

The effect of custodial sentences



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What is the effect of custodial sentences on the mental health of young offenders' in England aged between 12-17 years?

Introduction

(200 Words) There is widespread concern that the prison environment, with its rules and regimes, may have a detrimental impact on the mental health of young offenders, and those with mental illnesses in particular (Birmingham, 2003). The World Health Organization defined mental health as a state of well-being in which every individual realizes his or her own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to her or his community WHO (2014).

That is, good mental health is one being generally able to think, feel and react in the ways that you need and want to live your life. But if you go through a period of poor mental health you might find the ways you're frequently thinking, feeling or reacting become difficult, or even impossible, to cope with. This can feel just as bad as a physical illness, or even worse.

This research proposal necessitates the rationale for looking into the effects of custodial sentences in the age bracket. Highlighting the aim and objectives for a comprehensive research with methodological justification and the need to scrutinize ethical bias issues in surface. Furthermore, a timetable has been developed to facilitate for better analysis and conduct of the research.

Also, self-reflection in conclusion is adopted as a way of assessing ways of working and how the research proposal was conducted. Research texts (Gray 2009; Robson 2011; Saunders ; Lewis, 2012) consistently argue - a clear

research question supported by a convincing rationale justified by academic literature is essential for a good research project.

Background and Rationale for the study (800 words) In spite of the fact that there is a growing body of writing on the mental health needs of young people in the justice system, there remain many unanswered questions. In the year ending March 2016, there were 27, 900 young people sentenced in England.

This number has fallen by 10% compared with the previous year, and by 71% since the year ending March 2006. However, Community sentences including referral orders and Youth Rehabilitation Orders were most commonly imposed in 68% of sentences Youth Justice Board (2017).

Children and young people in custody are three times as likely as their peers to have unmet mental health need, with many having experienced multiple traumas during their young lives such as neglect, abuse and maltreatment.

Children in custody are facing a significant shortfall in mental health provision, with some given no access to psychological services and having to wait more than half a year for treatment. Young offenders aged between 12 and 17, many of whom suffer with mental health problems, are being left with urgent needs unmet due to reduced services in secure training centres (STCs) according to recent HMP inspections Youth Justice Board (2017).

The 2016 Ministry of Justice review on children who are in the justice system reported that significant numbers of black, Muslim and white working class boys in custody have mental and other health problems.

These groups are particularly over-represented in custody, where over 40% are from black, Asian and minority ethnic (BAME) backgrounds, a large proportion have previously been in care 38% in Young Offender Institutions, 52% in Secure Training Centers, and more than a third have a diagnosed mental health disorder Ministry of Justice (2016).

All children who come into contact with youth justice services are vulnerable by virtue of their young age and developmental immaturity according to the prison reform trust The Prison Reform Trust (2010). Many, however, are doubly vulnerable, that is, they are disadvantaged socially, educationally, and also because they experience a range of impairments and emotional difficulties.

It is well established that children who offend have more complex health and support needs than other children of their age (Mental Health Foundation 2002). The health and wellbeing needs of these children tend to be particularly severe by the time they are at risk of receiving a community sentence, and even more so when they receive a custodial sentence.

If these children are not helped at an early age, they can be sentenced to a lifetime of declining health and worsening offending behavior, with significant long term costs to the taxpayer, and to the victims of these crimes. Brief contacts with the youth justice system are only one element of state intervention in the lives of these children and their families; the role of schools, social care and health services are all critical determinants of improving outcomes Local Government Association (2017).

There has been evidence that suggest young that people within the youth justice system have high level of needs in a number of different areas, including health, education, and social and emotional well-being (Chitsabesan et al., 2006; Lader et al., 2000). In particular, studies consistently suggest that young offenders have high levels of mental health needs (Teplin et al., 2002) and neurodevelopmental disorders (Hughes et al., 2012).

