Surviving on Remand: a Study of how Young People Cope in Remand Custody in Ireland

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Surviving on Remand: A Study of how Young People Cope in Remand Custody in Ireland

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Submitted in Fulfilment of the Requirements for the Award of Doctor of Philosophy

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ABSTRACT

The fusion of young people to the prison setting has been described as a toxic combination. This is especially pertinent when applied to youth in remand custody. Previous research studies have identified young people on remand as a highly vulnerable prison population and custodial remand to be a particularly stressful prison experience. Despite this, little research to date has examined how young people cope while remanded in custody. This thesis addresses this gap by providing an insight into the issue of coping on remand through the voices of young people in custody in the Irish context. It is informed by an interactionist theoretical framework which proposes that human behaviour consists of interactions between individual and environmental factors. The thesis employs an exploratory research design and incorporates a multi-method approach consisting of an observation study in the Children Court and the use of semi-structured interviews and standardised instruments with 62 young people aged 16 to 21 detained in custody in three remand settings. The findings reveal a major contradiction in terms, between the non-punitive concept of remand and the actual experiences encountered in the Irish context. Youth on remand are a forgotten population who are exposed to a particularly punishing and stressful experience which restricts their coping actions. This results in a high level of coping difficulty not only during the remand period but also on release or transfer to sentenced custody. The detrimental impact of remand indicates that remand custody should only be used as a measure of last resort and for a minimum duration of time. The majority of young people on remand would be better served by the development of alternatives to custodial remand, in particular bail support and supervision schemes which allow them to remain in the community. The implementation of change to the current remand environment and regime is also vital for the small number who pose a threat to public safety and must be detained a measure of last resort. Central to this reform, is the recognition of young people on remand as a distinct prison population by policy-makers, service providers and researchers and the implementation of separate, tailored facilities and activities which effectively meet their coping needs and respect their fundamental right to be presumed innocent until proven guilty.
DECLARATION

I certify that this thesis which I now submit for examination for the award of Doctor of Philosophy, is entirely my own work and has not been taken from the work of others save and to the extent that such work has been cited and acknowledged within the text of my work.

This thesis was prepared according to the regulations for postgraduate study by research of the Dublin Institute of Technology and has not been submitted in whole or in part for an award in any other Institute or University.

The work reported on in this thesis conforms to the principles and requirements of the Institute's guidelines for ethics in research.

The Institute has permission to keep, to lend or to copy this thesis in whole or in part, on condition that any such use of the material of the thesis be duly acknowledged.

Signature __________________________________ Date ___________
ACKNOWLEDGEMENTS

Research is four things: brains with which to think, eyes with which to see, machines with which to measure and, fourth, money.
(Albert Szent–Gyorgyi, 1937)

All of the above aspects can be said to make up essential elements of research in particular a PhD study. Fortunately, throughout my PhD journey, it was not just my own brain, eyes, measures and money which I availed of but also those of many others around me. With so many people to acknowledge, I will first begin at the start of the PhD journey. I would like to express my sincere gratitude to the School of Social Sciences and Law in the Dublin Institute of Technology (DIT), in particular the Head of School, Professor Nóirín Hayes and the Acting Head of School, Dr. Kevin Lalor for providing me with the opportunity and a supportive research environment to conduct the research study. On this note, I would also like to thank the Strand One Programme which is funded under the National Development Plan for offering much welcomed financial assistance during the study.

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The data collection period makes up an integral stage of a PhD stage and I would like to thank whole-heartedly all of the young people who were observed in the court study and all of who those who participated in the prison based interviews. Without their valuable contributions, this research would not have been possible. I also wish to thank the Court Service and the Irish Prison Service for accommodating the research at what is often a hectic and busy time for them in particular the Governors and staff of the participating Remand Prison, Women’s Prison and Young Offender Institution for facilitating the process.

