015). Officers can also utilise PAVA incapacitant spray (Gov.UK 2018) and HM Inspectorate of Prisons (2021) have found evidence of its use to be unjustified within inspections.

Within the youth custodial estate, the legal parameters of childhood affect how those held are treated. Following the use of MMRP, the young person's local authority, parent/carer and key worker/personal officer must be informed, and child protection referrals may also be made and reviewed by designated officers within the local authority (Youth Justice Board 2015). While 'regard must be paid to protected characteristics' (National Offender Management Service 2015, p.2) and the disproportionate use of force guarded against, accounting for an individuals' neurological capability is not apparent in the C&R guidance. Although there is some commitment to screen the maturity level of young adults (House of Commons Justice Committee 2018) this is not at the point of C&R. Concerningly, young adults report being restrained three times more than adults aged over 25 years (27% compared with 9%) (HM Inspectorate of Prisons 2021). This figure is higher for BAME young adults (32% compared with 11%) who are over-represented within the young adult population and whose experiences across the prison estate are reportedly worse than their white counterparts. HM Inspectorate of Prisons (2021) has argued that unless these specific issues are addressed outcomes for young adults will not improve.

Young people, particularly those with ACEs and within the prison system, are likely to have had previous negative and disrupted relationships with adults and authority (Harvey 2012; Paulsen and Berg 2016; Urry, Sanders and Munford 2015). De-escalation of incidents is improved when suitable relationships are developed with staff; however, staff have reported having little time to develop them (HM Inspectorate of Prisons 2015a). Upon transition to the young adult/adult estate at age 18 years, this is exacerbated as there are fewer staff and thus less opportunities to develop suitable supportive relationships (HM Chief Inspector of Prisons 2017; National Offender Management Service 2012; Youth Justice Board 2018). There is repeated evidence of staff moving too quickly into restraint when not necessary (Gooch 2015; HM Chief Inspector of Prisons 2020; Taylor 2020) which undermines processes of safeguarding (HM Chief Inspector of Prisons 2020).

Any physical intrusion of those who have previously experienced ACEs, as have many young people held within the youth custodial estate and young adult/adult estate, can be detrimental to their long-term well-being and remind them of past circumstances (House of Commons House of

Lords Joint Committee on Human Rights 2019; Independent Inquiry Child Sexual Abuse 2019; National Preventive Mechanism 2017). Exposure to force has been found to be associated with additional mental health symptoms, anger, feelings of isolation and depression (Meade, Steiner and Klahm 2017) and it is important that staff understand the needs and behaviours of those in their care. While mental anguish can affect all prisoners, those who are younger can externalise this more so through agitation pain and frustration (Willow 2015). Upon transition, young people may feel a loss of control over their circumstances which can manifest in challenging behaviours (Harvey 2012). However, when those such as cell damage and aggression are exhibited, they tend to be viewed as security concerns rather than expression of underlying emotional distress (Prisons and Probation Ombudsman 2014). If staff fail to see the vulnerabilities associated with these behaviours it will continue (Gooch 2017) as will the negative culture prevalent within institutions (Taylor 2020).

Prisoners build psychosocial coping strategies and behaviours considered worthy of restraint. Previous traumas can be ‘acted, rather than talked, out’ (Bosworth and Ashcroft 2021, p.68). This demonstrates something more embedded in the culture of growing up in prison (Laws 2018; Taylor 2020). Young adults, still in a state of adolescence may make displays of ‘manhood’ to mask their ongoing maturation in an environment which expects them to be fully ‘adult’ (Gooch 2017). Hypermasculinity informs relations and interactions within an institutional setting (Bengtsson 2016) and the expression of masculinity is one of aggression, control and dominance to reject any notion of weakness or vulnerability (Murray 2020). Young people’s behaviour may be due to frustrations, wanting to let off steam (Shenton and Smith 2020) or attract staff attention (Howard League for Penal Reform 2011). For those who have transitioned to an institution with fewer staff and fewer safeguards, challenging behaviour should act as ‘warning signs’ that they require specialist help (Howard League for Penal Reform 2014). For young people undergoing the critical transition and identity formation between ‘childhood’ and ‘adulthood’, the need to establish themselves (Bengtsson 2016; Ricciardelli, Maier and Hannah-Moffat 2015) and ‘perform as ‘men’ capable of surviving in the very adult prison world’ (Gooch 2016, p.285) intensify.

