

Children's Society, top prisons inspector call for an end to jailing children in Britain

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Britain's Chief Inspector of Prisons, Sir David Ramsbotham, and the Children's Society have joined forces to call for an immediate end to sending children to jail. Their appeal was made as a report issued by the society said that prisons are acting as a warehouse for the country's most damaged and troubled children.

England and Wales lock up more young people than any other Western European country. In the past year the number of children in custody rose by 11 percent to 3,000. The two countries also have a lower age of criminal responsibility, 10 years, than almost any other country on the continent, except Scotland where it is set at eight years old. The Children's Society estimates that more than half of those young people currently incarcerated in the UK suffer from mental illness.

Over the last decade, juvenile policy in England and Wales has been turned back hundreds of years, the society points out. The Conservative government in 1994 initiated a "secure training order", allowing the imprisonment of children between the ages of 12 and 14 years old in secure training centres, reversing an almost century long policy of moving children away from prison custody.

In 1998, under the Blair Labour government, juvenile policy was turned back almost 700 years when the 14th century principle of *doli incapax*—establishing that children between 10 and 13 years old were presumed to be incapable of criminal intent unless proven otherwise—was abolished. This has allowed "a 10 year old child, still in primary school to be regarded as criminally responsible as a fully mature adult", the report states.

By March 31 this year, 1,708 children were serving prison sentences in England and Wales, not including those being held on remand awaiting trial. This is the result of a more draconian sentencing policy, which has seen the numbers of young people aged between 15 and 17 years old being imprisoned double between 1993 and 1998. "During the same period the number of 15-17 year

old boys, as a proportion of the total population sentenced to custody more than doubled, while the number of girls almost trebled. In addition, a disproportionate number of black children are incarcerated—more than six times the average."

The Children's Society's report makes a direct link between social disadvantage and crime. At the time of their offending, approximately 10 percent of those young people being held on remand were homeless, it states, and 35 percent were not living with either parent. More than 50 percent were not attending school and 75 percent were already under the supervision of a local authority or the youth justice system.

More than 50 percent of young prisoners on remand and 30 percent of sentenced young offenders have a diagnosable mental disorder. Between 1989-99, 18 young people committed suicide in young offenders institutions. In just one year—1998-99—there were 944 recorded incidents of self-harm in young offenders' institutions.

These conditions are "intolerable for everyone concerned with the welfare of young people and the right of victims to a justice system which reduces the chance of reoffending", the society states. The UK is now consistently breaching the United Nations Convention on the Rights of the Child in a number of areas, including the duty of government to use detention or imprisonment as a last resort and children's rights to be protected "from all forms of violence, abuse and neglect".

There can be no hope of rehabilitating young offenders under these conditions, the report outlines. Not only is the cost of imprisoning young people far higher than alternatives, such as bail support schemes (£25,000 minimum per annum compared with less than £2,000), it does not reduce reoffending. Some 67 percent of young people released from secure training centres have reoffended within 20 weeks—a far higher failure rate than other penal policies.

The Children's Society proposes the development of alternatives to custody for young people, "to atone for any crimes by working within the community. For the small number of young people who are considered too much a risk to themselves or others, secure children's homes can protect the public safety and provides the resources and support that some young people need."

Ramsbotham echoed the Society's call for an immediate end to remanding 15 and 16-year olds to prison. The continued neglect of young offenders would set a "very dangerous trend", he said.

The Prisons Inspectorate has repeatedly condemned conditions for young people in custody. In a 1998 report on Werrington Youth Offenders Institute, Ramsbotham said that he had never before seen "such totally deliberate and unnecessary impoverishment of children". An earlier report into Glen Parva prison was not published after the Chief Inspector said he had been "appalled" by the institute. In a report on Feltham Young Offenders Institute—Europe's largest juvenile jail—(earlier this year), the inspectorate had described conditions as "rotten to the core" and "unacceptable in a civilised country". Earlier this month, Feltham inmate 20-year-old Robert Stewart—a psychotic racist—was convicted of brutally battering to death his 19-year-old cellmate, Zahid Mubarak.

Last year, Ramsbotham had questioned whether Robert Thompson and Jon Venables, imprisoned aged 11 years for the murder of two-year-old Jamie Bulger in 1993, should be moved from secure accommodation where they are currently being held to an adult jail. "I would not wish them to go to some of the institutions I have seen, " Ramsbotham told the *New Statesman* magazine. The Chief Inspector immediately came under vociferous attack for his remarks, from both Conservative and Labour politicians and was forced to issue a humiliating apology following a sharply worded intervention by Home Secretary Jack Straw.



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