

Resettlement Outcomes for 18–21-Year-Old Males in Northern Ireland*

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Summary: Transition from custody to the community is an important stage in the sometimes lengthy and complex journey towards successful resettlement and desistance. This research focuses on resettlement outcomes for young adult males who have been sentenced under the Criminal Justice (NI) Order (2008) and supervised by PBNI in the community. This is a retrospective study using quantitative methods to gather and analyse data from agency records. The results from this study contribute to our understanding of the significance of variables associated with recall for young adults in Northern Ireland.

Keywords: Custody, community, resettlement, desistance, young adult males, Criminal Justice (NI) Order (2008), recall.

Background

Since its inception in 1982, the Probation Board for Northern Ireland (PBNI) has worked within prisons in Northern Ireland and supported prisoners on release (O'Mahony and Chapman, 2007). Before 1996 this was on the basis of a voluntary contract as, with the exception of life sentence prisoners, PBNI had no statutory authority to supervise released prisoners.

The Criminal Justice (NI) Order 1996 introduced post-custody supervision in the form of a sentence specific to Northern Ireland (Custody Probation Order) and supervised licence for sexual offenders (Fulton, 2003). Custody Probation Orders required the consent of the service user, and most prisoners were released without a requirement for post-release supervision or support (O'Mahony and Chapman, 2007).

* The full report will be available at <http://www.socsci.ulster.ac.uk/irss/daremsc.html>

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The Criminal Justice (NI) Order (2008) introduced Determinate Custodial Sentences (DCSs), Extended Custodial Sentences (ECSs) and Indeterminate Custodial Sentences (ICSs), all of which involve periods of imprisonment followed by supervised licence. This legislation led to PBNI having statutory supervision responsibility for a significantly increased number of released prisoners, their compliance and enforcement actions.

Enforcement of licence conditions and recall of licensees have contributed to an increase in the prison population in Northern Ireland. Reoffending rates following imprisonment have remained high and demonstrate the challenge for people leaving custody and the organisations charged with engaging with them.

Northern Ireland conviction data reveal that 84.3% of those convicted of an offence during 2012 were male and that the highest percentages of convictions were handed down to persons under the age of 24 (29.7%) (Department of Justice (DOJ), 2014a). In addition, 46% of the prison population in 2013 was under the age of 29 (DOJ, 2014b).

The most recent reconviction data available show that 70% of 18–20-year-olds leaving custody were reconvicted within two years, compared with 33% of those aged 35 and over (DOJ, 2011). It is documented internationally that the majority of imprisoned youth will return to the criminal justice system following release (Spencer and Jones-Walker, 2004).

As part of the Hillsborough Castle Agreement that led to the devolution of policing and justice powers in Northern Ireland, a review of prisons was established (Northern Ireland Office (NIO), 2010). The review, led by Dame Anne Owers, reported in October 2011, making 40 recommendations for change.

The review described the young adult male population as a ‘forgotten group’ (Owers, 2011: 70) who had attracted much less political, media and academic interest than their female counterparts and recommended that ‘A community-based pilot project should be set up for young adult offenders, on the model of the Inspire project, as a statutory, voluntary and community partnership offering an alternative approach and providing community support for young adult offenders’ (Owers, 2011: 37). The DOJ *Strategic Framework for Reducing Reoffending* (2013) also identifies a need for more effective rehabilitative support for young male offenders as a priority (DOJ, 2013: 33).

The Owers Report captures the issues for young adults post-custody in their journey towards desistance from offending and successful

resettlement in the community (Owers, 2011). A specialist community-based pilot project for young adults is suggested. There was, however, little reliable knowledge on resettlement outcomes for this group in Northern Ireland.

This research project comprised a quantitative study examining resettlement outcomes. While a range of variables contribute to successful resettlement, or otherwise, it was decided to focus, as measures, on outcomes related to accommodation, employment, education and training, alcohol and drug use and some elements of community integration. The important role of families in supporting resettlement has been identified in other studies; however, a detailed examination of the particular contribution of family was beyond the scope of this study (Edgar *et al.*, 2012; Ministry of Justice, 2010).