Institutions ultimately are places of containment, control and discipline (Bersot and Arrigo 2011). Independent reviews have highlighted how restraint might be used unlawfully for compliance (Howard League for Penal Reform 2011, 2016) and punishment (House of Commons House of Lords Joint Committee on Human Rights 2019). Staff use of restraint as a demonstration of authority (Meško and Hacin 2020), power and dominance, undermines legitimacy and prisoners’ trust (Crewe 2011; Gooch 2015). Regardless of age, restraint is physically and psychologically damaging but it is frequently used against young adults. It undermines the objectives of detention, is inhumane, degrading (House of Commons House of Lords Joint Committee on Human Rights 2019) and unethical (Gooch 2015). While there is the requirement for debriefs after restraints, they are reactive and do not appear to seek to explore the underlying causes of

an incident (Howard League for Penal Reform 2014). HM Inspectorate of Prisons (2021) often found that prisons were not seeking to identify nor understand the over-representation of young adults in disciplinary procedures, force and violence. Poor acknowledgment and treatment of the developmentally differing needs of young people restricts their opportunity to overcome their difficult backgrounds and circumstances; particularly when relationships with staff are lacking.

Some concerning episodes of young adult/adult restraint have been highlighted. The Prisons and Probation Ombudsman (2014) investigated the death of a young man with disabilities who was given short notice of a transfer to an institution far from home and away from established peer support. He was apparently tricked by staff into leaving his cell and restrained when trying to return. The receiving institution was not made aware, and he took his own life within a week of arrival. In 2015 an adult male, Allan Stewart Marshall, died while under restraint within a Scottish prison. A subsequent inquiry highlighted how reasonable precautions may have mitigated the chain of events, including the restraint, which led to his death (Liddle 2019). Further literature has critiqued the use of restraint upon terminally ill patients and argued that there is too much ambiguity within relevant PSIs (Robinson 2019).

Criticisms of the use of restraint procedures rarely extend to young adults despite their distinct vulnerability. Beyond the loss of supportive services, there are wider harms inflicted upon young people who transition between institutions. Although some potential risks – such as the reduction in staffing – are acknowledged within official guidance (National Offender Management Service 2012) – there is little consideration of the stark shift in treatment and failure to recognise the distinct needs and behaviours owing to their ongoing development. This demonstrates the rhetoric taken by the Ministry of Justice (2013) that upon turning age 18 years, young adults should be more autonomous. The shift in status from ‘child’ to ‘adult’ by virtue of age also means that those in the young adult/adult estate no longer have the safeguards that they were entitled to potentially days before, within the youth custodial estate. The following section outlines the methodology before moving on to findings regarding perceptions of violence, security and the use and impact of restraint upon young adults.

Methods

The data used for this article are drawn from a PhD research project which was funded by the Economic and Social Research Council and supported with an in-kind contribution from HM Inspectorate of Prisons. The original research explored how young people comprehended, prepared for, negotiated and experienced transitions between juvenile YOIs and the young adult/adult estate. The findings contained within this article draw on semi-structured interviews ($n = 49$) with young people and stakeholders (held between April 2017 and March 2018). Fourteen young people held in two YOIs⁵ were interviewed pre-transition and a post-transition interview was held with the same cohort across four young adult/adult prisons ($n = 27$).⁶

