

Vision for Young People in Custody

2021

Using the time a young person spends in custody to enable them to prepare for a positive future.

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Introduction

This paper describes the long-term vision for all young people who are in custody in Scotland. It explains how the Scottish Prison Service (SPS), with partners, is working to achieve the following aim:

To use the time a young person spends in custody to enable them to prepare for a positive future.

The vision was first published in 2014. This document refreshes and reaffirms that vision in the light of new evidence, progress and changes in context, including the Covid-19 pandemic.

The vision comes from a belief that young people who have offended have the potential to contribute positively to their communities and society and that it is the responsibility of SPS and partners to do all they can to help them to achieve this.

It was developed through discussions with young people, staff, partners and researchers. It is based upon what we know about young people's development, their lives and factors that can reduce the impact of exclusion and improve their life chances.

It recognises that each young person's vulnerabilities, circumstances and maturity may affect their capacity to adopt and sustain a positive lifestyle, whatever their best intentions may be.

The vision recognises that experience of custody can adversely affect a young person's development and mental health, their relationships, their housing and their education, training and work. For some young people, however, their time in custody may represent a chance—a rare chance—for them to engage in learning and find someone who can help to point them to a better future.

The approach therefore seeks to mitigate the negative aspects of custody and, importantly, to use the period of custody to prepare actively for a positive future. By adopting this fundamental purpose in Scotland, we are at the forefront of evidence-based practice in youth justice.

The intentions of the vision are for all young people who are in custody in Scotland, from age 18 to 21. It applies across all establishments where young men and women are in custody and, as far as practicable, whether they are on remand or sentenced and whether their sentence is long or short. The SPS Strategy for Women in Custody applies alongside the 'Vision for Young People in Custody'.

Background and context

The vision is aligned with international conventions and the Scottish Government's priorities and strategies for children and young people which include Getting it Right for Every Child, the Children and Young People (Scotland) Act 2014, the National Youth Work Strategy and developments in employability and post-16 learning. It contributes to the Scottish Government's priorities for justice and youth justice, including the Vision and Action Plan for Youth Justice, the Whole System Approach (WSA), and the extension of the WSA for young people aged 18 to 21 in local authorities.

It has as its central focus a restatement of the purposes, principles and outcomes of Curriculum for Excellence for this particular context.

The refreshed vision takes account of the Scottish Government's incorporation of the United Nations Convention on the Rights of the Child into Scottish law. It holds in mind 'The Promise' of the Independent Care Review, and considers findings and recommendations from inspections and reviews, notably the report of HM Chief Inspector of Prisons on an Expert Review of Provision of Mental Health Services at HMP YOI Polmont. There is now considerable interest in the implications for justice policy and practice of the evidence that maturation and brain development may continue to age 25. The vision is also therefore relevant to future SPS thinking in relation to its provision for young adults.

Both the size and nature of the population of young people in custody have changed significantly since 2014, with numbers of young males declining substantially from 2014 to 2020. The proportion of young people on remand has risen, and this is a matter of concern.

Reductions in population have been associated with an increase in the complexity and severity of individual young people's risks and needs, including their need for additional support for their learning. [Evidence](#) has highlighted the exceptionally high prevalence of adversity, trauma and bereavement in the young people's lives, which has implications for how young people are cared for in custody. It is likely that the consequences of the Covid-19 pandemic, for example on employment, will have a serious effect on the life chances of young people who come into custody, which adds further to the importance of turning the vision into reality.

Facts and figures

Around 760 individual young people aged 16 to 21 were admitted to custody in Scotland in 2019.

Numbers of young people in custody reduced further since 2014, particularly those aged 16 to 17. The following table displays figures on 16 March 2020 compared to 2014.

	2014	2020
Boys (16-17)	48	18
Young men (18-20)	391	282
Girls (16-17)	1	0
Young women (18-20)	24	18
Total in custody	464	318

This reduction in numbers of young people in custody has continued a trend which began over a decade ago. The number of 16- to 17-year-olds in custody in June 2019 was around *one eighth* of that in June 2006.

Sentence lengths given to young people range from less than 3 months to life. There has been a decrease in the use of sentences less than six months, particularly for those aged 18-20.

Prior to June 2020, the proportion of the young people who were on remand had typically been around 35%. This figure has since increased.

49% of young people in custody have not been in custody before. This compares against 37% of young people in 2014. Of young people, 50% were under the influence of alcohol, and 55% under the influence of drugs at the time of their offence, figures which reduced since 2014.

