

Housing and Resettlement of Young Offenders: The Case for a Cross-government Action Plan for Malta

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Purpose:

The paper addresses social inclusion support as a main focus area of intervention for young offenders after being released from custody in Malta, a former protectorate and colony of Britain from which it has inherited its public administration and education system. According to European Commission statistics published in 2011, the island has the highest percentage of young offenders in the European Union. The objective of this research is to investigate whether it is financially feasible to embark on studies to prepare a Young Offenders Housing and Resettlement Protocol and a cross-government action plan for the resettlement of juveniles following their term in custody.

Design/Methods/Approach:

This research is based on quantitative analysis of published and unpublished data relating to Young Offenders Unit Rehabilitation Services, Malta. The approach adopted is inspired by current practice and findings in Britain.

Findings:

Compiling a protocol and a cross-government action plan essential for effective public policy for housing young offenders following their term in custody is a financially viable option for Malta. The expenses incurred in providing custody for reoffenders balance out the costs involved in funding preparation of a Young Offenders Housing and Resettlement Protocol, the action plan and all supporting technical reports. In the payback period, a further reduction of the costs of preparing them can be attained by tapping into funding sources such as European Union co-financing programmes.

Practical Implications:

The preparation of a Young Offenders Housing and Resettlement Protocol and a cross-government action plan for young offenders drafted with all parties involved, including the offenders themselves, is a way to invest in the nation's social capital with humanity. The short-, medium- and long-term impacts on such human capital investment are positive for both the young offenders and the community, the victim of crime.

Originality/Value:

This paper proposes that the effort to draft instruments introducing an effective housing and resettlement policy constitutes a viable, cost-effective preventive measure against the relapsing of young offenders.

UDC: 343.915(458.2)**Keywords:** housing, re-offending, youth crime, young offenders, resettlement, Malta**Nastanitev in reintegracija mladih prestopnikov: primer medresorskega akcijskega načrta za Malto****Namen prispevka:**

Prispevek obravnava podporo pri socialnem vključevanju kot osrednji ukrep po izpustitvi mladih prestopnikov na prostost. Avtor se osredotoča na Malto, nekdanji protektorat in kolonijo Velike Britanije, od katere je država podedovala svojo upravno ureditev in izobraževalni sistem. Glede na statistične podatke Evropske komisije iz leta 2011 ima Malta najvišji odstotek mladih prestopnikov v Evropski uniji. Namen prispevka je ugotoviti, ali se je s finančnega vidika smiselno lotiti raziskav za pripravo protokola za nastanitev in reintegracijo mladih prestopnikov (angl. *Young Offenders Housing and Resettlement Protocol*) ter medresorskega akcijskega načrta za reintegracijo mladostnikov po izpustitvi na prostost.

Metode:

Raziskava temelji na kvantitativni analizi objavljenih in neobjavljenih podatkov malteške Službe za rehabilitacijo mladih prestopnikov (angl. *Young Offenders Unit Rehabilitation Services*). Pristop temelji na aktualni praksi in ugotovitvah iz Velike Britanije.

Ugotovitve:

Priprava protokola in medresorskega akcijskega načrta, ki sta ključna za učinkovito politiko na področju skrbi za mladostnike po izpustitvi na prostost, je finančno izvedljiva možnost za Malto. Stroški, ki nastanejo pri obravnavi povratnikov, so izenačeni s stroški financiranja priprave protokola in medresorskega akcijskega načrta ter vseh podpornih tehničnih poročil. V obdobju odplačevanja je mogoče doseči dodatno zmanjšanje stroškov, in sicer preko alternativnih virov financiranja, kot so denimo programi sofinanciranja Evropske unije.

Praktična uporabnost:

Priprava protokola in medresorskega akcijskega načrta, ki bi upoštevala vse vključene strani, tudi mlade prestopnike, predstavlja human način investiranja v narodov družbeni kapital. Kratkoročni, srednjeročni in dolgoročni vplivi takšne naložbe v družbeni kapital so pozitivni tako za prestopnike kot tudi za skupnost in žrtve kriminalitete.