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CHAPTER ONE

INTRODUCTION

*On remand we’re just waiting to get heard.*  
*(P12, Male Age 17 on Remand 124 days)*

There is no better or apt way to begin this thesis than in the words of this young male on remand. For these words not only serve to signify that those on remand still await for their cases to be heard but also that they are awaiting for someone to listen to their voices.
1.1 Focus of the Thesis

In a scene reminiscent to a child’s first day at school, the young male appeared before the court, huddled up, his head in his hands, crying and pleading with his mother to take him home on what was the day of his 16th birthday ... Witnessing this rare display of emotion, it was hard not to wonder if others too, beyond the tough exterior they displayed, were undergoing a similar fate. How would they cope with the realities of remand custody? (Court fieldnotes, 16th July 2003)

The practice of coping has been compared to that of breathing - ‘an automatic process requiring no apparent effort’ (Snyder, 1999: preface). As Snyder highlights (1999: preface), ‘it is only when individuals are confronted with truly threatening and stressful events that they become highly aware of the coping process’. A prison term has long been acknowledged as one such stressful life event (Gibbs, 1975; Bukstel and Kilman, 1980; DeRosia, 1998; Liebling, 1999; Goldson and Coles, 2005), rated as being more difficult to adjust to than a personal injury or illness or the death of a close family member or friend (Holmes and Rahé, 1967). Custodial remand, which refers to the process whereby unsentenced individuals are held in prisons or detention centres pending further legal proceedings such as a trial or sentence (Sarre et al., 2003) is recognised as a particularly taxing prison experience (Gibbs, 1982b; Harding and Zimmermann; 1989; Lindquist and Lindquist; 1997; Harvey, 2007). Indeed, individuals on remand have been described as one of the most vulnerable groups in the prison system (Criminal Justice Consultative Council, 1993; Howard League For Penal Reform, 1995; Hodgkin, 2002) and for many ‘remand in custody is the harshest and most frightening time they spend in prison’ (Neustatter, 2002: 52). While all individuals in prison may face the challenge of being removed from their normal social network and stressors such as a lack of freedom and privacy, those on remand face the additional difficulty of uncertainty about their future both in terms of the length of time they will be detained and the possible outcome of their case (Lindquist and Lindquist, 1997; Harvey, 2007). On any given day, it is estimated that approximately three million people undergo this custodial remand

---

1 This event was observed during a two week observation study of the Children Court conducted for this research study in July 2003.
experience worldwide, with an average of ten million individuals admitted into remand custody per year (Schönteich, 2008). Despite this, little information is known about the process of coping on remand, which is defined as the cognitive and behavioural efforts individuals engage in to deal with specific external or internal issues that they deem to be stressful or beyond their personal capabilities (Lazarus and Folkman, 1984). This knowledge is important given that effective coping acts as a mediator in the relationship between stress and physiological and psychological illness and enhances our understanding of the regulation of behaviour, cognition and emotion (Carver et al., 1993; Compass, 1998). The gap in knowledge has been recognised by researchers in the prison coping field such as Ireland et al. (2005: 421) who state that ‘exploring if particular groups of adolescent offenders are more at risk of over-using less effective coping styles, for example remand versus sentenced prisoners, would be an interesting avenue future research could pursue’. The current dearth in knowledge gives cause for alarm in light of the continued over-representation of the remanded individuals in health statistics (Otto-Salag et al., 2002; Gosden et al, 2003; Jenkins et al., 2005; Kennedy et al., 2006); incidences of prison suicide and self-harm (Wool and Dooley, 1987; Dear et al., 1998; Goldson and Coles, 2005; Liebling, 2007) and growth in prison populations (O’Donnell, 2004; Raes and Snacken, 2004). While each is deserving of concern in their own right, it is the potentially detrimental combination of such factors which act as the primary motivation for this thesis, the main focus of which lies in the neglected area of remand coping.

In particular, the thesis focuses on the issue of remand coping in relation to children aged 16 and 17 years and young adults aged 18 to 21 years. This is due to the heightened vulnerability attributed to this age-group in both the prison and general coping research literature. For example, within prison circles, young people are recognised as an

---

2 The term ‘children’ is used throughout the thesis when specifically referring to 16 and 17 year olds. The term ‘young people’ is used when referring to the 16 to 21 year old age-group as a collective whole. It is important to note, that the use of the term ‘young people’ in the study, acknowledges and respects the rights of all 16 and 17 year olds to be treated as children under the UN Convention on the Rights of the Child and the Children Act 2001.
especially vulnerable population as they are less likely to have their mental health needs identified (Dooley, 1990); may be easy victims to bully and intimidation (Penal Affairs Consortium, 1996) and are more likely to be experiencing custody for the first time (Goldson, 2002). Also, in the wider coping domain, the indication is that young people are generally not equipped with the same level of coping resources or coping efficiency as older adults (Allen and Hiebert, 1991; Frydenberg, 1997). Also, it is important to note that this specific age group is associated with peak rates of offending (Courts Service, 2006, 2007) and breaches of bail, both of which may result in custodial remand (Kilkelly, 2005; Carroll and Meehan, 2007; Seymour and Butler, 2008).