Around 40% of young people in custody report that they have been in care. Numbers reporting that they have been excluded from school seem to be reducing.

High proportions of young people in custody have experienced trauma and different kinds of childhood adversity, including bereavement. For example, one study found that young men had experienced an average of five bereavement each, with a high proportion of these being traumatic.

Just over 40% of those who take part in assessment are at or below level 3 (Access 3) in literacy, and 50% in numeracy. 60-70% have speech, language and communication needs. These figures represent a considerable need for support.

Reconviction rates following custody have remained fairly steady. The one-year reconviction rate for young people leaving custody in 2011-2012 was 47.6%, and for 2017-2018 it was 49.4%. The more recent figure relates to a smaller group of young people, with more complex needs and risks.

[Sources: Looking Behind the Data; 2019 SPS Prison Survey; Criminal Proceedings 2018-19; Reconviction Rates 2017-18]

The refreshed vision takes account of changes in context and the growth in our understanding of the young people's needs. At the same time, evidence and experience have reinforced the principles and aspirations of the vision and confirmed the centrality of positive, consistent and trusting relationships between staff and young people.

Progress since 2014

Following publication of the Vision there was an extensive programme of development and change across all establishments where young people are in custody, including:

- ❖ Developing and using ‘How good is our care of young people?’ Quality Indicators to improve young people’s experiences.
- ❖ Investment and refurbishment in HMP & YOI Polmont.
- ❖ Professional development for staff in areas of priority such as mental health and trauma, and new components on working with young people within the training for all new prison officers.
- ❖ Actions to support young people’s mental health and wellbeing including steps to increase young people’s participation and engagement with activities.
- ❖ Implementation of Positive Futures Plans as a way of improving assessment and planning for particular young people.
- ❖ Improvement in the range and relevance of activities and services available for young people to better match their needs and give them opportunities to learn and progress.
- ❖ Continuing close partnerships with local authorities and third sector partners to provide continuity of support beyond custody.

Vision for young people in custody: the approach

The aim is ‘to use the time the young person spends in custody to enable them to prepare for a positive future’.

This means providing, in a safe and secure environment, care and experiences which will support the young person’s mental, physical and emotional wellbeing, build their knowledge, skills, employability and promote their successful reintegration to their communities.

With our partners, SPS is seeking to achieve this through:

1. **From the outset, developing with each young person a phased, individual plan for their time in custody and reintegration to the community, and carrying it through with them.**

The emphasis here is on consistent positive relationships: research and experience confirm that these are central to achieving the ambitions of the vision for young people.

- ❖ Identifying individuals who will support the young person across the different aspects of their time in custody and having a designated individual who will coordinate the various contributions both inside and outside.
- ❖ Having a period of introduction, assessment and planning based on each young person’s strengths, circumstances and needs (including any learning difficulty or disability or other reason why a young person may need additional support leading to

phased activities designed to enable them to progress as described in point 2.

- ❖ Building ‘inside-outside’ links with work, learning and pro-social relationships and addressing the potential trauma of liberation through phased, supported experiences of daily life and work where appropriate.
- ❖ Ensuring that arrangements are in place for the young person’s transition from custody, including: health, housing, family and community relationships (where possible), finance, work/placement/further learning, access to information, advice and personal support.
- ❖ Maintaining or establishing at least one positive relationship which will continue for some time once the young person returns to the community.

2. Providing experiences based on the young person’s individual plan that will enable them to progress and achieve outcomes across four strands of learning.

Experience has confirmed that these four strands of learning and development form a sound basis for planning for young people’s development.

- ❖ **Confident Individual:** health, wellbeing, relationships, personal development and employability.
- ❖ **Successful Learner:** developing skills and knowledge for life, work and further learning.
- ❖ **Responsible Citizen:** learning about and practising citizenship.
- ❖ **Effective Contributor:** developing empathy and contributing to the wellbeing of others.

Research shows that within the current population of young people many need additional supports for their learning, including support to engage with learning at all, because of their experience of exclusion, fractured schooling and adversity.

The following diagram sets out the range of experience from which each young person’s plan can be built, taking account of individual strengths, prior learning, any need for additional support and their individual circumstances (including the time the young person will spend in custody).

