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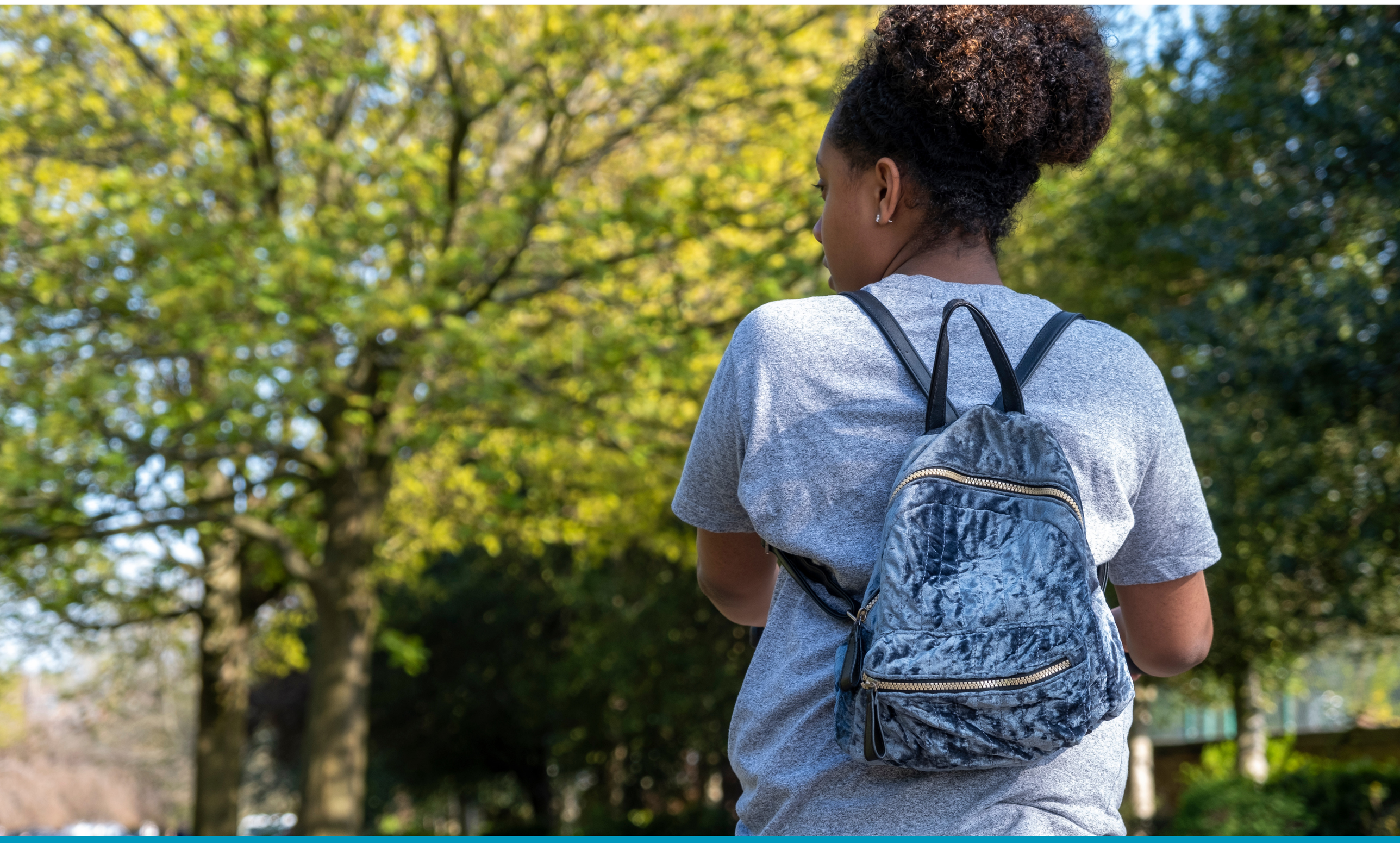
Resettlement of children after custody