Although the number of females is likely to be small compared to the male remand population, the thesis attends to both male and females within the 16-21 year age group. The inclusion of females is considered a fundamental aspect of the research given the relative under researched status of young females in the prison system as a whole (Grimwade, 1999; Gelsthorpe and Sharp, 2006; Bacik, 2007) yet alone those who are on remand. A dual focus on male and female individuals is also deemed important in light of the research evidence (Lazarus and Folkman, 1984; Monat and Lazarus, 1991; Seiffge-Krenke, 1995) that gender can exert a significant influence on coping.

The thesis specifically focuses on young males and females who are remanded in custody in an Irish prison context as there have been strong calls for research to be conducted on remand in Ireland for over a decade (O’Mahony, 1995; McCullagh, 1996). O’Mahony (1995: 160) remarked:

research is required to enlighten and inform decision-making and policy in this somewhat neglected area. Comprehensive information on who is remanded and what happens to them is required in order to facilitate the proper examination of the issue of the correct balance between the individual rights of the accused, the interests of public safety and of the powers of the agents of law and order.

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3 A decision was made not to include individuals remanded in custody in the Children Detention Schools in this research study because young people aged 16 and over are generally not remanded in these settings. Also, a sample of the relatively small number of this age-group who was remanded in the Detention schools had previously been included in Anderson’s (2004) research which specifically focused on children on remand in the Children Detention Schools in Ireland.
These calls have remained largely unanswered, with those on remand generally finding themselves integrated alongside sentenced individuals (see O’Mahony’s 1997 study) or completely excluded in Irish research studies conducted to date. For example, as typified by Leddy and O’Connell’s (2002: 133) study on bullying among young people in Ireland, it is stated that ‘only sentenced prisoners were included in the sample, as it was felt that they would have a better insight into the prison environment than remand prisoners’. The integration or exclusion of individuals on remand in Irish research studies is perhaps not surprising when one considers that criminology is still described as a fledging discipline in Ireland. As noted by O’Donnell et al. (2008: 124):

the sources of data remain underdeveloped, good quality empirical research is scarce and there is little in the way of theorizing about crime and punishment. Data that are routinely collected elsewhere often do not exist or are unpublished, making it excessively labourious to pose, let alone to answer, important questions about crime and criminal justice.

The lack of information concerning the views of those on remand is of particular disadvantage given that young people are becoming increasingly more involved in informing policy development in Ireland (Hayes, 2004; Lalor et al., 2007). Indeed, within the vacuum of existing research, the only information currently available about the custodial remand experience in Ireland comes from prison inspection reports (for example, Committee on the Prevention of Torture [CPT], 2003, 2007; Inspector of Prisons, 2005, 2006), research conducted with children under the age of 16 who are remanded outside the prison system (Anderson 2004; Anderson and Graham, 2006) and unpublished research (Duffy, 1998). The former sources suggest that remand conditions are particularly negative in Ireland (Anderson, 2004; Inspector of Prisons, 2005, 2006) while the latter (Duffy, 1998) indicates that there is a high level of hopelessness among individuals on remand in the Irish context. These observations serve to further highlight the need to explore the Irish remand situation in more depth and examine the issue of remand coping. In particular, in light of the fact that the number of individuals committed to prison on remand is almost as high as those committed to sentenced
custody (Irish Prison Service, 2006a; 2007; 2008a). There are approximately 5,000 remand committals each year in Ireland, with the most up to date Irish Prison Service (2007; 2008a) statistics indicating that there was a total of 4,967 remand committals in 2007 and 5,311 remand committals in 2006. Several daily snapshots of the Irish prison population (Irish Prison Service, 2007; 2008a; Prison Studies Organisation, 2008) which are described by the Irish Prison Service (2008a) as the most reliable indicator of the prisoners within the system, shows that individuals on remand constitute approximately one-fifth of the prison population in Ireland. This figure is in excess of the daily remand population rates in Germany (17.4%) and England (15.4%), which in contrast to Ireland are traditionally known as having high rates of imprisonment (Prison Studies Organisation, 2008).

