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## The impacts of the drop in staffing provision in the transition between the youth custody estate and young adult/adult estate

Item Type	Article
Authors	Price, Jayne
Citation	Price, J. (2021). The impacts of the drop in staffing provision in the transition between the youth custody estate and young adult/adult estate. Prison Service Journal, 256, 23-29.
Publisher	HM Prison Service of England and Wales
Journal	Prison Service Journal
Download date	2026-05-12 06:52:49
Item License	<a href="https://creativecommons.org/licenses/by-nc-nd/4.0/">https://creativecommons.org/licenses/by-nc-nd/4.0/</a>
Link to Item	<a href="http://hdl.handle.net/10034/624798">http://hdl.handle.net/10034/624798</a>

Dr Jayne Price

## The impacts of the drop in staffing provision in the transition between the youth custody estate and young adult/adult estate

This PhD research 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.

### Introduction

The youngest, and considered most 'at risk', young people within the youth custody estate (YCE) are held within eight local authority ran secure children's homes (SCHs) or two privately ran secure training centres (STCs) which have a high staff to young person ratio (1:2 in SCHs and 3:8 in STCs). Five young offenders' institutions (YOIs) hold the majority of the YCE population. They have a much lower staff to young person ratio at 1:10<sup>1</sup> justified on the assumption that these young people are 'more resilient' and "predominantly externalise their risk"<sup>2</sup>. Charlie Taylor<sup>3</sup> has proposed an additional type of institution in two secure schools for which the quality of the staff is "critical to the[ir] success", however, plans for one institution on the site of the controversial Medway STC<sup>4</sup> remains contentious<sup>5</sup>. There is a strong body of literature which challenges the suitability of custodial provision for children<sup>6</sup>. Indeed, in 2017 Her Majesty's Chief Inspector of Prisons reported that: "there was not a single establishment that we inspected in England and Wales in which it was safe to hold children and young people."<sup>7</sup>.

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<sup>1</sup> Wells, D. (2018) Freedom of information request [email]. Price, J. 28<sup>th</sup> September 2018.

<sup>2</sup> Youth Justice Board (2020a) *Youth custody data: August 2020*. London: Ministry of Justice and Youth Justice Board for England and Wales. Available at: <https://www.gov.uk/government/statistics/youth-custody-data>. (Accessed: 24 November 2020), 3.0.

<sup>3</sup> Taylor, C. (2016) *Review of the Youth Justice System in England and Wales* December 2016. London: Ministry of Justice, 34.

<sup>4</sup> Wood, A. Bailey, S. and Butler, R. (2017) *Findings and Recommendations of the Youth Custody Improvement Board*. London: Youth Custody Improvement Board.

<sup>5</sup> Bateman, T. (2020) *The state of youth justice 2020: an overview of trends and developments*. London: National Association of Youth Justice.

<sup>6</sup> Goldson, B. (2015) 'The circular motions of penal politics and the pervasive irrationalities of child imprisonment', in Goldson, B. and Muncie, J. (eds.) *Youth crime and justice* (2<sup>nd</sup> ed.). London: Sage, pp. 170-190.

<sup>7</sup> Her Majesty's Chief Inspector of Prisons (2017) *Annual report 2016-17* (HC 208) London: Her Majesty's Chief Inspectorate of Prisons, 9.

In these institutions where issues of violence, victimisation and self-harm are of great concern, the relationships young people have with staff is vital for support with risks, vulnerabilities and general well-being<sup>8</sup>. Those held are likely to have experienced challenging backgrounds including abuse and neglect prior to entering custody. Such negative and disrupted relationships can affect their ability to form relationships and trust others<sup>9,10</sup>. Smaller SCHs and STCs with higher staffing ratios intend to provide greater opportunities for support. As staffing provision drastically decreases through institutions as age increases the opportunity to build these relationships diminishes<sup>11</sup>.

At the point of turning age 18 years in custody, young people transition from the YCE into the young adult/adult estate. They can enter an establishment holding prisoners of all ages<sup>12</sup> as there are only three designated young adult establishments but they hold only 6% of the age 18-25 years population<sup>13</sup>. Adult institutions have varying staff prisoner ratios determined by locally agreed 'safe decent and secure operating levels' with the highest at 1:24 for young adult and core local prisons and up to 1:60 in open and resettlement prisons<sup>14</sup>. The difference in level of support between institutions is said to be akin to a 'cliff-edge'<sup>15</sup> with fewer staff and supportive services making it a disruptive angst-ridden exercise. The Safer Custody PSI<sup>16</sup> identifies new arrivals and younger prisoners as 'at risk' yet initial inspections of transitions found that staff members had little appreciation of these difficulties<sup>17</sup>.