Preparing for a positive future: four strands of learning

<p style="text-align: center;"><u>Confident Individual</u></p> <p>Building mental, emotional and social health and wellbeing</p> <p>Addressing separation, loss and trauma</p> <p>Sustaining and building positive family relationships</p> <p>Addressing needs such as alcohol and substance misuse, relationships and attitudes</p> <p>Improving physical health and fitness</p> <p>Developing skills for living independently and for employment</p> <p>Building resilience and motivation</p>	<p style="text-align: center;"><u>Responsible Citizen</u></p> <p>Participating in decision making</p> <p>Engaging in issues-based work such as anti-violence programmes</p> <p>Developing skills to change and applying these skills to make positive choices</p> <p>Understanding consequences; empathy, victim awareness</p> <p>Addressing ethical, social and environmental matters</p>
<p style="text-align: center;"><u>Successful Learner</u></p> <p>Gaining and applying relevant skills, such as speech, language and communication, literacy, numeracy, IT and problem solving</p> <p>Addressing barriers to learning</p> <p>Extending knowledge and understanding, especially where the young person may have significant gaps</p> <p>Building skills to be able to reflect and plan</p> <p>Increasing motivation for further learning</p> <p>Having aspirations and being able to talk about them</p> <p>Gaining qualifications and building a CV</p> <p>Having experience of a workplace</p>	<p style="text-align: center;"><u>Effective Contributor</u></p> <p>Parenting</p> <p>Mentoring</p> <p>Contributing to others' wellbeing</p> <p>Using personal knowledge and experience for the benefit of others</p> <p>Engaging in restorative practices</p> <p>Volunteering, fundraising</p> <p>Working with animals</p> <p>Renovating, repairing and upcycling</p> <p>Working on tasks in partnership and as part of a team</p>

All aspects of the life of the establishment provide opportunities for young people to develop and learn. In this learning environment they will be able to engage and learn in different ways: crucially, through day-to-day interactions and relationships, and also through workplace activities, youth work, programmes and courses, 'embedded learning', sport and recreational activities, the arts, peer learning, projects and one-to-one support.

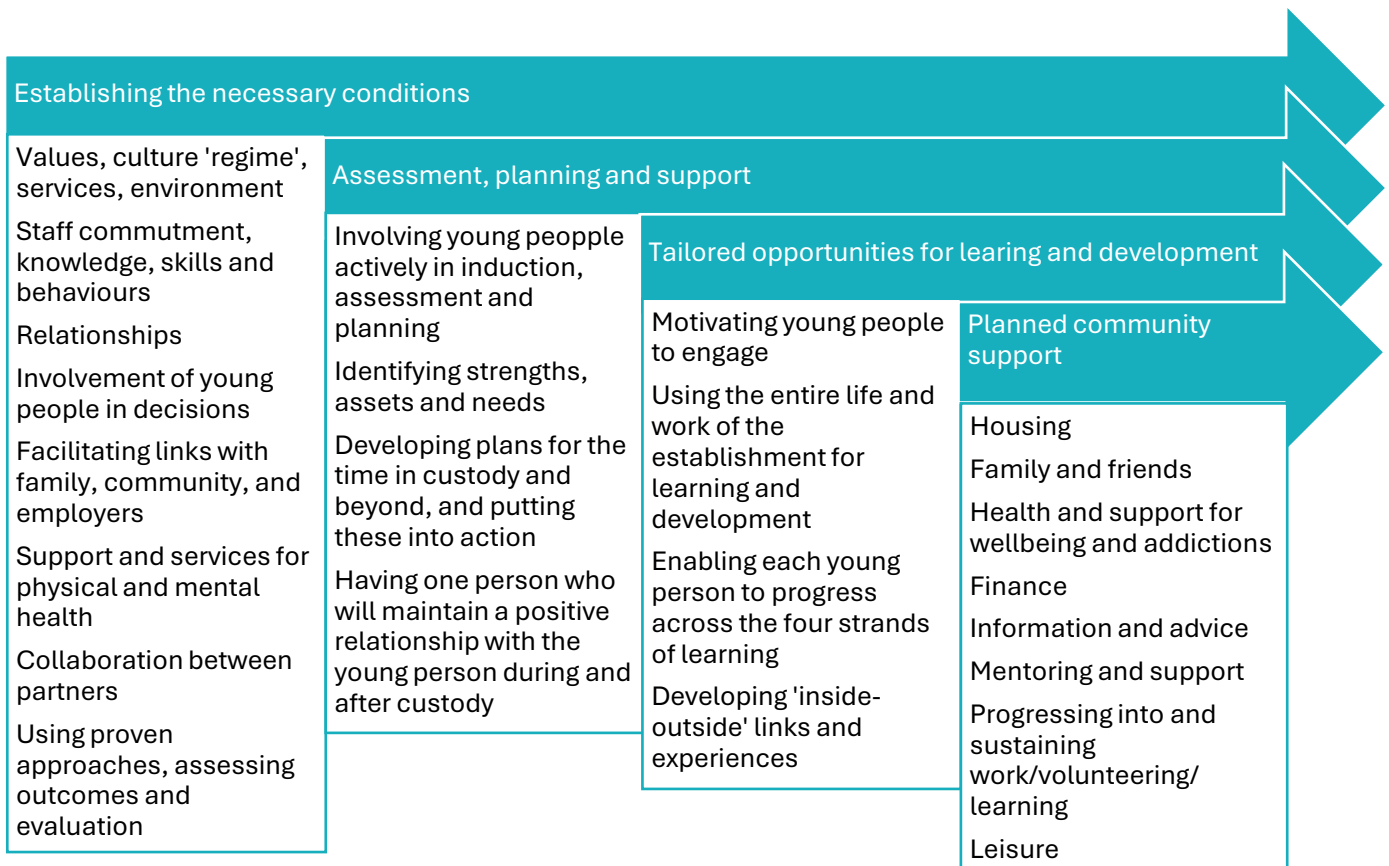
3. Establishing the conditions that will maximise the likelihood of positive change and minimise the damaging effects of exclusion.

