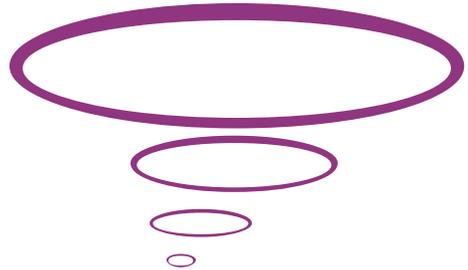


Youth & Policy Special Edition:
The Next Five Years: Prospects for young people

THINKING SPACE



The Fortified College

Brian Belton

AS SOMEONE WITH a long time association with youth work around the world, and a serving magistrate, I have been increasingly disturbed by the British Government's plans to build an £85m 'secure college' for 320 young offenders. This facility is due to open in 2017. For me the idea seems the most ill conceived of any response to youth crime, education and reform I can remember. It also poses a question for us: at what point do we place the punishment of the young before their well-being?

The 'fortified college' as some are calling it, is a contradiction in terms. However, it is probably quite an apt title, as the institution is to be built on land next to Glen Parva Youth Offenders Institute (YOI) in Leicestershire, surrounded by a high perimeter security fence. A competition is to be initiated for private organisations to bid for education contracts at the current publicly-run YOIs and it is intended that this will ultimately include the fortified college. However the Labour Party has expressed concern about the fortified college. Sadiq Khan MP, Labour's shadow Justice Secretary, argued:

Building the secure college won't even begin until after the next general election. Education is crucial in reforming criminals but building one new establishment in the future will do little to reduce the re-offending rate across the rest of the country (Khan, quoted in Casciani, 2014).

A range of organisations concerned with young people and young offenders, as well as campaigners for prison reform and civil liberties, concluded that the resources used to set up and staff the fortified college would be more appropriately invested in community based support for children. Many were signatories to an open letter, headed by Children's Rights Alliance for England, protesting

against the concept of and intentions for the fortified college. The group claimed (based on a huge amount of evidence) that investment in smaller units would produce better results.

The alliance of 29 children's organisations and other groups included the NSPCC's Chief Executive, Peter Wanless; Professor Sir Simon Wessely, the President of the Royal College of Psychiatrists; Kathy Evans, the chief executive of Children England; and Shami Chakrabarti, director of the human rights group, Liberty. The alliance declared:

The Government plans for the largest children's prison in Europe are bad for children, bad for justice and bad for the taxpayer. Children in trouble with the law are some of the most vulnerable and challenging in our society. Many have been the victims of abuse and neglect. Small, family-like, secure homes that focus on rehabilitation and tailored, individual learning are better at helping children turn their lives around. Instead we get a plan to create massive child prisons and no details on how they will be run (Wanless et al, 2014).

The group wrote that the money '... would be better spent on investing in what works rather than an expensive and dangerous child jail' and that 'warehousing children in massive prisons is the surest way to create more problems for the future' (ibid).

Over the last six years, the number of boys and girls in custody has fallen by 65 percent, but campaigners say the authorities continue to breach the human rights of locked-up children. This point was confirmed by a tragic review of the situation of young people being placed in large custodial institutions early in 2015 (Guardian, 2015).

In the 12 months concluding June 2013, just 6.3 percent of all young offenders sentenced were given a custodial sentence. The Howard League for Penal Reform found that 60 percent of children held on remand go on to be acquitted or receive a non-custodial sentence. The charity revealed that the number of under-18s in custody fell from 3,019 in August 2008 to 1,068 in August 2014. At that point there were just 71 detained children in the East Midlands (where the 320 bed institution is due to be built). This being the case, if the fortified college is built, children from other regions will be incarcerated hundreds of miles from home (Leicester Mercury, 2014).

The Head of Crime and Justice at Policy Exchange, Max Chambers, has said:

Much of what is left in the youth prison estate is a hardcore group of young men who have been convicted of serious violence – a lot of which is gang-related.

Tackling these young offenders and turning them into productive members of society is a hugely difficult job.

Frances Crook, chief executive of the Howard League for Penal Reform, has stated that building a secure college would replicate ‘the mistakes of the past’:

Privately-run ‘secure training centres’ were designed to educate, yet they have failed to reduce reoffending and children have died within their walls. Building a larger version of this failed model and calling it a ‘fortified school’ will lead to more crime and increased costs. Indeed, the definition of madness is to do the same thing again and again and expect a different result (Howard League, 2014)

This conclusion is borne out of the figures for the 12 years ending December 2011: 71 percent of young offenders re-offended within a year of leaving custody, compared to 46 percent of adults leaving custody. There is little sign of this situation becoming significantly better.