The difference in staffing provision between the YCE and young adult/adult estate is problematic because it indicates age as a predictor of need. Whilst young adult prisoners are defined as those aged 18-20 years, there is a growing body of evidence demonstrating how neurological development

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<sup>8</sup> Crawley, E. (2004) *Doing prison work: the public and private lives of prison officers*. Devon: Willan.

<sup>9</sup> Wright, S. Liddle, M. and Goodfellow, P. (2016). *Developing trauma-informed resettlement for young custody leavers*. London: Beyond Youth Custody.

<sup>10</sup> Harvey, J. (2012) *Young men in prison: surviving and adapting to life inside*. Oxon: Routledge.

<sup>11</sup> Price, J. & Turner, J. (2021) (Custodial) spaces to grow? Adolescent development during custodial transitions, *Journal of Youth Studies*, <https://doi.org/10.1080/13676261.2020.1865525>

<sup>12</sup> National Offender Management Service (2012) *The transition process: guidance on transfers from under 18 young offender institutions to young adult Young Offender Institutions*. London: Ministry of Justice and National Offender Management Service.

<sup>13</sup> Her Majesty's Inspectorate of Prisons (2021) *Outcomes for young adults in custody*. London: Her Majesty's Inspectorate of Prisons, January.

<sup>14</sup> Mukassa, M. (2019) FOI 190409009 [email]. Price, J. 9<sup>th</sup> May 2019.

<sup>15</sup> National Audit Office (2015) *Care leavers' transition to adulthood*. London: Department for Education.

<sup>16</sup> Ministry of Justice (2013) *PSI 64/2011 (9<sup>th</sup> September 2013 F&S Revised) Management of prisoners at risk of harm to self, others and from others (Safer Custody)*. Available at: <https://www.justice.gov.uk/offenders/psis/prison-service-instructions-2011>. (Accessed: 24 November 2020).

<sup>17</sup> Criminal Justice Joint Inspectorates (2012) *Transitions, an inspection of the transition arrangements from youth to adult services in the criminal justice system*. Manchester: Her Majesty's Inspectorate of Probation.

continues until up to age 25 years. The impacts upon cognition, behaviour and emotion means they can be a challenging group to work with<sup>18</sup>. Physical conditions, regime and staffing can lead to negative responses to stimuli as their capacities develop<sup>19,20,21</sup>. It is important for the effective and efficient running of an institution<sup>22</sup> that staff members are aware of and can identify the particular needs of those in their care by working alongside them consistently<sup>23</sup>. The MoJ have refused to adopt a distinct approach for young adults and rejected the assertion that the operational staffing levels in prisons are inadequate<sup>24</sup>. Instead, they have developed a screening tool for maturity<sup>25,26</sup> and resource pack for staff, however the House of Commons Justice Committee<sup>27</sup> found little practical outcomes from this and Her Majesty's Inspectorate of Prisons<sup>28</sup> have reported that this positive development is unsupported with other measures leaving it "insufficient to address the specific needs of young adults".

Independent reviews and inspections have challenged the sufficiency of staffing levels available within both the YCE<sup>29</sup> and young adult/adult estate<sup>30</sup>. Staffing shortages as a consequence of cuts have left

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<sup>18</sup> Sawyer, S. Azzopardi, P., Wickremarathne, D. and Patton, G. (2018) The age of adolescence, *The Lancet: Child and Adolescent Health*, 2 (3), pp. 223-228.

<sup>19</sup> Bryan-Hancock, C. and Casey, S. (2011). Young people and the Justice System: consideration of maturity in criminal justice responsibility. *Psychiatry, psychology and Law*, 18, (1), pp. 69-78.

<sup>20</sup> Edwards, T. (2009). Capacity and the Adolescent Brain, *Psychiatry, Psychology and Law*, 16, (3), pp. 427-434.

<sup>21</sup> Tanner, J. and Arnett, J. (2009). The emergence of 'emerging adulthood' the new life stage between adolescence and young adulthood. In A. Furlong (ed.) *Handbook of Youth and Young Adulthood*. Oxon: Routledge, pp. 39-46.