Izvirnost/pomembnost prispevka:

Avtor prispevka ugotavlja, da so prizadevanja za vpeljavo učinkovitih politik na področju nastanitve in reintegracije mladih prestopnikov izvedljiv in stroškovno učinkovit preventivni ukrep proti povratništvu mladih prestopnikov.

UDK: 343.915(458.2)

Ključne besede: namestitev, povratništvo, kriminaliteta mladih, mladi prestopniki, reintegracija, Malta

1 INTRODUCTION

In criminology, as a main driver of criminal justice policy benefit-cost analysis (BCA) has been on the agenda for the past two decades. A milestone study was undertaken by Schweinhart, Barnes and Weikart in 1993 while the first book on the subject was edited by Welsh, Farrington and Sherman in 2001. The most noteworthy publications on benefit-cost models include van Dijk (1997) and Donohue and Siegelman (1998). The first reviews were made by Welsh and Farrington (1999, 2000a, 2000b). Some of the latest research is by Domínguez-Rivera and Steven (2015) and the fundamental issues raised there were addressed in a commentary by Welsh and Farrington (2015), the authors of the most recent reviews on the topic (Welsh, Farrington, & Taheri, 2015).

Juvenile justice policy has always been viewed as fluctuating between rehabilitative and punitive models (Jenson & Howard, 1998). Studies in Britain made in the past decade support the claim that accommodation reduces the probability of young offenders relapsing (Arnull et al., 2007; Hucklesby & Hagley-Dickinson, 2007; McCormack, 2005). The one-size-fits-all approach to housing young offenders in the period subsequent to their custody has limited benefits. Each young offender has his/her own personal needs that require individual-specific, professional support. Resettlement in suitable and sustainable housing environs that are secured prior to a young offender's release is fundamental to facilitating his/her integration with the community. This increases the young offender's chances of employability and becoming productive and enhances his/her possibilities of achieving social cohesion with the rest of society.

Prison resettlement runs high on government policy agendas (Hucklesby & Hagley-Dickinson, 2007). In Britain, most young people below 18 years of age relapse within a year of being released. A reduction of the rate of re-offending was noted when juveniles were provided with suitable accommodation that met their needs (Bateman, 2015). When provided with accommodation satisfying their respective emotive and social needs, namely when they are not homeless, the chances of a young offender relapsing are reduced. Homelessness is not simply about not having a home; a juvenile may still be homeless or utilise homelessness services because he/she lives in a home unsuited to his/her needs (Taylor, 2008). As a former protectorate (1800–1814) and colony (1814–1964) of Britain, Malta has similar public administration and education systems. For nearly a century, criminology in Malta relied on analogies from Britain and the counterpart Maltese criminal justice institutions were modelled accordingly (Knepper, 2008). Further,

the theory and practice of housing still draw on British research. This article considers the sustainability of: (i) compiling a protocol; and (ii) a cross-government action plan for a housing policy to help young offenders in Malta resettle once released from custody along the lines developed in Britain. Thus, whilst reviewing the British system and noting the scenario in Malta, the case is made that such documents should be prepared. Addressing the social reality of young people, once released, benefits both them and the community at large.

2 RELAPSING AMONG JUVENILES

2.1 Reducing Relapsing Among Juveniles

The Corradino Correctional Facility (CCF), the only prison on the island, was constructed by the British in 1866 in line with Bentham's panopticon typology, the iconic prison design concept. Modelled on the design of HM Prison Pentonville, the CCF was extended in recent decades to cater for the larger prison population. Not only is its architecture British but so too is the present managing philosophy and administration. Local professionals and practitioners in the fields of criminology and related disciplines have received Anglo-Saxon education and a number have even undertaken postgraduate studies and research in the United Kingdom.