Those suitable for interview (scheduled to transition) were identified by nominated gatekeepers working within the YOIs. Semi-structured interviews were also held with key stakeholders (n = 22) who were involved with, or who had expert knowledge of, juvenile and young adult/adult penal detention; comprised of academics (n = 3), charity workers (n = 2), inspectors from independent inspectorates (n = 2), lawyers (n = 1), civil servants (n = 2), and personnel from two YOIs (n = 5) and three young adult/adult institutions (n = 7). The sampling of ‘insider’ key stakeholders (personnel working within institutions, hereafter cited as ‘staff members’) (n = 12) was opportunistic and ‘outsider’ key stakeholders working outside of institutions (n = 10) were selected in a strategic way using a purposive sample (Bryman 2016).

Access to institutions was granted following a successful research application to the National Offender Management Service National Research Committee (NRC) in November 2016 (ref: 2016–353), and Governor approval. Ethical approval was received from the University of Liverpool in February 2017. While professional codes of research ethics do not consider young adults to be as vulnerable as children, prisoners can be regarded as vulnerable within this context (HM Inspectorate of Prisons 2015b) and was the stance taken by the researcher. The interview schedules were deliberately designed to avoid being voyeuristic (Moore and Wahidin 2017) through detailed questioning of personal and sensitive topics. Interviewees were asked about their relationships with staff members and differences between institutions, which allowed them to raise violence and restraint. If young people mentioned these topics they were asked if they were comfortable in doing so and if it appeared that they were not, the interview would be stopped (although this did not occur). As a researcher, it is important to be sensitive to the painful accounts of prisoners, which can be challenging to hear, but not desensitised to their accounts (Crewe, Hulley and Wright 2020). A fieldwork diary was kept ensuring that the researcher regulated and reflected on their emotions while adequately representing interviewees’ views (Bosworth *et al.* 2005).

It is unclear whether the researcher’s status as a white British female around ten years older than the young people affected their responses. The majority identified as white British (n = 9), black (n = 3), British Muslim (n = 1), and white mixed Caribbean (n = 1). While it is acknowledged that ethnicity is a prominent issue with regards to young adult restraint, it did not present as a dominant theme within the interviews. The young people may not have identified with the researcher and sought to maintain a performance of masculinity and not wished to present themselves as vulnerable in this content (Gooch 2017). While the interview was inevitably subject to the differences in characteristics and power between the researcher and the researched, as much as possible the researcher sought to create an environment in which the interview was led by the interviewee as a conversation about their experience (Laws and Crewe 2016) using open questions. The following sections analyse the data drawn from semi-structured interviews to critically explore experiences of violence and restraint within the young adult/adult estate.

Findings

Perceptions of Violence

In anticipation of their transfer, the young people were apprehensive that they would have to ‘prove’ themselves (Craig⁷ – pre) indicating how perceptions of masculinity are associated with age and the perceived pressure to demonstrate their ability to cope through violence. Upon transition, only six of the young people interviewed were held across two designated young adult YOIs and the majority were held with prisoners older than age 21 years. While many of them reported that young adult/adult institutions were calmer than the YOIs they had transferred from due to the relative ‘maturity’ of the population, the constant threat of violence was evident in their accounts:

The main thing is, come in here, get your head down, and it’s not a YOI, you can’t just come up in here, with your big chest, big and bad, because somebody will, they will come, and they will trample you. (Darren – post)

There’s people, in their cells nervous to come out. (Niall – post)

R: Were you given any advice when you arrived here? Did anyone say anything to you at reception?

I: They just said erm, ‘it’s not a child’s jail no more, you’re in the adult estate and if you wanna cause a problem for us, we’ll cause a problem for you’.

R: So what do you think about what they said to you?