Crook continued by declaring that the ‘millions of pounds’ set to be spent on the new facility would be better invested in community support for children. She argued:

Children in prison have a range of complex needs, including mental health problems, learning difficulties, self-harm, and histories of abuse and neglect.

Low levels of education must be seen as symptoms of these underlying problems.

Tackling the fact so many children in custody have been excluded from school in the first place would be more likely to produce the positive outcomes we all want to see...recognising the reality of why children offend.

When the number of children in prison behind bars is falling, the government’s plans to build Europe’s biggest jail for children are, frankly, bizarre.

The children in prisons today have complex mental health, learning and social needs that cannot be addressed in a penal institution.

I have seen children with cuts they have inflicted on themselves who swallow objects or attempt to hang themselves.

Rod Morgan, former chairman, Youth Justice Board called the proposal a ‘serious step backwards’ and said that it would not be ‘...the rehabilitative, educational “pathfinder” it is said to be’. Morgan added:

Economies of scale are fine for the production of nails; they don’t work for seriously troubled adolescents. What are needed are relatively expensive, small, local, intimate units, closely

linked to the community agencies with whom troubled children and their families dealt prior to their custody and with whom they will have to relate on release. Large, misleadingly cheap, geographically distant institutions will, despite the best efforts of their teaching staff, fit the description the minister wants to put on the tin: colleges – but of crime. The likely outcome will be the displacement and closure of the local authority [relatively smaller scale] secure units (Guardian, 2014).

The fortified college is designed to meet what a plethora of youth-and-prison-related charities see as an improbable aspiration: to educate young offenders out of crime. It is hoped *intensive* education and training, delivered within a regime of strict discipline, will have a positive effect on re-offending rates among young criminals. But in reality is the whole project anything more than a transparent cost-cutting strategy? Young offender institutions are hugely expensive. The cost per prisoner, per year, is an average of £65,000. Secure children's homes cost even more – an average of £212,000 a year. The underlying motivation for the fortified college is clearly based on 'stack em high' economics. Places in the fortified college will start at £100,000 a year – but this is still three times more expensive than a place at Eton.

Crook has accused the Government of supplying 'false and misleading' information. She said that there is no substantive evidence for Ministry of Justice claims that the fortified college will be a significantly different secure establishment to a prison for children; a custodial facility, premised on education. In fact there have been changes from the revised plans produced in 2010 which translate to a reduction in the size of the proposed learning and skills block. She has questioned claims made that similar centres elsewhere have cut re-offending, pointing out that the Howard League, that opposes the concept of secure colleges in their entirety, is not aware of any such facilities or any evidence to suggest they are '...anything other than large prisons, which pose risks to the welfare and well-being of hundreds of children incarcerated in them at any one time' (*Leicester Mercury*, 2014). Crook has also argued that the intention to place girls in the fortified college with hundreds of teenage boys creates serious, unprecedented safeguarding risks.

The figures demonstrate that the fortified college will hold close to one in three of all young offenders from England and Wales. Given that there are so few young people living in the immediate area to the fortified college that would be assigned to such an establishment, young people would need to be drawn from all over England and Wales. This would present huge problems for families needing/wishing to visit their children. Many of these families are among the less well off in society. During an era when transport has never been more costly, alongside other child and/or elderly care responsibilities, the situation draws parents, grandparents and siblings into the punishment nexus. The angst, frustration, sorrow and psychological impact of this on the children incarcerated and their families promises to produce something of a powder keg situation, both in terms of control considerations within the institution and the personal well-being of inmates and staff.

Under the Eighth Amendment of the US Constitution, cruel and unusual punishment includes, ‘...any fine, penalty, confinement, or treatment that is so disproportionate to the offense as to shock the moral sense of the community.’ In the British context, Article 3 of the European Convention on Human Rights, now embedded in English Law by virtue of the Human Rights Act, states: ‘No one shall be subjected to ... inhuman or degrading treatment or punishment.’

The fortified college, given the context and situation it is being placed in, flouts both of the above.

Penelope Gibbs, chair of the Standing Committee for Youth Justice (SCYJ) has claimed, echoing others, that young people in custody have a range of very serious needs, including mental health problems, drug and alcohol addiction, and histories of abuse, trauma and violence. According to her:

Simply focusing on education is misguided and will not address the underlying causes behind their offending that need to be tackled if children are to be turned away from a life of crime.