Even though evidence of high prevalence is found, many of these needs are unmet due to lack of appropriate screening and identification and poor continuity of care (Harrington and Bailey, 2005). This is particularly apparent amongst young people in custody. The British Medical Association sets out with clarity and integrity the human rights principles that provide the foundation for good work with vulnerable children in trouble with the law.

The British Medical Association report makes it clear, that young offender institution and other places of youth detention are not full of happy, healthy children and young (BMA 2014, p10) Young offenders' experience of abuse has been found to be significant factors in their lives Beyond Youth Custody (2014).

The majority of young violent offenders sentenced to custody had experienced both abuse and loss, suggesting that the existence of a double childhood trauma may be a potent factor in the lives of violent young offenders. However, it must be stressed that child abuse and loss are not the only potential causes of violent offending, nor does every abused child

become an offender. Yet an unresolved trauma is likely to manifest itself in some way at a later date.

Many children become depressed, disturbed, violent or all three, with girls tending to internalise their responses and boys tending to externalise theirs. Such experiences are sufficiently prevalent to warrant the introduction of systematic assessment for violent young offenders. Attempting to address young offenders' behavior without understanding their underlying difficulties can result in unsuccessful and sometimes detrimental interventions.

Failure to take account of experiences of trauma and its impact upon child development and emotional well-being will limit the potential benefits of resettlement or rehabilitation work.

According to the Centre for Crime and Justice Studies (2010) Justice Policy Review, the coalition government published a green paper on punishment, rehabilitation and sentencing which promised a 'rehabilitation revolution' in relation to its plans for dealing with offending by young people, 'We must do better so that we can stop the young offenders of today becoming the prolific adult offenders of tomorrow'. An emphasis on prevention, on restorative justice, and on informal intervention points to successive governments' concerns about the juvenile prison population.

They proposed an alternative to youth custody, part of their proposal was that the Young Offenders Academy will replace the custodial environment, instead the focus will be on community and localism, harnessing integrated education, mental health and family services in order to focus on the education and development of the children.

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Against a backdrop of high levels of custodial vulnerabilities ; mental illness experienced by young offenders (Bateman and Hazel, 2014; Association for Young People's Health, 2013; National Audit Office, 2015) it can be argued that this topic is worthy of a research. Most noteworthy is the need to understand what is working and not working in terms of understanding custodial related vulnerabilities ; mental illness among young people through reviewing literature so as to increase knowledge base in these areas of practice.

Aim To explore the effect of custodial sentences on young offenders' age between 12-17 years on their mental health in England?

Objectives

The objectives of the proposal are:

To explore the prevalence of mental health which affect the children in custody age 12-17 in UK. To examine the overall mental health and psychosocial needs of young offender's custody and to identify how needs vary according to gender, ethnicity and placement.

To assess the impact of government policy in supporting young offenders in and out of prison.

Methodology ; Justification (800 Words)

The research will engage primary and secondary method to evaluate the effects of custodial sentences on young offenders between the age group of 12-17 years on how being in custody affects their mental state. The most important factor in conducting secondary (Qualitative) research is that

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enough information could be gathered which might help in deciding whether or not there is a need to conduct primary research.

Qualitative research is associated with the social constructivist paradigm which emphasises the socially constructed nature of reality which seeks to uncover deeper meanings to human behaviour and emotions and the design of the research determines the sample, how data is collected and how it is analysed (Ritchie and Lewis, 2004).

Whereas Primary (Quantitative) research involves collecting and converting data into numerical form for statistical analysis and statistical analysis which enables researchers to determine to what extent there is a relationship between two or more variables, to determine the sample chosen, how data is collected and how the data is analysed (De Vaus, 2004).

Information on the prevalence of mental health which affects the children in custody age 12-17 in UK, Overall mental health and psychosocial needs of young offenders both in custody and in the community and to identify how needs vary according to gender, ethnicity and placement (custody versus community) and the impact of government policy and initiative in supporting these young offenders in and out of prison.

It will look at studies and evidence and also look at alternative therapeutic options for youths with severe emotional disorders due to custodial sentence.