I: Erm, like, part of me just wanted to get up and punch him, because I felt like he was trying to threaten me. (Craig – post)

Craig transferred to a prison holding adults much older than him. The staff reinforced the perception of violence he held prior to entry which created a vicious circle of behaviour and punishment (Garland 2001; Independent Inquiry Child Sexual Abuse 2019). The young people were hesitant to report feeling unsafe, with only five stating that they had at some point, but Niall and Darren’s accounts demonstrate how violence remained a constant threat.

Violence is often punished with harsher consequences than within the juvenile YOIs including losses based on the lowest Incentives and Earned Privileges level (basic) and the threat of additional days being added to their sentence was a deterrent for the young people interviewed:

Nobody really fights here because it’s 28 days on basic, no TV, so don’t, no one wants to get into a fight, because in [YOI1], it’s only what? A week? Here, it’s more on basic. (Nabi – post)

Here you’re on basic for a month, so you, your actions, there’s reactions, you know what I mean. (Darren – post)

Noah transferred initially from a YOI into a high-security prison; he was aware that it was ‘tough’ there and quickly got into a fight; this meant that he was placed into segregation and subsequently received a discipline transfer (without notice) to the young adult/adult institution where he was interviewed:

Every single time I've had [my sentence plan] they've always 'oh anger management, anger management, must attend' I've already done it, you know, so not really no point. I've already done it so many times, my fifth jail what I've been in, that's all what I seem to be doing every single week is anger management course, I already know what they're going to tell me so there's not really no point is there. (Noah – post)

Perceptions of violence were generated internally but also externally through interactions with peers and staff reinforcing the culture of containment and control. The environment is dependent on young people employing coping strategies in which they appear to be 'invincible rather than needy' (Willow 2015, p.221) typically demonstrated through a willingness to engage in violence (Bengtsson 2016). Current systems to respond to young adults are punitive and fail to address the underlying causes of their behaviours (HM Inspectorate of Prisons 2021).

Violence and Security

Within the youth custodial estate staff wear coloured shirts; in the young adult/adult estate staff wear formal white shirts, carry batons and chemicals referred to as 'cosh'. The young people sought to dismiss any concern or fear about their uniform:

I: ... the batons, big batons like the officers have, I've been hit with them a couple of times on the out, I know if something kicks off, they're going to have it, under control, quickly, yeah.

R: Did that intimidate you when you first came? Because they're dressed differently aren't they? ... and they've got the batons, was it intimidating?

I: When I first seen it, I did feel a bit, I was shocked more than anything.

R: Where you expecting it?

I: Nah, like, I didn't mind it, was just, another bit of their uniform. (Craig – post)

The change demonstrates a shift in perception and positioning of staff members. Their uniform represents the habitual violence ingrained in the culture of the environment and the requirement to control, rather than care for, those held. This language is evident through official guidance (Gov.UK 2018). Darren, a black British male with experience of the care system, moved to a young adult/adult prison with a large young adult population. He assumed the ingrained institutional position that such elements are necessary for safety and security reasons:

R: And what did you think about it?

I: Just nothing, [laughs] it's not kids' jail is it.

R: ... So do you think, does that have any impact on violence and safety?

I: The reason why they've got coshs' here, if you'd seen the men in here, you'd know, it's not YOI, you get couple big men in YOI, a couple. In here, they're more, *big*. I'm not saying everyone's big, but everyone's a *big* lad, you know what I mean, know what I'm saying so, it's looking at officers from like what can they do sort of thing.

... I: And it's different because on [association] there's only two, three, staff, four max sometimes, normally two, three I've seen max, not enough staff, you get me,

so if it comes to breaking stuff up they have to whip it up to show like ‘yo, move back’ sort of thing, because he’s a big man, you know what I mean.

R: So do you think it’s to intimidate people here or do you think it’s for the staff to protect themselves?