The Association of Chief Officers of Probation of Britain (HM Inspectorates of Prisons and Probation, 2001: 12) defines the "resettlement of offenders" as: "A systematic and evidence-based process by which actions are taken to work with the offender in custody and on release, so that communities are better protected from harm and reoffending is significantly reduced. It encompasses the totality of work with prisoners, their families and significant others in partnership with statutory and voluntary organisations."

The National Reducing Re-offending Delivery Plan lists seven resettlement pathways to be considered by Youth Offending Service case managers as part of an overall intervention planning (National Offender Management Service, 2005). These are: (1) accommodation; (2) education, training and employment; (3) health; (4) drugs and alcohol; (5) finance, benefit and debt; (6) children and families; and (7) attitudes, thinking and behaviour. With respect to accommodation, the document states: "Getting offenders into accommodation is the foundation for successful rehabilitation, resettlement and risk management. It can provide the anchor for a previously chaotic life and act as a springboard for other crucial steps – such as getting and keeping a job, and accessing health care or drug treatment." (National Offender Management Service, 2005: 17)

2.2 Issues Relating to Housing Young Offenders

In 2004, the Youth Justice Board for England and Wales identified a number of issues relating to accommodation and young offenders (Patel, 2004). Released from custody with nowhere to go, they were faced with a dilemma. Some local councils were failing to provide suitable housing for them prior to them leaving custody. In a bid to improve the situation, a strategy paper was prepared to phase out, by

2010, the practice of housing young offenders at bed and breakfast accommodation (McCormack, 2005). In 2005, the Youth Justice Board commissioned a year-long study to provide (i) based on national data from public and specialist agencies, a picture of the housing issues faced by young offenders and (ii) whilst taking note of the opinions of practitioners and key stakeholders involved, an in-depth understanding of the perspective of young people encountering accommodation issues (Arnall et al., 2007).

In 2010, after being drafted by the Home Affairs Committee of the House of Commons, the British government's approach to crime prevention was published (House of Commons, 2010). Barnados, a leading British charity organisation founded in 1866 to provide care for vulnerable children and young people, published its research in February 2011. It concluded that young offenders are leaving custody without a safe place to live, forcing them into a life of homelessness and relapsing. The study noted that (Hill, 2011):

1. all young offenders who were referred to the charity organisation in 2009–10 listed housing as one of their five top concerns;
2. a young offender caught in a cycle of homelessness and reoffending costs the public coffer the sum of GBP 116,000 over a period of three years;
3. suitable support for young offenders after being released from custody can reap a saving of GBP 67,000 per individual over 3 years; and
4. previous research shows that stable accommodation reduces the risk of reoffending by up to 20%.

A report entitled *Resettlement of Young Offenders* issued by the Local Government Association highlights initiatives undertaken in the UK to address the needs and modes to provide support to young offenders (Local Government Association, 2011). The following three focus areas of support were identified: (i) accommodation; (ii) education, training and employment; and (iii) life skills and holistic support. For Barnado's chief executive, youth reoffending is still "... shockingly high. ... The resettlement of young people when they leave custody remains an intractable problem" (Hill, 2011). According to statistics issued by the Ministry of Justice in 2013, nearly 75% of youth less than 18 years of age relapse within 12 months of being released from custody (Ministry of Justice, 2013).

3 JUVENILE CRIME IN MALTA

3.1 Official Statistics

A significant number of young offenders has special educational needs, others suffer depression and many return to family environments that cannot support them whilst others end up without safe accommodation. According to an EU Justice Commission Green Paper released on 14 June 2011, Malta, the smallest EU member state, registered the highest rate of young offenders among its prison population (European Commission, 2011). Comparative statistics with other European Union member states for the period 2009–2010 are tabulated in Table 1 and graphically shown in Figure 1. In reaction to the Green Paper, the

Government of Malta argued that the country’s percentage rate, unlike many other EU countries, includes inmates aged between 18 and 21 who are serving time at the Young Offenders Unit Rehabilitation Services (YOURS) unit within the CCF (Grech, 2011). According to the *World Prison Brief* (Walmsley, 2016), in August 2014 the share of offenders below 18 years was 1.7%. This figure, which works out at between 6 to 10 inmates under 18, is more realistic (S. Scicluna, personal communication, December 14, 2015). This averages out at 8, the actual number in 2011 (Office of the Commissioner for Children, 2011).