Research

The aim of this study was to identify and examine factors contributing to the successful resettlement of 18–21-year-old males leaving custody in Northern Ireland and to consider the implications for the implementation of Prison Review Team recommendation 37 in relation to a community-based pilot for young adult offenders, and PBNI policy and practice.

Methodology

This was a retrospective study examining data from agency records on key social variables. Service user files were reviewed to gather data in relation to static risk factors, accommodation, education, employment and training, community, and alcohol and drug use, and the relationship to licence recall was examined.

Data were collected from the ACE (Assessment, Case management and Evaluation)¹ instrument and from case records, pre-sentence, recall reports and other sources of data available on the Probation Information Management System (PIMS) using a data extraction tool designed specifically for this study.

¹ ACE (Assessment, Case Management and Evaluation) assessment tool developed by Colin Roberts and used by PBNI to assess likelihood of reoffending, incorporating a risk of harm filter (Best, 2007).

Results

A sample of 162 case files relating to 18–21-year-old males released from custody, and subject to post-release licence supervised by PBNI, between April 2011 and March 2014 was examined.

The relationships between recall to custody as the dependent variable and the independent variables were analysed under the following headings:

1. sentence type
2. static factors
3. risk profile
4. independent variables
5. licence
6. cross-tabulations and tests of association.

1. Sentence type

Of the sample, 96.3% (156 people) were subject to Determinate Custodial Sentences and 3.7% (six people) to Extended Custodial Sentences. None were subject to an Indeterminate Custodial Sentence. Almost half of the sample (45.7%, 74 people) had experienced previous remand or sentenced custody.

2. Static factors

Age at first conviction

Age of first known criminality was noted by the Pre-Sentence Report author or recorded in the Risk Assessment Inventory (RAI) assessment.²

Data were not available in relation to seven cases (4.3%). Of the 155 cases where data were available, 26.9% were aged 10–14 years ($n = 42$), 27.6% were aged 15 or 16 ($n = 43$), 33.3% were 17 or 18 ($n = 52$), and 12.2% were 19 or 20 ($n = 19$) when they were first formally convicted.

Previous convictions

Data in relation to previous convictions were gathered from the Pre-Sentence Report or recorded in the RAI assessment. Data were not available in 1.9% ($n = 3$) of case records reviewed. Half of the sample (50.6%, $n = 82$) had more than 11 previous recorded convictions, 28.4% ($n = 46$) had 30+, 22.2% ($n = 36$) had 11–30, 33.3% ($n = 54$) had

² RAI is a risk of harm assessment tool for use with those who were identified via the ACE screen as having the potential to cause serious harm to others (Best, 2007).

between one and 11, and 23 (14.2%) had no previous recorded conviction at the point of sentence.

Age at sentencing and release

Of the sample, 5.6% ($n = 9$) were under the age of 18 years at the point of sentencing and 13.6% ($n = 22$) were aged 18. The majority of the sample was aged 19 or 20 (64.2%, $n = 104$); 16.7% ($n = 27$) were aged 21.

Index offence

The data relating to index or principal offence were extracted from the Pre-Sentence Report. Just over half (51.5%) of the sample were sentenced for offences of robbery and violence against the person (85 people).

3. Risk profile

The ACE tool is a third-generation actuarial assessment instrument that generates a 'likelihood of general reoffending within the next two years' score. Of the young adult cohort subject to licence in this sample, 69.1% ($n = 112$) were assessed as high likelihood of reoffending. Almost a quarter ($n = 40$) were assessed as medium likelihood of reoffending, and 6.2% ($n = 10$) as low likelihood of reoffending.