I: Protect themselves obviously, like I said, if you saw the men here, you’d know, know what I mean. (Darren – post)

The institutional rhetoric that being within a young adult/adult prison justifies the use of more severe strategies to address violence, particularly as there are fewer staff available to build relationships with those held and to better address issues. Since data recording of its use by age from 2019, figures from an FOI request reveal that over 50% of cases where PAVA was used involved 18- to 25-year-olds of all ethnicities (37% BAME) (HM Prison and Probation Service 2021). Disproportionality in the use of PAVA has been failed to be addressed since its pilot (Dawson 2018). From March 2019–20, 50% of occasions of batons being used, where age and ethnicity could be matched to the data, were against those aged 18–25 years (28% BAME) (Ministry of Justice 2021). Physical maturity is often conflated with developmental maturity. Despite potentially days age between them, there are constructions of adults as more dangerous than children and therefore more ‘deserving of the punishment’ (Johnston and Kilty 2016, p.178).

Trauma and Restraint

For those young people whose behaviour is seen to warrant restraint, the consequences of its use have distinct implications for those with ACE:

If their experience of care and childhood and abuse and neglect is just simply going to be mirrored in that institution whether that being inflicted upon them by other inmates or inflicted upon them by the staff through, state sponsored abuse, through restraint, you know? ‘I’m going to twist your hand and stick it up your back and demonstrate that I’m stronger than you’, really? (care leaver expert)

Such practices are retraumatising (House of Commons House of Lords Joint Committee on Human Rights 2019; Independent Inquiry Child Sexual Abuse 2019; National Preventive Mechanism 2017). Child protection referrals can be made following a restraint of those aged under 18 years. Although young adults can raise complaints with the Prisons and Probation Ombudsman (2017) a disproportionately small amount do. The loss of safeguards constructed by age crudely underestimates the impacts of ACEs and restraint practices upon young adults.

For young people who have transitioned from the youth custodial estate, the change in practices from MMPR and C&R is substantive, mentally and physically traumatic, particularly when they are not informed of it:

I think that they’re naïve in the sense that in the juvenile estate obviously they don’t use full C&R training, whereas when they arrive here, they do. So that’s been one thing that I realise I have to explain to them. You get a lot of lads that come here they get themselves in a fight or something along those lines and then they have to be C&R initiated on them and they’re just completely shocked and, you know, ‘you’ve assaulted me, you’ve assaulted me’, ‘no, this is the, this is the techniques that

are used when you arrive into an adult estate'. (staff member, young adult/adult prison)

It can be quite a scary process. So one was restrained the other day, he's been in our establishment for over a year and was in a secure sentence before that, but was never restrained to that level until last week, here and he was literally dropped to the floor, taken off his feet and everything, face smack off the floor, but nothing's going to happen, because that's how we had to restrain him, and legally that's correct, morally didn't sit very well, because at the end of the day he's cracked his face off the floor, he's got a bloody nose whereas in a juvenile you wouldn't be able to sweep their feet off them. (staff member, young adult/adult prison)

While the staff member acknowledged their 'moral' concerns about inflicting a bloody nose on the young person, it is evident that they sought to neutralise the practice by stating it is 'legally' correct (Johnston and Kilty 2016). This is reflective of a lack of understanding of the complexities of young adults and demonstrates Sykes and Matza (1957) techniques of neutralisation, the norms of restraint for control within the institution are the 'higher loyalties' which precede the needs of the young person. The arbitrary shift in practices is legitimised by the definitions of 'children' and 'adults' which is adopted by staff perceptions. It means that any notion of vulnerability and the implications of restraint upon them is dismissed.

The traumatic experience of restraint is intensified when it forms part of a 'structured intervention' to transfer someone without notice:

I: Yeah, doesn't give them the opportunity to refuse, because if they try to refuse a transfer, then C&R has to be initiated, taken down to segregation, marked on the system, brought down and then forced onto the bus, which then a lot of receiving prisons won't take, prisoners under restraint, especially if their segregation unit is also full, because they'd have to go straight into that receiving prison's segregation unit, so it's very difficult. And it's the same when the juveniles come here, so we've had juveniles before that have gone from the juvenile segregation to ours, and it's very, very different, so they're not prepared for it whatsoever.