1.2 Theoretical Framework

An interactionist framework, guided by the Person Environment Interaction (PEI) Model and Bioecological Theory (Bronfenbrenner, 2004) informs and structures the thesis. The PEI model, first put forward by Dewey in 1896, has been adopted by a variety of theorists over the years including Lewin in 1935, Mitchell in 1969, and Hunt in 1975. The Model proposes that in order to understand human behaviour, one must examine the environment and an individual’s perceptions of the environment. It assumes that the determinants of behaviour interconnect, whereby the environment and the person engage interactively. The social environment influences the individual, and in turn, the individual helps to shape the environment by reacting to it. These reactions are based on assessments and perceptions of the environment which are informed by experiences in the social environment. Lewin (1935) perhaps best sums up the interactionist position of the PEI Model with his formula $B=f(P,E)$. This formula reads that behaviour ($B$) equals

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4 For example, in 2005, there were 4,522 remand committals compared to 5,088 sentenced committals (Irish Prison Service, 2006), in 2006, there were 5,311 remand committals compared to 5,642 sentenced committals (Irish Prison Service, 2007), and in 2007, there were 4,967 remand committals compared to 5,715 sentenced committals (Irish Prison Service, 2008).
the function (F) of the person (P) and the environment (E). As Lewin (1951: 239-240) described:

In this formula of behaviour the state of the person (P) and that of his environment (E) are not independent of each other. How a child sees a given physical setting depends upon the developmental state and the character of that child and his ideology … The reverse is also true; the state of the person depends upon his environment. The state of the person after encouragement is different from that after discouragement, that in an area of sympathy or security from that in an area of tension … To understand or predict behaviour, the person and his environment have to be considered as one constellation of independent factors.

Applying Lewin’s (1935) interactionist equation to the study of coping among young people on remand, the formula states that coping (B) equals the function (F) of young people (P) and the custodial remand environment (E). In relation to the behavioural aspect of the formula in this study, the PEI Model is considered a particularly suitable framework to guide the research study. Research has generally moved away from an exclusive emphasis on the role of the individual in coping, which is generally regarded as failing to account for change in coping behaviour (Lazarus and Folkman, 1984; Porter and Stone, 1996). Rather, one of the most frequently cited and well-supported theories in coping research, the Process-Oriented Theory (Lazarus and Folkman, 1984), emphasises the role of both the individual and environmental conditions in coping. According to this theory, coping is a transactional process which initiates dynamic thoughts and behaviours in response to an individuals’ cognitive appraisal of his/her personal resources and environmental context. The theory outlines how people firstly engage in primary appraisal whereby they weigh up the situation and consider what is at stake. Individuals fundamentally question ‘how does this situation affect me’? These appraisals are influenced by individual factors such as age and gender and environmental factors such as the nature and novelty of the event and the duration of the event. Following this, secondary appraisal occurs, whereupon individuals reflect on the availability of resources that will aid them to cope with the situation. At this stage, individuals essentially question ‘what can I do about this situation’? Individual resources may include one’s health, beliefs and problem-solving skills while environmental resources may consist of social support and material resources (Lazarus and Folkman, 1984). With specific regard
to the nature of this study, support for Lazarus and Folkman’s (1984) transactional view of coping has emerged in the prison context in the form of the interactionist model of prison adjustment. This model has found that both individual factors imported into the prison and environmental deprivations can determine one’s experience and ability to adapt in prison custody (Wright, 1991; Paulus and Dzindolet, 1993, Cesaroni and Peterson-Badali, 2005; Morris, 2008).

In relation to the person element (P) of the formula in this study, the PEI Model has previously been used as the theoretical basis in the study of young people’s coping (Frydenberg, 1997). Also, of relevance to this research, the PEI Model has been suitably applied as the theoretical basis for coping studies conducted with a wide range of prison populations including young male prisoners (Toch, 1977); female prisoners (DeRosia, 1998); long-term prisoners (Zamble and Porporino, 1988); and paramilitary prisoners (McEvoy, 2001).