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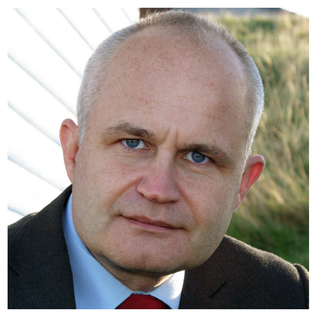
CLINKS
Supporting the voluntary sector working in the criminal justice system

About the author



Neal Hazel is a British criminologist and social policy analyst who is best known for his research on youth justice and on family support. He is Professor of Criminology and Criminal Justice at the University of Salford and is the former Her Majesty's Deputy Chief Inspector of Probation for England and Wales. In 2018, Neal was appointed to the Youth Justice Board for England and Wales, leading its development of Child First as the guiding principle for the youth justice system. Neal has a particular expertise in the resettlement of children from custody to the community and is a leading expert in this area; responsible for developing and evaluating much of what is now recommended best resettlement practice.

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Why read this evidence review?

In recent decades, policymakers have become increasingly aware that children being released from custody (known as 'resettlement') need effective professional support if they are to live a crime-free life. However, research and inspections of youth offending services has consistently shown that meeting children's resettlement needs is challenging, which often leaves them without the necessary help and leads to poor outcomes.

Nevertheless, there is now a considerable body of evidence for what effective resettlement support looks like and policy and practice guidance for how to implement it. This review looks at:

- What is involved in children's resettlement and why it is so important
- The challenges for supporting children after custody
- The essence of successful resettlement for a child, and the role of practitioners in it
- Effective sentence planning and case-management
- The five key characteristics for effective resettlement support
- The importance of practitioners being 'identity-aware'
- The importance of diversity
- The recent policy and practice development of constructive resettlement.

Introduction to resettlement

In England and Wales, the child's transition from custody to the community is commonly known as 'resettlement', with practitioner involvement known as resettlement support. This is similar to what is usually termed in the adult criminal justice system as 'through-the-gate' support. In overseas jurisdictions, resettlement is usually known as 're-entry', with professional support for it known variously as 'throughcare' or 'aftercare'.

The term 'resettlement' highlights the disruptive nature of the custodial experience for children and the need to repair harms associated with deprivation of liberty, even if it wrongly implies that children are always 'settled' prior to incarceration.

The importance of resettlement support has become more pronounced in recent years, with research showing that reduction in offending depends on services (e.g. accommodation, education) being promptly available after children are released from custody (Hagell et al, 2000; Bateman et al, 2013). This importance was recognised in the way that the main custodial sentence for children (Detention and Training Order) was designed as a seamless intervention that offered equal custody and community parts (Hazel et al, 2002).

This importance has also stimulated several innovative practice initiatives to try to improve resettlement provision, including the RAP programme targeted at substance misusing children (Galahad SMS, 2010), the RESET initiative piloting different approaches in three areas (Hazel et al, 2010), and resettlement consortia (which still continue) where neighbouring authorities integrate planning (Hazel et al, 2012; Gray et al, 2018). Evaluations of these innovations have highlighted good practice in resettlement (Hazel and Liddle, 2012), and shown that enhanced support for children leaving custody can dramatically reduce reoffending (Bateman et al, 2013), while generating long-term savings for the public purse (Renshaw, 2007). Nevertheless, mainstreaming this good practice to ensure that resettlement support for all children is effective has remained consistently challenging.

The problem with resettlement support

Recent inspections of resettlement services have described work and outcomes for young people leaving custody as "shocking" (HMI Probation, 2015:1) and "immensely disappointing" (HMI Probation, 2019:5). A lack of partnership working and information exchange between custodial institutions and community Youth Offending Teams (YOTs) meant that services after release frequently started too late, and did not build on any progress inside. As a result, children became disengaged and often reoffended.

Crucially, inspectors also found that sentence plans were too often an end in themselves, without managers understanding their roles or the purpose of resettlement sentence planning (HMI Probation, 2015:32). Research has similarly found no

sense from staff about how the quality of resettlement planning might work to reduce recidivism (Hazel and Bateman, 2021). Providing structural support (e.g. accommodation, education) became a tick-box exercise rather than knowing the right fit for the child, and consequently it was often the wrong support for that child (Hazel and Hampson, 2015).