Factors include:

- ❖ The values, culture (including vocabulary), 'regime' and services that the young people experience.

- ❖ The physical environment and operational processes: minimising the potential for (re) traumatisation while ensuring safety and security for all.
- ❖ Staff commitment, specialist knowledge and skills, including use of youth work approaches.
- ❖ Relationships and engagement between staff and young people, including young people’s active involvement in decisions about their time in custody.
- ❖ The modelling of behaviours and values in day-to-day activities, interactions and relationships.
- ❖ Enabling young people to have positive links with family (where this is in the young person’s best interests), community and employers and to sustain these when they return to the community or transfer to another establishment.
- ❖ Access to support and services as needed for mental, emotional and physical health and health promotion, from induction throughout the time in custody and beyond.
- ❖ The arrangements for collaboration by all those who are involved in supporting the young person and enabling continuity and progression.
- ❖ Being clear about the intended outcomes of each activity, using evidence-based approaches and evaluating continuously.

This approach is outlined in the diagram below.



Values and Principles

Work with young people in custody reflects the SPS values: belief, respect, integrity, openness, courage and humility. These values and the following principles guide thinking and underpin how SPS and its partners will continue to work with young people.

The ‘which means...’ statements below can be used in discussions with staff and young people to deepen understanding of what each principle means in practice.

1. Engagement and inclusion not intervention/delivery/remediation, which means...
2. Hope and aspiration, which means...
3. Responsibility and choice, which means...
4. Partnership, which means...
5. Relevance, starting with individual interests, needs and strengths, which means...
6. Progression and recognition of achievement, which means...
7. Connection, which means...
8. Consistency, continuity and sustainability, which means...
9. Influencing and leading by example, which means...
10. Learning and reflecting, which means...

Characteristics of the Vision in practice

If we are being successful, the environment will display certain characteristics. These are set out in more detail in the ‘How good is our care of young people in custody?’ Quality Indicators. Some examples are:

- ❖ All young people are welcomed into the establishment. They engage in an introductory phase which identifies strengths, assets (including relationships) and interests as well as needs. They take part in a healthcare induction which emphasises the promotion of their health and wellbeing.
- ❖ Young people feel safe. Staff seek to ensure that barriers to mental, emotional and physical health and wellbeing are identified and mitigated as far as possible.
- ❖ Young people play an active part in developing individual, phased plans for how they will use their time during their sentence, initially to address their needs and wellbeing and then to progress across the four strands of learning and prepare for liberation and beyond.
- ❖ Staff establish positive relationships with young people and act as role models, actively seeking opportunities that may act as ‘hooks for change’ in a young person’s life. They are consistent in their expectations and interactions. Young people are positive about their relationships with staff.
- ❖ Young people have opportunities and support to enable them to exercise both choice and responsibility. They are involved in planning and providing learning activities to their peers.