In addition to the likelihood of reoffending assessment, Probation Officers assess whether or not service users represent a significant risk of serious harm (ROSH) to the public.³ PBNI assesses an offender to represent a significant ROSH if there is a high likelihood that they will commit an offence causing serious harm. In the study, 23 people (14.2%) were assessed as ROSH.

4. Independent variables

Accommodation

Data in relation to accommodation status were collected at four points: pre-custody, day of release and at three and six months post-release.

It may not be surprising given their age that pre-custody 64.8% ($n = 105$) of the sample resided with a parent or other family member; also, 2.5% ($n = 4$) were accommodated in PBNI-approved hostel accommodation and 5.6% ($n = 9$) in other direct access hostels; 9.8%

³The PBNI ROSH assessment is an evidenced-based judgement by a risk management meeting triggered following completion of the RAI.

($n = 16$) were living at other temporary addresses, usually with friends; 7.4% ($n = 12$) lived in permanent accommodation with a partner.

Most people returned to live with a parent or other family upon release (61.1%, $n = 99$), representing similar levels to pre-custody. However, at the three and six months post-release points this had reduced to 49.4% ($n = 80$) and 38.9% ($n = 63$). Some of this reduction is explained by those recalled or remanded in custody.

By the six month post-release stage just 9.9% ($n = 16$ people) were living independently in their own accommodation and few were accommodated in direct access hostels.

The numbers residing at PBNI-approved hostels increased to 22.8% ($n = 37$) at release, before reducing to 9.3% ($n = 15$) and 3.7% ($n = 6$) at the three and six month post-release point, mainly due to recall to custody. The number of young adults residing with a partner remained fairly constant from pre-custody through to the period immediately post-custody and beyond at 6.1% ($n = 10$).

Employment

Data from Pre-Sentence Reports indicated that 82.7% ($n = 134$) of the sample were unemployed when the report was completed, usually in the month prior to sentencing. There was anecdotal evidence that some young adults had previously been employed but opportunities had been negatively impacted by the economic downturn. Just 2.5% ($n = 4$) were engaged in full-time education and a further 6.2% ($n = 10$) in temporary, part-time employment or training.

The rate of young adults unemployed post-release increased to 92.6% ($n = 150$), with only six (2.5%) having full-time employment at the point of release. As many of the employment data were in single figures and could not be used for further statistical analysis, the variables were grouped by recoding to capture those in employment, training or education and those not in employment, training or education (NEETs) at each point in time. By the three months post-release point the rate of those in education, employment or training had exceeded the pre-custody figure and it further increased to 25.9% ($n = 42$) at six months post-release.

Community

Information from Pre-Sentence Reports, the community domain of the ACE and case records indicated that in 84.0% ($n = 136$) of the cases

reviewed there was no recorded evidence of involvement in community activities at the Pre-Sentence Report stage. The most frequently recorded activity was sport, at 11.1% ($n = 18$ people). Post-release sport remained the most frequently accessed community activity at 12.9% ($n = 21$ people); however, the number of people accessing more than one community activity had increased from 3.0% ($n = 5$ people) to 9.8% ($n = 16$ people) post-release.

Almost a quarter (22.8%, $n = 37$) of the sample had been subject to what is euphemistically referred to as ‘community justice’ by way of threat (17.8%, $n = 29$), exclusion (1.2%, $n = 2$), physical punishment (0.6%, $n = 1$) or more than one of these (3.1%, $n = 5$) at some stage prior to their sentence (McAllister *et al.*, 2009). 4.3% ($n = 7$) were unable to return to their community of origin due to a threat. The frequency of young adults coming to the attention of paramilitary organisations appears to reduce significantly post-custody, reaching just 4% ($n = 7$) by the six month stage.

Alcohol and drug use

Data relating to the age of commencement of substance use were collected from Pre-Sentence Reports and ACE documents. They were based on the person’s self-report and recorded by the Probation Officer. Information was not available in 23.5% of the sample ($n = 38$). 25.8% of the valid sample ($n = 124$) had commenced substance use by the age of 12 years, and by age 14 years 62% of the sample had used substances, rising to 89.5% by the age of 16 years.