Government policies will also be looked at. The purpose is to test the hypothesis. Sufficient steps to critically evaluate the validity and reliability of the secondary data will be stressed.

In undertaking a qualitative research, various points of approach to sampling in qualitative interview-based research shall be access and critically analyze.

The approaches which shall be engage are, firstly the defining of a sample universe by way of specifying inclusion and exclusion criteria for potential participation, secondly the deciding upon a sample size, through the conjoint consideration of epistemological and practical concerns, thirdly selecting a sampling strategy, such as random sampling, convenience sampling, stratified sampling, cell sampling, quota sampling or a single-case selection strategy for the avoidance of bias, and ethical concerns pertaining to informed consent.

The extent to which these various concerns are met and made explicit in a qualitative study has implications for its coherence, transparency, impact and trustworthiness. Hence the reason why they'll require considerate analysis. According to current practice for research in custody settings, the consent of the custodial director or from Her Majesty Prison Service (HMP) suffices and replaces parental consent.

Eighty semi-structured interviews will be carry out with key stakeholders to ascertain the structures of current service provision, and processes involved in provision and outcome. This includes interviews with youth offending staffs, managers and staff within secure establishments, and providers of mental health services in the young offenders' institutes. Between 20-40 percent of young offenders will also be question about their satisfaction with a variety of different services.

All sampled children in YOI at the time of the surveys will be invited to engage from to complete a questionnaire. Every effort shall be made to speak to each participant individually in order to explain the purpose and confidentiality of the survey and the independence of the process.

Both boys and girls who might need help to complete the survey due to literacy or language difficulties shall be supported with face to face questioning instead. Self-completed questionnaires will be place in sealed envelopes and collected within the survey time frame. The survey will be conducted to ensure anychild protectionand safeguarding issues arise during the process could be follow up, each questionnaire will be number so that any relevant comments could be trace back to the respondent.

Children shall be made aware of this. Googlescholar, Academic search complete, Zetoc and Academic premier will be use as the main search engines. Data base which will be accessed are IngentaConnect, Sage journals online, Sciencedirect, The Cochrane library, and Social care online.

Key words which will be used in the search is 'custodial sentence on young offenders between 12-17 years on their mental health in England'. Boolean Operators which use a simple words e. g. AND, OR, NOT will be used as conjunctions to combine or exclude keywords in a search, to enable result which are more focused and can produce productive results.

This should save time by eliminating inappropriate hits. Ethical and Bias issues (400 Words)Bias is defined as any tendency which prevents unprejudiced consideration of a question. In research, bias occurs when

systematic error is introduced into sampling or testing by selecting or encouraging one outcome or answer over others.

Bias can occur at any phase of research, including study design or data collection, as well as in the process of data analysis and publication. In reviewing the literature's search, consideration to the degree to which bias may be presented shall be carefully analyze. Avoidance on how bias might influence a study's conclusions shall also be consider.

Writing this research proposal proved very difficult in commencing. My initial thought was that it would be less tedious in comparison to writing an essay. However, participating in lectures and engaging in class activities gave me the stamina and enthusiasm to engage in the process. Having not engage in such a process before was definitely going to be a challenge.

I started by going through the lecture notes and the weekly lecture slides to be able to understand how to develop a research question. A research question helps you to focus on your research by providing a path to navigate the research and writing process (Punch, 2006).

Although I had partake in the same lecture on how to develop a research question, yet my understanding was a little vague. I searched using the Google website using what I already had in mind and I came across an article from the Independent Newspaper talking about the mental health of young offenders. I then engage with the literature search strategy to develop my question.

Building on the research question helped me to develop the introduction which in itself was also not explicit. Again I turn to the lecture notes to guide me on that. One of the most difficult task in the process was developing the rationale. I struggle to understand the fundamentals on how to cultivate an effective rationale due to not fully understanding the important historical and contextual events which is vital in research and which informs the reader about why and how the research problem I'm interested in exist.