A more holistic therapeutic model is needed rather than a gimmicky repackaging of our current costly and broken approach to child custody (Gibbs, 2014).

Juliet Lyon, director of the Prison Reform Trust, said:

... it is worth investing in our most troubled young people before they become the adult prisoners of the future.

Too often, young offender institutions have been little more than colleges of crime.

While education is vital, provision for young people must take account of mental health needs, learning disabilities and addictions.

Small, local, intensively staffed units with a focus on taking responsibility, making amends to victims, gaining skills for employment and having a safe home to go to will cut crime far better than putting hundreds of teenagers together in over-large institutions (Evening Standard, 2014).

Pam Hibbert, Chair of Trustees, National Association for Youth Justice said that the Government’s costly proposals in connection with the fortified college were, ‘... outrageous at a time of swingeing cuts to other services for children and young people.’ She claimed that the plans for the institution contradict evidence demonstrating that children who need to be detained should be consigned to ‘... small local units with a social care and therapeutic regime which are most effective.’ Hibbert said that although education might be,

... an important component in helping children who are in the criminal justice system, it is counterproductive to suggest that locking up even more of them is the way to ensure rehabilitation.

The average time spent in custody is 11 weeks, and children who end up in custody have a myriad of needs which are unmet before and after their sentences. Providing education in a 'fortified school' for a short period and, for many children, at a great distance from their home and community, will not deal with the impoverished lives, mental health and learning difficulties and lack of opportunities that most of them will return to. It will neither protect the public nor help children to stay out of trouble (Guardian, 2014).

At the end of 2014 the fortified college was discussed in the British House of Lords.¹ Lord Ramsbotham, as a former inspector of young offender institutions, said that he was, 'appalled that anyone should have dreamt it up.' He declared that the claims made in its favour were, 'spurious' and 'entirely untested and unevaluated' in the face of overwhelming evidence that smaller facilities for young offenders are more effective. As such, the proposal to establish, 'the biggest children's prison in the western world' would likely do further harm to already vulnerable and damaged children with a range of problems, 'not just lack of education'. Ramsbotham recalled a recent lecture by Nils Öberg, head of the Swedish prison service, that described how after protracted and conscientious research into the needs of their young offenders, the Swedish authorities had found that most young offenders benefited most by working with trained experts in small establishments of no more than 10 offenders (Öberg, 2015). His Lordship argued that the proposed fortified college effectively declared every organisation and individual in the UK who knew anything about managing troubled young people to be incorrect about their specialist areas of work.

In the same debate, Lord Beecham noted that apart from representations from a wide range of major, national bodies, '...eight national women's organisations concerned particularly with the problem of girl offenders in these institutions.' On this subject, Baroness Benjamin argued that that girls and younger children should be 'kept out of secure colleges'. She cited the NSPCC's contention that it would be unsafe, inappropriate and potentially damaging to hold girls in such institutions alongside many older boys. She pointed out that girls in custody are highly likely to have experienced sexual abuse. Benjamin declared that placing girls in custodial institutions, 'may be traumatising and damaging to their rehabilitation' and that the fortified college, "will cause serious and unprecedented safeguarding risks.'

We can either choose to remain silent about their potential to hurt or even to kill young people, waiting for the inevitable fall-out so we can do what we can to deal with that. Who knows, our agency might gain a little funding for its trouble, and gain some sense of relevance in the process. Alternatively, or maybe at the same time, we can look to raise consciousness and awareness, educate or else pressurise for a second thought. Ultimately we can actively protest against unwise

or clearly stupid and malicious (if money saving) state intentions.

I do not think we have to accept the necessity or even practicability of such options. I have been to places much like the one focused on in this article; I've breathed the air and felt their harsh caress. I have known kids that have survived them and others who have not. So I have no choice but to hope you have read my words sympathetically.

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Note

- 1 *The House of Lords is the upper house of the Parliament of the United Kingdom. Like the House of Commons, it meets in the Palace of Westminster. It is an active, independent institution that has a key role in making and shaping laws and checking the work of the government. The US equivalent of the Lords is the Senate; both are the ‘upper house’ in bi-cameral systems. See <http://www.parliament.uk/education/about-your-parliament/mps-lords-monarch/what-is-the-house-of-lords/>*

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