So, how can we tell the right support for each child? What happens when resettlement is successful for a child, and what is the role of practitioners in supporting it? What should be the purpose of resettlement sentence planning?

When resettlement is successful for a child… and the role for practitioners

Beyond Youth Custody (BYC, 2012-18) was the biggest programme of reviews and research on resettlement in England and Wales to date.[1] The programme found that successful resettlement after custody always involves a personal journey for young people, where they shift their identity from one that allowed offending to one that encourages a crime-free and constructive future (known as 'pro-social identity'):

"I'd always had intelligence and vocabulary to talk to people in a different way and portray myself in a different way, but before, I was 'street' and using slang. But it doesn't get me far in life… If you conduct yourself in a good way… and portray myself in a good way, people will warm to me more… Everybody I know says I seem like a man now – I can't go round talking like a child in a hoody."

23-year-old previously in youth custody, now construction worker; cited Hazel et al., 2017: 8

This finding with young people reflected a process called 'secondary desistance' found when adults stop offending in a sustained way (Maruna and Farrall, 2004; McNeill and Weaver, 2010). Consequently, BYC concluded that effective resettlement requires that the unifying role of all services is to directly facilitate this shift in a young person's identity.

Constructive casework and fresh AIR

When planning children's resettlement support that specifically seeks to develop pro-social identity, youth justice professionals need to provide two distinct types of help. Together, these will ensure that interventions are appropriate to the child:

1 **Personal support** should specifically focus on guiding the young person's identity: helping them to (a) explore how they see themselves now, (b) find their strengths and interests to inform their future, (c) discover a pro-social self for the future, and (d) identify the routes to that pro-social self. It should involve enabling a sense of agency that encourages the child to develop hope and investment in their future (Bateman and Hazel, 2018).

2 **Structural support** sees that any practical support (e.g. education/training or accommodation) is always informed by, and seeks to enable, the routes identified in personal support. That makes it relevant to the child. Only in an emergency should such practical support be introduced without having direction from personal support work.

A child's pro-social identity is fostered and reinforced though involvement in (a) constructive **activities** in which to discover new strengths and interests, (b) supportive **interactions** with positive reinforcement, and (c) in the adoption of formal or informal **roles** (e.g. the good listener, the 'engineer' who fixes the IT) that allow them to 'try on' new identities. Resettlement sentence plans should allow provide children with enough opportunities for constructive activities, interactions, and roles (or fresh **AIR**!).

Sentence planning with both Personal Support and Structural Support that focuses on developing pro-social identity through fresh AIR has become known as 'constructive casework' (Hazel et al, 2020).

The 5Cs for effective resettlement support

Beyond Youth Custody found that five key characteristics of support (now known as the '5Cs') are associated in research with positive outcomes (Hazel et al, 2017). These can be used as a checklist for the likely effectiveness of any package of resettlement support:

Constructive

The work is positively focused on developing the child's pro-social identity, with all interventions considered in relation to that objective (Bateman and Hazel, 2013). Support is future-focused and strengths-based, rather than focusing on past behaviour in stigmatising ways (Hazel et al, 2015). Work motivates and empowers the child to make positive choices (Bateman and Hazel, 2014).

Co-created

The child's identity is personal to them, so it's crucial that they are involved with any planning (Bateman et al, 2013). This will help ensure that they consider the support as relevant to their needs and future, and so help engagement (Factor et al, 2015). Family and friends are important sources of support and should be brought on board where appropriate, with barriers to engaging them addressed as a priority (Hazel et al, 2016).

Customised

As every child's resettlement journey is different, service providers need to create an individualised package of wraparound support, rather than merely delivering generic interventions (Bateman et al, 2013). Support should consider the child's self-identified characteristics (including ethnicity and gender) (Bateman and Hazel, 2014; Wright et al, 2015a).

Consistent

As resettlement is a long-term journey for the young person (not just release from custody), any shift in identity requires continuous support, from the very beginning of a sentence (if not before), to beyond the end of it (Bateman et al, 2013). Support between custody and community should be one seamless programme, which requires all agencies to work together and exchange information (Hazel and Liddle, 2012), and community support established long before release (Hazel et al, 2004). Temporary release is a vital tool for establishing community placements and to help reduce disorientation after release (Hazel and Bateman, 2015). Ideally, custody and community agencies should share aims and targets around identity development (Hazel and Hampson, 2015), and hold each other to account (HMIP, 2015). Trust and engagement are fostered by consistent staff relationships (Bateman and Hazel, 2014) and, in custody, not moving children between institutions (Factor et al, 2015).