<sup>22</sup> Her Majesty's Inspectorate of Prisons (2018) *Incentivising and promoting good behaviour: a thematic review*. London: Her Majesty's Inspectorate of Prisons.

<sup>23</sup> National Audit Office (2017) *Mental Health in Prisons (HC 247) Session 2016-2017 29 June 2017*. London: Her Majesty's Prison & Probation Service, NHS England and Public Health England.

<sup>24</sup> Ministry of Justice (2015) *Government response to the Harris Review into self-inflicted deaths in National Offender Management Service custody of 18-24 year olds (Cm 9176)*. London: The Stationary Office.

<sup>25</sup> National Offender Management Service (2015) *Better outcomes for young adult men: evidence based commissioning principles*. London: NOMS.

<sup>26</sup> Ministry of Justice (2017) *Government Response to the Justice Committee's Seventh Report of Session 2016-17: The treatment of young adults in the criminal justice system (HC 1530)*. London: Ministry of Justice.

<sup>27</sup> House of Commons Justice Committee (2018) *Young adults in the criminal justice system. Eighth Report of Session 2017-19 (HC 419)*. London: The Stationary Office.

<sup>28</sup> Her Majesty's Inspectorate of Prisons (2021) *Outcomes for young adults in custody*. London: Her Majesty's Inspectorate of Prisons, January, p. 28.

<sup>29</sup> Taylor, C. (2016) *Review of the Youth Justice System in England and Wales* December 2016. London: Ministry of Justice.

<sup>30</sup> House of Commons Justice Committee (2016) *The treatment of young adults in the criminal justice system. Seventh Report of Session 2016-17 (HC 169)*. London: The Stationary Office.

institutions “woefully under-resourced”<sup>31</sup>. Staff are overwhelmed by their workload<sup>32,33</sup> which impacts upon its quality<sup>34</sup>. Staff training and skills to meet the complex needs of young people is vital yet found to be lacking<sup>35</sup>. Staff joining the YCE receive eleven weeks bespoke training following a curriculum which includes training delivered by NHS and psychological services. Those joining the young adult/adult estate undergo from just eight weeks training which focuses primarily on practical aspects of the role although there is some work on trauma and safeguarding<sup>36</sup>.

Prison officers perform numerous roles, they are caregivers as well as authoritarians<sup>37</sup> in addition to being “agents of reform” key to delivering the Government’s vision of ‘making prisons work’<sup>38</sup>. It is a complex role to manage as they seek to recognise and address the needs of “distressed, disadvantaged and sometimes difficult” people held<sup>39</sup>. Inspections have frequently shown young adult prisoners reporting poorer experiences across relationships with staff<sup>40</sup>, purposeful activity and rehabilitation and found them to be overrepresented in violence, self-harm and use of force than their older counterparts with insufficient exploration as to why<sup>41</sup>. The shortcomings in support indicate the requirement for staff to receive receiving bespoke training and display skills which enable them to understand the need to employ different strategies when working with this group<sup>42</sup>.

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<sup>31</sup> Transition to Adulthood Alliance (2014) *Response by the Transition to Adulthood Alliance (T2A) to the Independent Review into Self-Inflicted Deaths in NOMS Custody of 18-24 year olds*. London: Transition to Adulthood, 5.

<sup>32</sup> Harris, T. (2015) *Changing prisons, saving lives: Report of the independent review into self-inflicted deaths in custody of 18-24 year olds*, (Cm 9087) July, 2015. London: Home Office.

<sup>33</sup> Her Majesty’s Inspectorate of Probation (2016) *Transitions arrangements: a follow-up inspection* January, 2016. Manchester: Her Majesty’s Inspectorate of Probation.

<sup>34</sup> Criminal Justice Joint Inspectorates (2012) *Transitions, an inspection of the transition arrangements from youth to adult services in the criminal justice system*. Manchester: Her Majesty’s Inspectorate of Probation.

<sup>35</sup> Harris, T. (2015) *Changing prisons, saving lives: Report of the independent review into self-inflicted deaths in custody of 18-24 year olds*, (Cm 9087) July, 2015. London: Home Office.

<sup>36</sup> MoJ People Group Correspondence (2020) FOI 201104028 [email]. Price, J. 20 November 2020.

<sup>37</sup> Crawley, E. (2004) *Doing prison work: the public and private lives of prison officers*. Devon: Willan.