- ❖ Young people are motivated to learn. They are supported to overcome barriers to participation. They actively engage for as full a working day as practicable in activities which enable them to address their needs and make progress in the skills, attitudes and knowledge they need for successful reintegration to the community. As far as possible their progress is recognised through appropriate qualifications.
- ❖ Young people are supported to learn to manage their behaviour through effective communication and motivation.
- ❖ Planned ‘outside-inside’ contacts involving family, community, work and learning help to maintain existing positive relationships and develop new ones. Appropriately phased activities (such as access to the community and supervised work placements) help successful reintegration or transition.
- ❖ Each young person is supported back into the community through a programme for reintegration, based on their strengths and their needs, including accommodation, health (with referrals made as necessary), family, friends and community relationships, finance, continued learning, work/placements. Those who are progressing to adult prisons have plans to support them through the transition and ensure continuity in their learning and development.
- ❖ All partners work closely together and play their parts in achieving the intended outcomes (providing comprehensive records, taking part in joint planning, supporting and reviewing, making connections with the community, and supporting reintegration).
- ❖ All of those who work with young people understand their role. They have the qualities, specialist skills, knowledge and motivation to support young people’s development and change. Their continuing professional development informs their day-to-day practice.
- ❖ Everyone involved takes part in evaluation of the quality of service and outcomes, and appropriate performance measures are used to review and improve practice.

How will we know? Outcomes and indicators of success

The intended outcomes are shown in Annex A: Using the time a young person spends in custody to prepare for a positive future (page 14). To assess progress against these outcomes and understand the impact, strengths and weaknesses of the approach, SPS and partners need evidence and information of different kinds.

The ‘How good is our care of young people in custody?’ quality indicators provide an important tool for this process, and enable young people to participate with staff and partners to evaluate young people’s experiences of custody and the outcomes they achieve.

This self-evaluation involves structured discussions, observing practice, examining facilities, resources and materials as well as reviewing data and records. In addition, evidence from surveys, inspections, research, consultations and discussions can be used to assess progress and inform developments.

Taken together, these sources will provide evidence on progress against the outcomes identified in the logic model. These outcomes are summarised in the following diagrams. Reoffending/reconviction rates will remain an important point of reference, but they are influenced by many factors and cannot provide a measure of the success of the approach.

Summary of outcomes

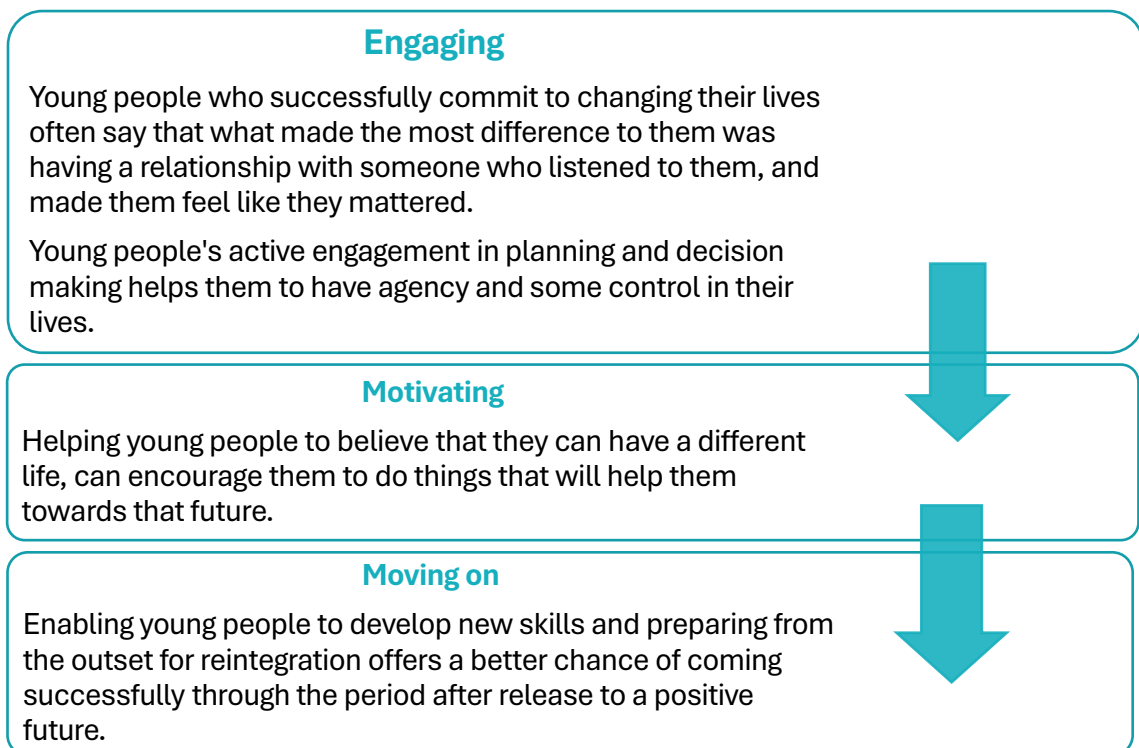


Summary of sources of evidence



To summarise

The fundamentals of the vision are engaging, motivating and moving on:



Next steps

The refreshed vision has implications for young people in custody, individual staff members, establishments, SPS and its partners and national policy. Each establishment where young people are in custody has its annual development plan which will include its current priorities for achieving the Vision.