Coordinated

The complex nature of children's needs means that a wraparound package of support cannot be achieved by one agency, but requires partnership across sectors, including voluntary agencies and private employers (Hazel et al, 2002). Successful resettlement programmes require service managers to broker the engagement of partners in order to map and maintain a menu of local support (Hazel et al, 2010).

Identity awareness

Every professional involved in resettlement should make sure that they are 'identity aware', including those involved in assessing children, making decisions, and undertaking interventions (Hazel et al, 2020). There are two aspects to being identity aware:

1 **Be aware of the messages that the child is giving you about their identity.** Look for the clues that the child tells you in order to better understand how they see themselves. Do they stress a particular aspect of their life, or relationship, or interest – might that suggest it is important to their identity? This can be explored with the child.

2 **Be aware of the messages that you are giving the child about their identity.** Every interaction counts, and can underline or undermine a child's resettlement journey. This is particularly important when addressing offending behaviour – is it reinforcing pro-offending identity? Similarly, discussing needs or 'risks of harm' should avoid stigmatising or labelling that leads a child to think that difficulties are part of their core identity.

How important is diversity?

Resettlement planning needs to acknowledge the huge range of diversity in young people's resettlement support needs. As diversity is crucial to a someone's identity, considerations of their self-identified characteristics are essential in exploring a future pro-social self and the appropriate help to get there.

In addition, practitioners must understand how structural vulnerabilities and social injustices associated with diversity can act as a barrier to developing pro-social identities. Children from particularly disadvantaged or discriminated against groups, including girls and those from BAME backgrounds, are likely to need a particular emphasis on empowerment (Bateman and Hazel, 2014; Wright et al, 2015a; Wright et al, 2015b; Factor et al, 2016). Research with girls has particularly highlighted the importance of promoting empowering relationships, including with family (Bateman and Hazel, 2014). For children in minority groups, working in partnership with community representatives can help them cultivate a sense of belonging and develop strategies to deal with future discrimination (Wright et al, 2015b).

Recent development in resettlement policy and standards: constructive resettlement

All the BYC research findings above – including constructive casework and the 5Cs – have been adopted by the Youth Justice Board for England and Wales as a national policy approach, called 'constructive resettlement' (YJB, 2018). All youth justice services should be using this approach to frame their resettlement support for children to develop a child's pro-social identity for positive outcomes.

The HMPPS Youth Custody Service has adopted constructive resettlement as its 'theory of change' that should inform every planning and operational decision in the children's secure estate. In addition, the National Standards for youth justice state that YOTs and secure establishments should produce a tailored plan for children that sets out both the personal and structural support to be made available, specifically "to support the child develop a pro-social identity" (MoJ/YJB, 2019:17).

Inspectors also expect youth justice services to adopt a constructive resettlement approach. HM Inspectorate of Probation standards now require that Youth Offending Teams provide a constructive resettlement service, with both personal and structural support that facilitates pro-social identity development (HMI Probation, 2021). Similarly, HM Inspectorate of Prisons requires that the resettlement support begins immediately on arrival in custody, exploring children's pro-social strengths and goals (HMI Prisons, 2018). Voluntary sector providers should ensure they adopt a constructive resettlement approach.

But aren't these good practice principles useful for all children across the youth justice system? Yes, there is now guidance for how to work *constructively* with a child at any stage of the youth justice, promoting pro-social identity development (Hazel et al, 2020), which we all hope will reduce the number of children entering custody in the first place.

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End notes

1 Beyond Youth Custody was a partnership between Nacro, ARCS UK, the University of Salford, and the University of Bedfordshire. The work was developed by several researchers including the author, Tim Bateman, Pippa Goodfellow, Mark Liddle, John Pitts, Sam Wright, and Kelly Lockwood. Reports and guides for practitioners are available at www.beyondyouthcustody.net

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