<sup>38</sup> Ministry of Justice (2016) *Prison Safety and reform*. London: The Stationary Office, 12.

<sup>39</sup> Goldson, B. (2002) *Vulnerable inside: children in secure and penal settings*. London: The Children’s Society 66.

<sup>40</sup> Her Majesty’s Inspectorate of Prisons (2021) *Outcomes for young adults in custody*. London: Her Majesty’s Inspectorate of Prisons, January.

<sup>41</sup> Her Majesty’s Chief Inspector of Prisons (2020) *Annual report 2019-20* (HC 856). London: Her Majesty’s Chief Inspectorate of Prisons.

<sup>42</sup> Prisons and Probation Ombudsman (2020) *Annual report 2019/20 CP301*. London: Prisons and Probation Ombudsman.

## Methodology

The original PhD research project from which the data is drawn from sought to explore the pathways and transitions between juvenile YOIs and young adult/adult estate. This was funded by the Economic and Social Research Council<sup>43</sup> and Her Majesty's Inspectorate of Prisons (HMIP) were a non-financial contributing partner. The research took a mixed-methods approach, the primary method was a series of interviews with 14 young people no more than two months pre-and up to six months post-transition across two YOIs and five young adult/adult prisons and 22 key stakeholders, who worked within, or who had expert knowledge of, youth and young adult/adult custody. This qualitative data was supplemented with qualitative and quantitative data drawn from HMIP surveys (held between August 2014-July 2017) as access was provided due to the collaborative nature of the research project.

Access to institutions was granted following a successful research application to the NOMS National Research Committee (NRC) in November 2016 (2016-353). Ethical approval was received from the University of Liverpool in February 2017. The data collection period was between April 2017 and March 2018. Once permission to conduct the research was received from each prison governor, young people eligible for the research (aged 17 years and scheduled to transition within the next 3-6 months<sup>44</sup>) and staff members willing to participate were identified by gatekeepers. In the year the research was conducted 349 transitioned to the young adult/adult estate. Concerningly, whilst the YCE population declines, the figure of those transitioning as a percentage of the average monthly custodial population and release type has increased up to 413 in 2018/19, the highest since records began in 2015<sup>45</sup>. In 2019/20 this figure was 402 comprising a fifth of release types and just over 50% of the YCS population that year<sup>46</sup>. Whilst the sample interviewed for this research may not be representative of the entire population, it offers valuable in-depth qualitative insights.

The use of gatekeepers in the institutional context and the fact that at the point of pre-interview aged under 17 years some interviewees were children did present some ethical challenges<sup>47</sup> particularly

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<sup>43</sup> Economic and Social Research Council CASE studentship funding (ES/J500094/1).

<sup>44</sup> Due to practical issues accessing STCs and SCHs, girls were automatically excluded from the research as YOIs hold males only.

<sup>45</sup> Youth Justice Board (2020b) *Youth justice statistics: 2018-2019 supplementary tables. Chapter 7: children in youth custody*. [Microsoft excel spreadsheet]. London: Youth Justice Board. Available at: <https://www.gov.uk/government/statistics/youth-justice-statistics-2018-to-2019>. (Accessed: 24 November 2020).

<sup>46</sup> Youth Justice Board (2021) *Youth justice statistics: 2019-2020 supplementary tables. Chapter 7: children in youth custody*. [Microsoft excel spreadsheet]. London: Youth Justice Board. Available at: <https://www.gov.uk/government/statistics/youth-justice-statistics-2019-to-2020>. (Accessed: 21 April 2021).

<sup>47</sup> Price, J. (forthcoming, 2021) Power and control: conducting ethically sensitive research with 'children' and 'adults' in custodial settings. In Spencer, G. (ed.). *Ethics and integrity with children and young people*. Emerald Publishing.

around consent. To seek to address this upon meeting with participants the researcher checked understanding and provide the opportunity to respond to any questions before seeking further verbal consent. To acknowledge the varying capacities of young people interviewed for the research, questions were adapted to ensure terminology was clear.

A semi-structured interview format was used for flexibility and to enable participants responses to lead the discussion and meaningful exploration of their views and experiences<sup>48</sup>. All Governors permitted the use of a dictaphone, therefore each interview was audio-recorded with participant agreement. All interviews were transcribed, and the anonymity and confidentiality of all participants maintained by removing any identifiable information: young people were given pseudonyms which are culturally similar to their real names and the key stakeholders referred to by their employment. The process of transcription allowed for the familiarisation and immersion of the data which provided the basis for a thematic analysis<sup>4950</sup>. The coded data was triangulated with existing literature and the HMIP data, this process added depth to the social meaning and validated the findings within this context<sup>51</sup>.