As indicated by the varying populations above, the PEI Model has previously guided coping studies in a prison environment, all of which have been conducted in sentenced prisons. While custodial remand environments share many commonalities with sentenced custodial institutions such as the deprivation of liberty and autonomy (see Chapter Three), they are also known to differentiate in a number of ways. For example, custodial remand is generally regarded as a more transient and uncertain prison environment than sentenced custody (see Chapter Three). Due to the potential presence of these particular differences in the custodial remand environment, the thesis draws on a further interactionist theory to inform the environmental (E) element of this study, that of Bioecological theory (Bronfenbrenner and Ceci, 1994; Bronfenbrenner and Morris, 1998; Bronfenbrenner, 2004). While Bioecological theory has not specifically guided research in the remand domain, it has acted as the theoretical basis for a number of coping studies (Spencer, Fegley, and Hapalani, 2003; Aisenberg and Ell, 2005) and has informed research conducted with young male offenders (Gavazzi et al., 2008) and female prisoners (Bliss et al., 2007; Dehart, 2008). It has also guided a number of studies of possible relevance to young people on remand (see Chapter Three) including
victimisation (Grauerholz, 2000; Obasaju et al., 2009); behavioural difficulties (Zielinski and Bradshaw, 2006) and juvenile offending (Oberwittler, 2004). Also, the theory (Bronfenbrenner and Ceci, 1994; Bronfenbrenner and Morris, 1998; Bronfenbrenner, 2004) which focuses on the role of the process, the person, the context and time (PPCT) in human development contains a number of concepts which appear suited to the more specific features of the custodial remand environment. This is especially the case with regard to the context element of the theory which states that an individual’s environment does not just consist of his/her interactions and relationships in his/her immediate setting but also a number of wider interrelated surroundings. Indeed, Bioecological theory argues that one’s environment is a nested composition of concentric structures which consists of a number of different systems (see Figure One). On the inner layer, closest to the individual, lies the microsystem which is made up of an individual’s immediate surroundings of which he or she has direct contact with and contains one’s roles, activities, interpersonal relations, and interactions with objects, language and symbols. One can have a number of microsystems in which he/she can frequently inhabit (for example, work, home and neighbourhood). Next to this, rests the mesosystem which connects the structures between the different microsystems. The following layer known as the exosystem consists of the structures which interact with the microsystems but which the individual does not have direct contact with. After this, follows the macrosystem which constitutes the laws, customs and cultural values which can permeate through the different layers to the individual and his/her immediate environment (Bronfenbrenner and Ceci, 1994; Bronfenbrenner and Morris, 1998; Bronfenbrenner, 2004). The use of this environmental framework (see Figure One) is considered to be particularly beneficial in helping to understand the transient nature of remand. In particular, as individuals may move frequently between various microsystems on remand. These microsystems may include their home, neighbourhood, prison and court. This theory also provides an important framework for addressing the impact of wider policies on young people and their custodial remand setting and the structures which may not affect them directly but still impinge upon their custodial remand experience (for example, structures which may affect family members which in turn may prevent them from being able to visit the custodial remand environment).
Figure One: Bioecological Theory and its Application to the Study of Coping in Remand Custody

This diagram represents the various environmental systems which can impact on custodial remand. It depicts that an interactional relationship occurs between not only the individual and the immediate custodial remand setting but also the wider environments outside the prison such as the courts, the home and wider society.

The process element of the Bioecological model addresses the impact that the different environments may have on coping. The theory proposes that competencies are established through stable, frequent, active and challenging interactions (known as proximal processes) that occur between an individual’s genes and his/her environments over time. If competencies are established in a favourable environment they may offer a protective effect if an individual enters a negative environment. The recognition of the role of other environments in the coping process is an important consideration for the
study of coping on remand in particular as the remand setting is generally a temporary environment in one’s life.

In addition to the four environmental systems described above, Bronfenbrenner’s outer layer of the Bioecological theory also has relevance for the study of the custodial remand environment. The chronosystem (see Figure One) generally refers to the dimension of time and the influence it has on the individual and his/her environments. The concept of time may refer to the external timing of events, or the internal passage of time and the physiological changes it brings about (Bronfenbrenner and Ceci, 1994; Bronfenbrenner and Morris, 1998; Bronfenbrenner, 2004). The importance placed on temporal issues is further acknowledged in the time aspect of the PPCT framework which distinguishes between the concepts of microtime (continuity or discontinuity of events that aid development), mesotime (the length of time of the periods of continuity and discontinuity) and macrotime (changes that occur in societal events and expectations over time). The emphasis Bioecological theory places on time makes it a particularly suitable framework for the study of the custodial remand environment given that much of the uncertainty associated with remand appears connected with the likely duration individuals may spend in remand custody (see Chapter Three). This can be said to be given added magnitude in the Irish context where no maximum duration for the amount of time individuals may spend on custodial remand currently exists (see Chapter Two). Bioecological theory’s emphasis on time as an important feature in the study of human behaviour is also considered relevant for this study in light of the negative impact temporal uncertainty can have on the coping process (see Chapter Three).