Austria	2.6	Greece	4.4	Portugal	0.7
Belgium	0.3	Hungary	3.0	Romania	1.6
Bulgaria	0.5	Ireland	2.4	Slovakia	0.8
Cyprus	0.6	Italy	0.5	Slovenia	2.0
Czech Republic	0.7	Latvia	2.1	Spain ²	0.0
Denmark	0.5	Lithuania	2.5	Sweden	0.1
Estonia	1.0	Luxembourg	0.7	United Kingdom	
Finland	0.1	Malta	6.1	a) England & Wales	1.9
France	1.1	Holland	4.7	b) Scotland	1.5
Germany ¹	3.5	Poland	0.3	c) Northern Ireland	1.0

Table 1: Percentage of prison population of young offenders in the European Union for 2009–2010 (Based on European Commission, 2011: 14–16)

¹ Pre-trial offenders only

² 2.1% under 21 years of age

Her Excellency the President of Malta Marie-Louise Coleiro Preca, when still Minister for the Family and Social Solidarity, stated that: “We need to understand what pushed these people to carry out infringements and we need to ensure a continuity of care of these persons once they leave the facility” (Balzan, 2013). She also noted that YOURS lacks a multidisciplinary team to support young people who at times land themselves behind bars because they end up homeless. From a review of profiles of young inmates at the YOURS unit, it transpires that most offenders had experienced economic difficulties and/or were homeless prior to entering the facility and, in the case of re-offenders, after leaving it.

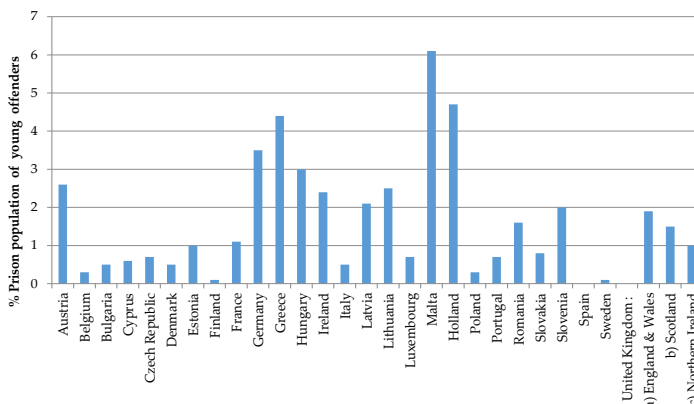


Figure 1: Comparative statistics for the period 2009–2010 (Based on European Commission, 2011)

3.2 The YOURS Unit

This facility was established in 1999 at the CCF. On these premises, minors and young offenders up until 21 years are remanded in custody. In 2006, the YOURS unit catered for 20 males, one of whom was 15 years of age while some were older than 21 (Cefai & Cooper, 2006). At present, it houses around 30 male offenders aged between 18 and 26 (Carabott, 2013). This marks a significant increase. A brief appraisal of the situation at the facility until early 2011 is given in the report Interim Recommendations regarding Minors prepared by the Task Force set up in February 2011 (Office of the Commissioner for Children, 2011). The premises housing the YOURS unit are intended to allow segregation between young and adult offenders. However, in practice, this segregation is partial for two reasons:

1. young female offenders do not have a separate section but are kept in the female division at the CCF; and
2. the YOURS facility also caters for adult, first-time offenders who, whilst not being hardened criminals, might be chronic offenders.