### Staffing within the YCE

For young people who had experience of being incarcerated within the wider YCE, the experience of the YOI was the first demonstration of the depletion in support across institutions. Noah had previously been held in both a SCH and STC, he felt that those environments allowed for greater consistency of relationships between staff and young people:

Noah: "In here [YOI] the staff are all over the place, one minute they're going from prisons up the road to prisons down south, so you don't know who you're going to see tomorrow. So, you got no like... you can't just go outside your pad like shake someone's hand, you don't even know him. You know when you see the staff over and over again you can say 'how was your day, how was your day off' and that, some kind of relationship there and makes you feel better inside, in here no one wants to know you, no one wants you to know them, so that's what I'd definitely do, make them smaller, make relationships between staff and prisoners better."

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<sup>48</sup> Laws, B. and Crewe, B. (2016) 'Emotion regulation among male prisoners', *Theoretical criminology*, 20 (4), pp. 529-547.

<sup>49</sup> Bryman, A. (2016) *Social research methods* (5<sup>th</sup> ed.). Oxford: Oxford University Press.

<sup>50</sup> Nowell, L., Norris, J., White, D. and Moules, N. (2017) 'Thematic analysis: striving to meet the trustworthiness criteria', *International journal of qualitative methods*, 16 (1), pp. 1-13.

<sup>51</sup> Hammersley, M. and Atkinson, P. (2007) *Ethnography: principles in practice* (3<sup>rd</sup> ed.). Great Britain: The Cromwell Press.

Inconsistency of staffing has several implications, not least there is less opportunity to identify vital concerns including any signs of distress which can be hugely detrimental to the well-being of young people held. The lack of supportive relationships was evident and only three of the fourteen young people interviewed were aware of who their caseworkers and personal officers were. The issues with staffing permeated across day-to-day life:

Kendrick: "Some are helpful and support you, then there's a couple of staff who don't really talk to you or nothing [...] they just don't really interact with you much you see them, and they just walk past, just ignore you."

Casper: "All the psychology staff education staff they're here to help us, but the others on the wing, they're not here to help us, they're just doing their job, they're just here to unlock the doors, open our doors [...] when we come out as, they don't speak to us, they just stand there, and just keep an eye on us and that, they don't try and speak to us and see how we're feeling and that.

R. What do you think about that?

Casper: I don't know, it's rude isn't it. Because they work on the wing, so really they should build like a relationship so they can build trust with us, but I don't ever see them trying to do that, some do, it's not all of them don't, you get a couple that's sympathetic like, if you're feeling down, they'll come and speak to you and that, but most of them don't do that."

Another young person, Edward felt that staff members did not care "whether you change or not". Disrespectful elements of officer culture build the perception that young people are "lesser social objects"<sup>52</sup>. The lack of relationships meant that young people did not perceive staff members as sources of help and trust, indeed staff were viewed as focusing on badly behaved young people:

Casper: "You get certain kids on the wing, they don't care, they're fighting and assaulting people all the time. Then you get other kids that are good, that never cause trouble and if you were there you'd see how they get treated differently, say if one of them said 'put my laundry in' and then the kid that's being good said 'put my laundry in' the one that's being bad all the time, they'll put his laundry in first because they don't want him to cause any problems, so it's

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<sup>52</sup> Crewe, B. (2009) *The Prisoner Society: Power, Adaptation and Social Life in an English Prison*. Oxford: Oxford University Press, 161.

kinda like, the more bad you be, they reward you in a way, because they get things done straight away, because it's like they're scared for him to do something.

HMIP survey comment juvenile YOI 2016: "I feel the staff treat the bad young people here with more respect because the staff feel intimidated so they get away with a lot of things. I feel the staff are more strict to the good young people because they feel they have more control so they target the good young people not the bad."

Although the YCE is better resourced than the young adult/adult estate, issues with staffing were evident in the YOIs. This meant that the staff available focused on maintaining security and control rather than engaging with young people and providing a crucial 'trusted' adult role<sup>53</sup> but was simply not evident. The data presented in the following section highlights how this is exacerbated upon transition.