In summary, the interactionist framework based on the theoretical concepts proposed by Lewin and Bronfenbrenner above can be said to be at the very core of the thesis, helping to inform and provide a common link between all major aspects of the study. It specifically guides the review of custodial remand in the Irish context (see Chapter Two), the analysis of existing literature and knowledge on custodial remand and coping (see Chapter Three) the selection of research design and research methods, the data collection and analysis process (see Chapter Four), the presentation of findings (see Chapters Five,
Six and Seven) the discussion of findings and the directions for future research (See Chapter Eight).

1.3 Research Aims and Design

The thesis intends to address the national and international dearth of research that exists in the remand and prison coping fields by providing a pioneering insight into the issue of remand coping through the voice of young people in custody. Guided by the interactionist framework (Lewin, 1935; Bronfenbrenner, 2004) the principal aims of the thesis are to investigate the experience of coping on remand and the coping strategies young people adopt while in remand custody.

In order to achieve these aims, the study employs an exploratory research design. It incorporates a multi-method approach consisting of observation, semi-structured interviews and the use of standardised tests including Carver’s (1997) Brief Coping Orientations to Problems Experienced (COPE); Rosenberg’s (1965) Self-esteem Scale and Ewing’s (1984) CAGE Questionnaire. A prisoner centred approach is adopted in the thesis to enable the interactions between individual and environmental factors in the custodial remand setting to be explored. Semi-structured interviews conducted with 26 children aged 16 and 17 years and 36 young adults aged 18 to 21 years who were remanded in custody in three different settings form the basis of the exploratory research study. These locations include a Young Offender Institution, a Remand Prison and a Women’s Prison. The Young Offender Institution caters for males aged 16 to 21 under sentence or on remand. The Remand Prison is a purpose built prison for males aged 18 and over on remand. The Women’s Prison caters for females aged 18 and over who are either sentenced or on remand (Irish Prison Service, 2008b). Prior to the enactment of the relevant sections of the Children Act 2001 to abolish the imprisonment of those less

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5 The specific names of the three participating remand settings are not included in the thesis in order to maximise the confidentiality and anonymity of the participants’ responses.
than 18 years on 1st March 2007, young people (under 18 years) could be remanded in an adult prison. Therefore, at the time of data collection (February 2005-March 2006) males aged 16 and 17 on remand were also present in the Remand Prison and females age 17 on remand were accommodated in the Women’s Prison.

1.4 Organisation of the Thesis

The thesis consists of eight chapters. Following this first introductory chapter, the second chapter examines the wider context in which the criminal justice system and custodial remand operate in Ireland. Chapter Three reviews the existing custodial remand and prison coping research literature and presents the issues that have emerged in these areas. Chapter Four discusses the research design and methods used to conduct the study, as well as the methodological and ethical issues that arose during the research. Chapter Five presents the findings from the court observation study, in particular the trends that emerged in relation to the children appearing before the court, the court environment and the court proceedings. Following this, Chapter Six documents the findings on the Irish remand experience, in particular the young people’s court experiences, prison experiences and the length of time they spend on remand. Chapter Seven presents the findings relating to coping on remand with specific emphasis on the coping difficulty individuals on remand encounter. Chapter Eight considers the implications of the findings for criminological knowledge, social policy, service provision and future research. Finally, the chapter concludes the thesis by providing a synopsis of the main arguments pertaining to the study.
CHAPTER TWO

CUSTODIAL REMAND: THE IRISH CONTEXT

The predicted length of remand; the degree of personal involvement in the pre-trial; the amount and the quality of the information available are all crucial to the well-being of the unconvicted prisoner. However, the practices of courts in these crucial areas vary from country to country.
(Vogler, 1991: 243)
2.1 Introduction