Alcohol and/or drugs were a factor in the index offence in 88% of cases. In 27.8% ($n = 45$) of the total cases alcohol alone was a factor in the index offence, and in 16.0% ($n = 26$) of cases drugs alone were a factor.

The ACE assessment instrument allows Probation Officers to separate assessment of criminogenic need, or Offending Related Score (ORS), in relation to alcohol and drugs. In ACE assessments completed closest to release, 15.4% ($n = 25$) of the sample were assessed *not* to have a criminogenic need relating to alcohol. 14.2% ($n = 23$) were assessed to have a small problem, 30.9% ($n = 50$) to have a medium problem and 39.5% ($n = 64$) to have a large problem.

Regarding drug use, 18% were assessed *not* to have a criminogenic need whereas 117 people (72%) were assessed to have a large or medium problem.

5. Licence

All persons released under the Criminal Justice (NI) Order are subject to standard licence conditions, with a suite of 52 additional licence conditions available. 92% ($n = 149$) of the sample were subject to additional licence conditions. Alcohol and drug counselling was the most frequently applied additional requirement, with 118 young adults (73%) required to complete this work. The external controls provided by a curfew and electronic monitoring (EM) were applied in less than one-third of cases (curfew 29% ($n = 47$) and EM 28% ($n = 46$)). 47% ($n = 77$) of the sample were recalled to custody. Of the cases subject to recall, length of time in the community prior to being recalled ranged from one day to 511 days. The median time in the community was 98 days. 25% of recalls had taken place within the first 40 (39.5), days on licence, 50% by 98 days and 75% by 169 days.

Discussion

The purpose of this research study was to add to our understanding of what contributes to the resettlement or recall of young adult males to custody.

Risk and static factors

Almost 70% of the sample was assessed as having a high likelihood of reoffending and 14% as a significant ROSH. It is not surprising that recall rates among these groups were higher. 62% ($n = 69$) of those assessed as having a high likelihood of reoffending and 78% ($n = 18$) of those assessed as ROSH were recalled. Despite the high rate of recall it is of note that 31% ($n = 50$) of those assessed as having a high likelihood of reoffending were not recalled to custody. Further analysis of this group could help in identifying factors supporting successful desistance.

Age of first known criminality is one of a number of key lifetime criminological variables in relation to the retrospective identification of life-course persistent offending, and has been strongly related to early disadvantage (Moffitt, 1996; Bottoms and Shapland 2011). In this study 25% of the valid sample had a conviction aged 14 or under. 66% of this group were recalled to custody compared with 16% of those aged 19 or older when first convicted. The relationship between age of first known criminality and recall to custody was significant.

Accommodation

Most young adults in the sample, 65%, were living with a parent or other family pre-custody and returned to live with a parent or other family on release. Despite having this support at release, 35% of this group were recalled to custody.

Services are in place within Hydebank Wood College to support inmates who are parents and to involve families in resettlement planning (Owers, 2011). However, there is currently no dedicated service available to support the family of young adults returning home post-custody or to help deal with the impact of imprisonment (Criminal Justice Inspectorate NI, 2013). A Criminal Justice Joint Inspection (2014) reported that prisons in England and Wales had carried out limited work with offenders and their families to support or maintain relationships. Further research is required to understand and address the dynamics of young adults returning to their family post-custody.

Over a third of the sample (35%) was released to temporary accommodation; 23% ($n = 37$) went to PBNI-approved accommodation. Those residing in PBNI-approved accommodation had reduced at the three and six month post-release stages, with 84% of this group being recalled to custody.

Those accommodated in PBNI-approved hostels are likely to be assessed as higher risk and to have more restrictive licence conditions, thereby increasing the potential for non-compliance (Weaver *et al.*, 2012). Young adults may find such environments particularly difficult given their developmental stage. Practice experience has been that such placements quickly break down. The level of external control in PBNI-approved hostels is unlikely to be the only explanation for the high level of recall, as 71% of those released to any temporary accommodation were recalled to custody.