### Staffing within the young adult/adult estate

Stakeholders reported that the drop in level of care and staffing provision within young adult/adult prisons came as a shock for young people who transitioned from the YCE. Relationships between staff members and young people were frequently reported to be poor, impacting upon perceptions of safety and support for rehabilitation. Staff were not viewed to be effective with or supportive of young adults:

HMIP survey comment young adult prison 2017: "It is very hard to express safety to staff here because most of them, such as [name] especially, treat us with complete disrespect so it is very hard to approach them. Most staff on my wing act like they couldn't care less, even when it comes to seeing a nurse, they literally take hours and sometimes you might not end up seeing the nurse. I think staff on my wing pick and choose who they want to help, and this is a very scary thing to be around."

From the perspective of stakeholders, staff members' ability to help young people is constrained due to resources and training:

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<sup>53</sup> Hughes, N. and Strong, G. (2016) 'Implementing the evidence on young adult neuromaturation: the development of a specialist approach in probation services', *Probation Journal*, 63 (4), pp. 452-459.

Probation Officer One: “The training isn’t, no way near sufficient enough to deal with half the issues we have in the estate, especially going back to vulnerability and also self-harm” (Young Adult/Adult Institution One)

Offender Supervisor Two: “When I first started the job, you’d have five or six people to a wing, of 70 and you’d be leaning over the railings, chatting away [...] I knew everybody’s name on that wing I could tell you something about every single person. Now I go on a wing, I haven’t even got a clue who they are” (Young Adult/Adult Institution Three)

Offender Supervisor One: “You can put as many policies in place as they like but if they haven’t got the staff and the funding to do it ... there’s only so many jobs that one person can actually do, and do them correctly, effectively, and [...] if you’re doing that, there’s something else that you’re not doing. [...] you couldn’t stretch us any more, so it’s really hard” (Young Adult/Adult Institution Two)

This has numerous safety implications on young people, impacting upon their behaviour and ultimately safety within the institutions. The distinct drop of staffing provision across institutions means that this is exacerbated for those that transition:

Academic three: “I think we underestimate the impact of being locked up in your cell for long periods of time, it has a huge impact on men in their late teens and early twenties, and I think, some of the violence that we see is simply because people spend too much time locked up, and if you’re bored, you’re going to do things like bully other people and you’re going to do things like misuse drugs and you’re going to sell things and you’re going to become embroiled in conflict and all of that can quickly spiral out of control and you then consequently have segs filling up, people on ACCT documents, people self-isolating, high levels of violence, injuries, and they’re not going to fix all of that because staff are off sick, staff become fearful whilst at face value simply curtailing the regime, shouldn’t, or it mightn’t look like it would affect safety and security it inevitably does in a number of ways.”

Probation Officer One: “I think at the moment, whether you would class an individual as vulnerable or not, as prison estate we clearly fall down on being able to support those

individuals whether that's staffing levels or what we have available within the prison itself, we don't have enough to give them." (Young Adult/Adult Institution One)

Staff within young adult/adult institutions are managing larger numbers of prisoners on each wing than the YCE, impacting upon their ability to provide support and guidance to young people who instead were directed to, or sought help of other prisoners:

Alejandro: "[...] if you put your bell on to speak to an officer, and they're kinda in a rush, because like on [wing] there's, like, forty odd people so they can just say 'just go to a listener's pad, knock on the door' and they'll help you, speak to you, know what I mean, they've got nothing else to do [laughs]"

The MoJ<sup>54</sup> expect that, young people are expected to "adapt to the greater levels of autonomy expected once they reach legal adulthood", this is reflected in the larger establishments in which they are held with fewer staff. Whilst some young people such as Darren felt seeking help reflected greater 'independence', other accounts here show how young adults are expected to be responsible for their own safeguarding due to the lack of staff seemingly willing or able to provide care:

Engagement and Resettlement Worker: "what one of the young pe[ople] said to me actually, 'we're responsible for our own safety, if we keep our heads down, you know, don't get involved in anything, we're okay', so I think they take it upon themselves to safeguard themselves."

Young adult/adult institutions are unable to meet the distinct needs of young adults and it is evident there is a lack of opportunity to build relationships with staff responsible for their care. This has numerous implications as discussed within the conclusion.