R: ... what's it like when that person arrives?

I: They're volatile, they're angry. They're upset. (staff member, young adult/adult prison)

During his interview, an Inspector suggested that the only 'real training' within the prison service is use of force and Ministry of Justice (2019) targets are not being met. Restraint practices are used by staff as a demonstration of their power (Stone 2012) and authority (Meško and Hacin 2020). They reflect a lack of positive relationships with young people who are likely to have ACEs and poor relationships with adults and authority previously (Harvey 2012; Paulsen and Berg 2016; Urry, Sanders and Munford 2015). This exercise in dominance undermines the opportunity to build trusting relationships.

Conclusion

The experiences of young adult males are frequently overlooked in empirical prisons research (Murray 2020) and the data analysed here further

literature from independent inspectorates about the harms endured by this population. This article recognises the distinct differences upon transition between institutions arbitrarily determined by age and provides a critical argument about how the behaviours of young adults should be better recognised and understood to ensure more appropriate responses to them. The treatment and practices of young adults in line with that of adults overlooks their ongoing developmental maturity and its impacts upon behaviours. This results in traumatic and damaging responses to this vulnerable population, whose needs are widely overlooked. There is a lack of understanding of contributing factors to challenging behaviours and the drop in safeguards from the youth custodial estate means that transitions are particularly harmful for those who have ‘grown up’ in prison and are at a crucial stage in their life course. The shift in status from ‘child’ to ‘adult’ assumes that developmental maturity has been achieved and distorts individuals’ perception of themselves and their conduct (Gooch 2017).

Young adults are difficult to manage (House of Commons Justice Committee 2016) but it is important to seek to understand the reasons why. Prisoners can be consumed by feelings of generalised insecurity anticipating violence alongside an environment of continuous surveillance and control (Crewe *et al.* 2014). This can impact upon their behaviours; while prisoners may demonstrate violence and performances of masculinity, they are often coping strategies, in defence within the prison environment which constantly threatens violence (Gooch 2017) or a result of suppressed emotions (Crewe *et al.* 2014; Laws 2018). However, they are frequently responded to with restraint. There is little emphasis on the context of previous traumatic life experiences and their impacts (Laws 2018). There is a lack of effective differential treatment of young adults who require supportive relationships (House of Commons Justice Committee 2016), particularly those who have made the significant transition between institutions. The prevalence of ACEs and vulnerability extends beyond the youth custodial estate and must be a prominent consideration in the practices used with young adults to account for previous traumas. While a new framework for use of force has been proposed (Bosworth and Ashcroft 2021), it is argued here that there should be greater training and clarity in guidance and procedures used with young adults which must align more so to safeguarding practices outlined within the youth custodial estate; this should also be reflected in increased staffing provision.

While restraint should not be used as a punishment (National Offender Management Service 2014a) the data analysed here suggest that it is. Justified on the basis of maintaining order and security (Bersot and Arrigo 2011), it is an ‘inevitability’ of incarceration (Shenton and Smith 2020), thus often seen as necessary, particularly for those who exhibit certain behaviours typical of adolescence. Restraint practices are reactive, concerned with security and do not fully account for underlying causes of behaviour. There is a great need for a shift in culture within institutions, so that those held feel safe and not constantly under the threat of violence (Taylor 2020).

The ‘power to punish and claim legitimacy for various applications of violence’ (Goldson 2008, p.90) is evidence of systemic failures to recognise the needs, particularly of the population of young adults it is inflicted upon. Thus, it serves only to replicate prior traumatic experiences while reinforcing violence (Shenton and Smith 2020). The significant use of restraint against young adults demonstrates a lack of understanding about how to respond effectively to this vulnerable group and staff members’ negative perceptions of their own legitimacy (Meško and Hacin 2020), therefore undermining legitimacy.