At national level, strategic plans will include:

- ❖ Sustaining and demonstrating progress towards implementing the refreshed vision;
- ❖ Ensuring that the actions taken in response to the Expert Review on Mental Health are embedded in practice;
- ❖ Preparing for the incorporation of the UNCRC into Scots law and supporting the implementation of 'The Promise' flowing from the Independent Care Review;
- ❖ Continuing to develop self-evaluation using the quality indicators: gathering and using evidence of young people's experiences and outcomes to inform improvements and ensure that services are matched to the needs of the young people;
- ❖ Assessing the impact of Covid-19 on the population of young people in custody and their life chances, and identifying and supporting actions that will address these issues and so contribute to social renewal;
- ❖ Extending developments with staff training, ensuring that all staff who work with young people in custody undertake relevant, targeted professional development so that they can build and apply their knowledge and understanding of the characteristics and needs of young people, including learning from youth work approaches;
- ❖ Considering the implications of research into maturation for the management of young adults within the SPS estate; and
- ❖ Ensuring that all aspects of SPS policy and practice which can enable and support the realisation of the Vision – including rules, operational standards, performance management and commissioning processes - are fully aligned with its purposes, and that governance, partnerships and resources are in place to ensure that progress is continued.

Update: The Children (Care and Justice) (Scotland) Act 2024

The Children (Care and Justice) (Scotland) Act has ended the use of Young Offenders Institutions in Scotland for children who have been remanded, committed or sentenced.

Children who had already been placed in Young Offenders Institutions were safely transitioned from SPS custody to secure care accommodation in August 2024. From now on, when children are still required to be deprived of their liberty, this can no longer be in YOIs or prisons.

Slight revisions have been made to the Vision for Young People in Custody to account for these changes. The Vision was not reviewed during this process.

Annex A: Using the time a young person spends in custody to prepare for a positive future

Shorter term	Medium term	Longer term (4 or more years)
<p>Young people in custody say they get on well with staff and feel safe.</p> <p>More young people are motivated to participate in relevant activities.</p> <p>Their attitudes to their behaviour and aspirations change</p> <p>They make progress in their skills and attitudes.</p> <p>Their achievements are recognised formally or informally.</p> <p>More young people have throughcare arrangements and comprehensive plans in place for their return to the community.</p> <p>Staff are aware of the implications of the vision for young people in custody for their role.</p>	<p>A higher proportion of young people in custody participate in assessment, planning and review processes, with families involved wherever possible.</p> <p>A higher proportion engage in activities to address needs and build their skills across the four strands of learning of Curriculum for Excellence</p> <p>A higher proportion have improved levels of skill in communication, literacy, numeracy and IT.</p> <p>More young people demonstrate positive behaviours and attitudes.</p> <p>More young people believe that they can have a positive future.</p> <p>They have records of their achievements including qualifications where appropriate.</p> <p>More young people on remand participate in activities.</p> <p>There are fewer disruptive events and less bullying.</p> <p>More young people have someone who will support them throughout their sentence and beyond.</p> <p>Staff knowledge and skills in working with young people develop further and they put these skills and knowledge into practice in their interactions with young people.</p>	<p>Satisfaction levels among young people and staff increase (atmosphere, relationships, feeling respected, safe, environment...).</p> <p>The quality and extent of engagement with families is increased wherever possible.</p> <p>Mental health and wellbeing of young people in custody improve.</p> <p>More experience of full working days of activity.</p> <p>A higher percentage achieve a qualification or other form of recognition for their achievement.</p> <p>More have supported contact with work and the community during their sentence.</p> <p>More have someone who will support them throughout their sentence and beyond.</p> <p>All young people have suitable accommodation on release.</p> <p>More young people have success in securing and sustaining employment and/or volunteering after custody.</p> <p>More young people take up and sustain college/training places.</p> <p>Reconvictions of young people leaving custody decrease.</p>

NB: In the context of a population that has been declining, 'more' is used to mean a higher proportion.