At the YOURS unit, inmates are provided with educational lessons twice a week and spend most of the remaining time watching television and playing video games (Balzan, 2013). They have limited time devoted to physical exercise.

Interest in the built environment relating to young offenders was registered in recent years. A dissertation undertaken at the University of Malta and completed in 2010 focused on the architecture of correctional facilities for such inmates (Georgiev, 2010). As part of this research, a workshop was held with them whereby ideas for cell design, upgrading the existing visitors' area and a design layout for the outdoor recreational areas within the facility precincts were developed. This study was followed by another, this time focusing on the innovative design of correction facilities in Austria (Bason, 2013). With respect to designing the policy for the housing and resettlement of young offenders in Malta, no studies have so far been undertaken.

3.3 Towards a Housing and Resettlement Policy

Unlike the UK where young offenders at risk of homelessness due to their term in custody or when on remand are addressed in both the Housing Act 1996 and the Homelessness Act 2002, Malta has no such legislation. Further, no research has been conducted on the housing needs of young offenders who have been in custody.

In Britain, the National Standards for Youth Justice Services makes it mandatory that the Youth Offending Service "assess accommodation needs prior to transfer [of a juvenile offender] to the community, ensuring that satisfactory accommodation is available prior to release, and inform the YOT [Youth Offending Team] manager if this is not provided" (Youth Justice Board, 2013: 43). To ensure that the housing for resettlement is suitable, it recommends that a protocol between the Youth Offending Service, the local Children's Services and the Local Authority Housing Department is in place.

The Ministry for the Family and Social Solidarity of Malta includes in its portfolio not only YOURS but also social housing, the remit of the Housing Authority. In the absence of legislation and an integrated strategic plan, having well-defined guidelines to allocate housing to young juveniles would help establish an user-oriented policy for this sub-population. This requires the formulation of a cross-government action plan for young inmates leaving the YOURS unit (Bianco, 2013). Such a plan assumes the preparation of a Young Offenders Housing and Resettlement Protocol (YOHRP). The objectives of such a protocol are twofold: (i) to reduce the likelihood of ending up homeless, or placed in unsuitable accommodation upon leaving the YOURS facility; and (ii) to prevent relapsing encouraged by a lack of alternative accommodation following custody. For the YOHRP, and subsequently the cross-government action plan, to address the issue holistically, a ‘joint venture’ bottom-up approach which engages government agencies and non-governmental organisations is the way ahead. The preparation of these documents is effectively a consultation process with all concerned, inclusive of the victims of crime and the young offenders. The data will not only be quantitative but also qualitative, based on one-to-one and group interviews with the main actors, the young inmates. Thus, the process will not only be an informative but also an educational exercise. Analysing the profile of young offenders, a disadvantaged vulnerable group with unique personal circumstances, and noting the experiences of all involved, will form a body of knowledge underpinning a long-term social philosophy.

3.4 Budgeting for a Housing and Resettlement Policy

Irrespective of a proposal’s validity, the civil service thinks in monetary terms: Is there a vote in the national financial estimates to cover a given item/proposal? This triggers the questions: What is the amount of money involved to prepare such documents? Is it a financially viable option to have them? What is the payback period for the funds invested?

To cost YOHRP and the cross-government action plan, an estimate of the professional fees and expenses involved was undertaken. Based on a plausible duration of a team of 40 multidisciplinary professionals, including supporting staff, of four calendar months on a full-time basis, the financial estimates involved in preparing these documents are shown below (Table 2). The monetary cost to undertake such an assignment, inclusive of value added tax, is accordingly estimated.