As Sim (2019, p.54) has argued, it is the conditions within institutions leaving prisoners feeling ‘dismissed, discredited and disavowed’ and therefore reacting violently. The harsh prison environment presents ‘a culture of mutual mistrust, fear, aggression and barely submerged violence’ (Crewe *et al.* 2014, p.56). Institutions are symbolically violent (Cooper 2012); the use of restraint, batons and PAVA does not address violence (Dawson 2018), instead normalises pain and contributes to a culture of fear. This is produced and reproduced through practices which are ‘toxic’ and inevitably result in violence ‘turn[ing] in on itself’ (Cunneen, Goldson and Russell 2018, p.424) creating a habitually violent environment (Independent Inquiry Child Sexual Abuse 2019; Taylor 2020). The shift in perception of ‘children’ to ‘adults’ justifies strategies to exercise power and dominance over traumatised young adults. However, responding to challenging behaviours and violence through restraint perpetuates and reinforces violence as a strategy of control. Beyond targets for restraint training which are currently not being met (Ministry of Justice 2019) there should be a greater investment in staff within the young adult/adult estate.

In practice, restraint is physically and mentally harmful and serves to retraumatise young people who are likely to have ACEs. The infliction of restraint demonstrates a lack of de-escalation which is exacerbated in the young adult/adult estate due to the lesser investment in staffing provision. With fewer staff, officers are unable to build and develop relationships with prisoners to understand their needs and behaviours (Gooch 2015; Meško and Hacin 2020, p.107). The over-representation of young adults in violent incidents raises questions about the root causes of violence (HM Inspectorate of Prisons 2021) and highlights the requirement for improved staffing levels, training (House of Commons House of Lords Joint Committee on Human Rights 2019) and a tailored approach for young adults (HM Inspectorate of Prisons 2021). It is important that staff members are aware of the particular needs and understand contributing factors for their over-representation in disciplinary statistics; this is particularly the case for BAME young adults (HM Inspectorate of Prisons 2021). Staff require training to have confidence in their ability to engage with young adults, to build trusting and supportive relationships which enable them to understand their behaviours and respond appropriately. This, in turn, would develop respect between staff and young people (Harvey 2012) improve de-escalation attempts and demonstrate a desire to move away from the culture and violence that dominates institutions.⁸

Notes

- 1 ‘Vulnerability’ is a contested term and there is not the scope within this article to debate this. This is not to undermine its complexity which has been discussed elsewhere (see Brown 2011; Goldson 2002).
- 2 YOIs in the youth custodial estate hold males aged 15–17 years. There are no YOIs for females in the youth custodial estate or young adult/adult estate.
- 3 Split site institutions hold children separately from adults.
- 4 Establishments holding young people aged 18 years and over are referred to as young adult/adult institutions within the young adult/adult estate throughout this article. YOIs will be used in reference to those within the youth custodial estate.
- 5 The two YOIs were approached and agreed to participate in the research. The young adult/adult institutions were determined by the destination of the young people within the sample. Due to practical issues accessing secure children’s homes (SCHs) and STCs no females were interviewed.
- 6 A follow-up interview could not be completed with one young person as he was released before the interview could be arranged.
- 7 The young people were given pseudonyms which are culturally similar to their real names.
- 8 *Acknowledgements:* I am grateful to the young people who shared their experiences and stakeholders who engaged with the research. Thanks to the British Society of Criminology Prison Service Network, particularly Frank Slokan, who directed me to relevant literature. Thanks also to Dr Grant Bosworth. The reviewers of this article kindly provided constructive feedback. The PhD research from which these data are drawn was funded by the Economic and Social Research Council (ES/J500094/1) as part of a CASE studentship. The studentship also formed part of a non-financial collaboration with Her Majesty’s Inspectorate of Prisons. The author has previously been employed as a research associate at Her Majesty’s Inspectorate of Prisons.

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