## Conclusion

The data contained within this article demonstrates the issues associated with the cliff-edge of staffing training and provision for young adults which is seemingly an accepted aspect of the young adult/adult estate. Resources pressures further affect staff members' ability to engage with young people in a way that adequately acknowledges and meets their distinct needs. Day-to-day interactions are limited across estates and young people quickly learn that institutions cannot meet their needs. The distinct

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<sup>54</sup> Ministry of Justice (2013) *PSI 64/2011 (9<sup>th</sup> September 2013 F&S Revised) Management of prisoners at risk of harm to self, others and from others (Safer Custody)*. Available at: <https://www.justice.gov.uk/offenders/psis/prison-service-instructions-2011>. (Accessed: 24 November 2020), 14.

drop in staffing levels between the YCE and young adult/adult estate is premised on the view that children aged under 18 years are vulnerable and have more complex needs. However, evidence shows that neurological development is ongoing up to age 25 years and as such, young adults also have distinct needs to older adults.

Upon transition, young people also have lower contact with staff, a practice acknowledged in official guidance<sup>5556</sup> although not conceptualised as problematic. Based on the assumption that ‘adults’ no longer require distinct support comparable with that offered to ‘children’ despite the ongoing neurological development of this population, it means that many young people are left to try and guard against their own vulnerability without similar resources that provide a sense of safeguards. Staff do not “have the time to build positive, effective relationships with young people”<sup>57</sup>. Staff working with young adults have less training and they may not recognise how ongoing neurological development manifests in behaviour and resource pressures can impact upon their capacity to intervene. Instead, staff have to focus their attention onto maintaining the security and control of institutions leaving vulnerability overlooked. Despite recent initiatives to recognise maturity, and forthcoming ‘transitions from youth to adult custody policy framework’<sup>58</sup>, unless adequate staffing provision is provided across institutions young people will continue to see a depletion of support as they progress through the system which will continue to have negative impacts upon their experiences and outcomes.

In 2004 HMCIP<sup>59</sup> stated that “for young adults, there is nothing to compare with the joined-up, centrally funded training and resettlement for under-18s”, this view resonates today due to the blunt distinction between estates. This article offers a critical view of the differences in staffing provision between the YCE and young adult/adult estate. The accounts of staff and young people presented

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<sup>55</sup> National Offender Management Service (2012) *The transition process: guidance on transfers from under 18 young offender institutions to young adult Young Offender Institutions*. London: Ministry of Justice and National Offender Management Service.

<sup>56</sup> Youth Justice Board (2018) *Joint National Protocol for Transitions in England: Joint protocol for managing the cases of young people moving from Youth Offending Teams to Probation Services*. London: Youth Justice Board, Her Majesty’s Prison and Probation Service and National Probation Service.

<sup>57</sup> Her Majesty’s Inspectorate of Prisons (2018) *Incentivising and promoting good behaviour: a thematic review*. London: Her Majesty’s Inspectorate of Prisons, 22.

<sup>58</sup> House of Commons Justice Committee (2021) *Children and Young People in Custody (Part 2): The Youth Secure Estate and Resettlement: Government Response to the Committee’s Sixteenth Report of Session 2019–21 Eleventh Special Report of Session 2019–21*. London: House of Commons Justice Committee, April.

<sup>59</sup> Her Majesty’s Chief Inspector of Prisons (2004) *Annual report of HM Chief Inspector of Prisons for England and Wales 2002-2003*. London: The Stationary Office, 43.

here demonstrates how their experiences of diminished resources through to the young adult/adult estate are insufficient to provide the level of support required. It is argued that there should be greater numbers of suitably trained prison officers within institutions holding young adults to work effectively with this distinct population. It furthers the argument made by independent inspectorates and reviews<sup>60</sup><sup>61</sup><sup>62</sup> that young adults require a tailored approach to their treatment – more reflective of the acknowledgement of the needs of those within the YCE.

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<sup>60</sup> Harris, T. (2015) *Changing prisons, saving lives: Report of the independent review into self-inflicted deaths in custody of 18-24 year olds*, (Cm 9087) July, 2015. London: Home Office.

<sup>61</sup> House of Commons Justice Committee (2016) *The treatment of young adults in the criminal justice system. Seventh Report of Session 2016–17* (HC 169). London: The Stationary Office.

<sup>62</sup> Her Majesty's Inspectorate of Prisons (2021) *Outcomes for young adults in custody*. London: Her Majesty's Inspectorate of Prisons, January.