It is widely accepted that resettlement planning should begin at the point of entry to a custodial establishment and that a firm plan should, where possible, be in place three months pre-release to support positive outcomes (Lewis *et al.*, 2007; Burnett and Santos, 2010). The importance of suitable accommodation, as a predictor of recalls or otherwise, was affirmed in this study.

Education, employment and training

Data from Pre-Sentence Reports indicated that 83% of young adults in the sample were NEET, with many likely to have been excluded from

school at an earlier stage. While the number of NEETs at release had increased to 93%, the frequency of those in education, employment or training increased incrementally at three and six months post-release.

The young adults in this sample had access to support services in relation to employability, but the review of case files suggested that it was those who were able to maintain their motivation and overcome obstacles to employment such as having to disclose a conviction who were successful in accessing opportunities (Edgar *et al.*, 2012). Accessing education, employment or training post-custody remains a challenge.

Of those in employment, training or education pre-custody, 25% were recalled compared to 52% of those who were not. While there was a significant relationship between employment status pre-custody and recall to custody, that relationship was weaker than for accommodation at release.

Community

There was little recorded evidence of access to informal social supports such as involvement in sport or other community activities. However, it is not clear if this was an reflection of activity levels or of probation staff not valuing or recording such protective factors. Further research is required to understand how probation staff can support the development of social networks.

Almost a quarter of the sample studied had been subject to threat, exclusion or physical punishment from within their community by the time they were sentenced. There was a significant relationship between prior experience of threat, exclusion or physical punishment pre-custody and recall to custody. Young adults in Northern Ireland, as a society emerging from conflict, have faced particular challenges in relation to sectarianism, transgenerational trauma and 'community justice' that can impact on successful resettlement post-custody (Mc Allister *et al.*, 2009). In these circumstances it difficult to draw firm conclusions about the impact of rejection by community of origin. At the very least, it may represent an obstacle to accessing the bonding or bridging social capital necessary for desistance (Bottoms and Shapland, 2011).

Alcohol and drug use

Having a drug or alcohol problem increases the chances of an individual committing a further offence and may negatively impact on their capacity to comply with externally imposed controls such as licence conditions

(MOJ, 2015). In the current study alcohol and/or drugs were a factor in the index offence in 88% of cases. In 28% of cases alcohol alone was a factor in the index offence and drugs alone were a factor in 16% of cases.

Of those with a medium or high alcohol and drug ORS combined, 66% were recalled to custody compared to 46% of those with a medium or high ORS for drugs but low or none for alcohol. The recall frequency for those assessed with no or little alcohol and drug ORS was lower at 13% ($n = 21$).

These results suggest that the combined use of alcohol and drugs, for this young adult group, is a significant factor in recall to custody. This is consistent with Home Office (2015) findings that young people are the most frequent users of drugs and that men are more likely to use drugs than women. In addition, the use of new psychoactive substances (NPSs) is believed to be concentrated among young people and a concern for professionals working with them (Home Office, 2015).

Licence

This study shows that 77 (47%) of the young adults released on licence between April 2011 and March 2014 were recalled to custody.

The purpose of licence conditions is public protection and the conditions imposed should be proportionate to the assessed level of risk. PBNI staff in prisons complete a release plan recommending licence conditions and attend a release panel convened by the Department of Justice.

Weaver *et al.* (2012) note that the shift towards risk aversion in criminal justice has influenced enforcement practices and has contributed to a change in social workers' tolerance of non-compliance. Probation Officers, supported by their managers, make complex decisions about practice and the enforcement of licence conditions on a daily basis with processes to ensure balance and proportionality. However, sentences do need to contribute to rehabilitation and interventions to support desistance to ensure the longer term safety of the public (Owers, 2011).