Mobilisation (setting up offices and supporting human and IT infrastructure)	€ 035,000
Compilation of database on young offenders, past and present	€ 015,000
Research and compilation of library sources	€ 075,000
Salaries of employees engaged in data collection and processing	€ 240,000
Consultancy fees (for engaging professional expertise; 10 in no.)	€ 090,000
Expenses relating to workshops (4 in no.) with present and past young offenders	€ 028,000
Expenses relating to compilation and printing of documents	€ 045,000
National conference	€ 005,000
Other expenses (use of cars, petrol etc.)	€ 025,000
Value added tax (@18%, to three significant figures)	€ 100,000
Total (inclusive of value added tax @ 18%)	€ 658,000

Table 2:
Estimated costs of compiling a protocol and a cross-government action plan based on hourly rates for Malta

If the percentage of resettled, non-reoffending youth is α , then the annual direct savings of public funds generated by young offenders not relapsing can be expressed as follows:

$$\sum_1^n \alpha * a * b$$

where:

- a: daily cost per young offender;
- b: duration, in days, at the correctional facility; and
- n: young offenders at the correctional facility at a given instant.

The average time a juvenile is in custody is around 500 days and the cost of an inmate at the YOURS unit, which is circa equivalent to the cost of an inmate at the CCF (S. Scicluna, personal communication, 14 December 2015), is estimated about EUR 75 a day. Given that the population at the YOURS unit is 30, then public savings resulting from 20% of the inmates not relapsing is EUR 225,000. This implies that, if the administrative infrastructure is in place to address young offenders' post-custody housing issues, the payback period for the proposal is nearly 3 years. This may be significantly reduced through external sources for project financing, say, through the European Social Fund Operational Programme 2007–2013, which would have covered 85% of the costs involved (European Social Fund, 2012).

Another direct saving, which cannot be quantified as no data are available, relates to the costs borne by the victims of re-offenders. Psychosocial costs are sustained by the victims of crime. Dealing with the difficulties of managing an encountered trauma has a socio-economic dimension. The professional support to cope with their experiences incurs financial expenses.

4 CONCLUSION

The resettlement of offenders following custody runs high on present political agendas and reducing re-offending is a priority policy area for the Government in England and Wales (Hucklesby & Hagley-Dickinson, 2007). Research conducted in Britain indicates that suitable housing is linked with a decrease in re-offending (Arnall et al., 2007; Hucklesby & Hagley-Dickinson, 2007; McCormack, 2005). Suitable stable housing is a crucial factor of resettlement (Linney, 2013), albeit less correlation exists in the USA than in the UK (Flint, 2013). Such housing is more successful with female offenders (Ellison, Fox, Gains, & Pollock, 2013).

The National Reducing Re-offending Delivery Plan (National Offender Management Service, 2005) provides a baseline for hypothetical criminological studies in Malta. This paper concludes that the expenses of providing custody for re-offenders balance out the costs incurred in funding YOHRP, the action plan and all supporting technical reports. Further, given that YOURS, the Housing Authority and the Social Services Department all fall within the portfolio of the Ministry of the Family and Social Solidarity, the action plan will effectively be cross-departmental and thus likely to be less bureaucratic.

The BCA of crime-prevention programmes was the subject of research in the late 1990s. One dimension arising from a BCA of a given initiative is its financial sustainability. Taking a humanistic approach, the well-being of young offenders, their victims and society at large are parameters which cannot be quantifiable in monetary terms. Setting aside the psycho-socio-economic gains, the benefits outweigh the costs in having a juvenile-justice-sensitive housing policy in place. This is in line with recent reviews on BCA made by Welsh, Farrington and Raffan Gowar (2015). Welsh and Farrington (2015: 674) acknowledge the significance of BCA as “one of the ‘key drivers of criminal justice policy’”, a main contribution of Domínguez-Rivera and Steven (2015). But does such a policy account for a reduction in relapsing? With respect to the United States, when referring to Jenson (1997) and Williams, Ayers and Arthur (1997), Jenson and Howard (1998) list a number of social situations that make juveniles susceptible to crime.

The resettlement pathway for young offenders is a way to invest in the nation’s social capital with humanity. The short-, medium- and long-term impacts on such human capital investment are positive for both the young offenders and the community, the victim of crime. Social inclusion and well-being improves the former’s dignity and the latter’s social capital.

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