The frequency of recall among the young adult group must be considered by authorities in decision-making on appropriate conditions, requirements and enforcement.

Conclusions

This study examined resettlement outcomes for 18–21-year-old males released between April 2011 and March 2014 and subject to licence

supervision by PBNI. Return to the community following a period in custody is daunting for some as they attempt to establish or re-establish themselves in the community and deal with the impact of institution-alisation and a criminal record (MOJ, 2015). This is an especially difficult challenge for the young adults transitioning to adulthood.

Research shows that young adult offenders are more likely than the general public to have experienced multiple adversities in childhood and are one of the more marginalised groups within society (Farrington, 1996; Owers, 2011; Bottoms and Shapland, 2011; Shapland *et al.*, 2012). In these circumstances, they are unlikely to have acquired the social capital (Lin, 2001) necessary to achieve desistance and may even be excluded or marginalised in their own community.

The frequency of those classified as NEET at the point of sentencing is significant. While it may in part be explained by the economic downturn, it reflects failures in education, employment and other services up to that point and reinforces the requirement for post-custody support in this respect. Given recent cuts to specialist offender employability services, PBNI is in the process of establishing new relationships with providers, but such developments will take time to bed in.

Binominal logistic regression confirms the importance of appropriate accommodation in successful resettlement. 35% of the sample was released to temporary accommodation with high rates of recall. Probation Officers in prisons are familiar with the challenges in accessing appropriate accommodation at the point of release. Addresses are often not confirmed until the day of release due to housing provider policy driven by funding arrangements. PBNI had initiated discussions with housing providers to change policy and practice in this regard.

Efforts are made to involve families in sentence planning but this work is constrained by resource pressures. If supports were available to build capacity, resilience and repair relationships within the family, it may be that more young adults could return to family on release. Support for families with young adults returning home might also reduce the frequency of recalls for those who do return home.

The study reveals high levels of alcohol use, but more significantly drugs or a combination of the two, contributing to offending. 73% of the sample in this study had a licence condition requiring them to attend alcohol or drug counselling now funded by the Public Health Agency. This is consistent with other research suggesting that young people are the most frequent users of drugs and that men are more likely than women to use

drugs (Home Office, 2015). The use of new psychoactive substances that are not currently detected by drug tests presents additional challenges in custody and in the community. High levels of drug and alcohol misuse can contribute to a chaotic lifestyle where compliance with licence conditions is less sustainable. In these circumstances the level of recall among the sample studied was exceptionally high.

Managing licence conditions can be challenging for both the Probation Officer and the service user. Probation Officers have to manage the balance between risk, licence compliance and supporting desistance. As the developing literature on transition to adulthood (Steinberg, 2016; Prior *et al.*, 2011) indicates, young adults may need additional supports into their mid-twenties. Supervisors and persons subject to supervision need to be able to reconcile this development process with the obligations and requirements of up to seven demanding licence conditions.

Recommendations

Taking on board the findings of this study, the author has made a number of recommendations in order to improve outcomes for young males transitioning from custody to the community, as follows.

- The static risk factor data in assessment has important research value in measuring performance against static predictors of reoffending. Supervising bodies should routinely gather and review static risk factor data.
- Appropriate accommodation at release is significantly related to successful resettlement. It should be a priority to engage with accommodation providers and services to improve service provision for young adults post-custody.
- A pilot project should be initiated on the efficacy and effectiveness of support provision for parents, families and partners of young adults in custody or returning home after custody.
- In light of the emerging body of research relating to the specific needs to young adults, the package of sentences and conditions introduced under the Criminal Justice (NI) Order 2008 should be audited and reviewed to identify key issues and factors to be addressed.
- The recommendation of additional and other licence conditions at PSR and licensing stages should be reviewed.
- Additional training and support should be provided for Probation Officers supervising young adults after custody on the development of

human and social capital, its role in desistance and how supervisees can be helped to access and build social capital.

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