This chapter explores the current legislation which governs the wider criminal justice system and custodial remand in Ireland. As highlighted by Bronfenbrenner (2004), it is important to examine the legislative and policy factors contained in the outer sphere of the bioecosystem - the Macrosystem, due to the influence they may have on the well-being of the individual and his or her immediate environment. The chapter commences with an overview of Irish criminal justice policy and provides an insight into the main components, principles and trends of the justice system. This includes the presumption of innocence and the differentiation between children and adults in the Irish criminal justice system. Against this backdrop, the chapter turns its attention to specific aspects of remand legislation and policy. In particular, the chapter focuses on legislation which informs the remand decision making process, the designation of custodial remand settings and custodial remand durations and outcomes. Finally, the chapter concludes with a synopsis of the negative implications that current legislation may have for young people remanded in custody in Ireland.

2.2 Criminal Justice Legislation

This section focuses on the wider criminal justice system in which custodial remand functions in Ireland. A number of agencies are incorporated into the Irish criminal justice system including the Department of Justice, Equality and Law Reform; An Garda Síochána (Ireland’s national police service); the Director of Public Prosecutions; the Courts Service; the Irish Prison Service; the Probation Service; the Chief State Solicitors Office and local State Solicitors. The criminal justice system operates according to an adversarial method of law in Ireland, which is based on English common law. This form of law requires a prosecution service to act on behalf of the Garda Síochána and a defence team (solicitor and barrister) to act on behalf of the accused. Both parties are
responsible for collecting pre-trial information and evidence and presenting this information before a judge. In more serious cases, a decision on the case is made by a jury. The presumption of innocence forms ‘a cornerstone principal of Irish criminal law’ (Hamilton, 2007: 8) in which the prosecution must prove to the judge or jury that an individual is guilty of an offence beyond reasonable doubt. Four main phases comprise this criminal justice process, beginning with the investigation of an alleged offence and followed by the prosecution, trial and possible sanctioning of the accused.

The age of criminal responsibility in Ireland currently stands at 12 years (Children Act 2001); although provisions implemented under the Criminal Justice Act 2006 allow for children aged from 10 years to be charged with serious crimes such as sexual offences, manslaughter and murder. All children are dealt with under the youth justice system in Ireland which adopts elements of both the justice model and welfare model of juvenile justice. Following the introduction of the Children Act 2001, the Irish youth justice system is in a period of reform (Kilkelly, 2006, 2008a; Seymour, 2006a; Lalor et al., 2007). Prior to the emergence of the Children Act 2001 the youth justice system was governed by the Children Act 1908 which was implemented under British rule. New youth justice law may have emerged as a result of key changes in Irish society. Central to this is the declining relationships between the State and the Roman Catholic Church (Inglis, 1998) who had once provided institutional care for young people (see Raftery and O’Sullivan, 2001), economic prosperity (see Breathnach, 2002) and increasing pressures arising from European legislators, human rights groups and official government reports (see Dooley and Corbett, 2002; Kilkelly, 2006).

In contrast to the Children Act 1908 which placed a strong emphasis on detention, the Children Act 2001 endorsed a shift to diversion as a prominent ethos in the youth justice system. The Act has introduced a variety of diversionary measures including 10 community sanctions such as a day centre order, a residential supervision order and a

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6 The justice model states that all young people should be treated with the same equal rights as adults and the sentences young offenders receive should be proportionate to the crime committed. In contrast, the welfare model proposes that young people need to be treated differently to adults and their needs and characteristics need to be accounted for when a sentence is being passed (Muncie, 2004).
training or activities order.\textsuperscript{7} Community service orders can also be granted under the Act on 16 and 17 year old offenders. The Act also places the Garda Juvenile Diversion Programme on a statutory footing, which is designed to divert children away from being prosecuted in the courts. While such developments have been largely welcomed by those involved in Irish youth justice, criticism has been levelled at the slow implementation of reform (Kilkelly, 2006; Seymour, 2006a; Lalor et al., 2007).

Statistics indicate (Department of Justice, Equality and Law Reform, 2006) that two-thirds of offenders under the age of 18 are diverted away from the court system through the Garda Juvenile Diversion Programme.\textsuperscript{8} Those who are not deemed suitable for the diversion programme are sent forward for prosecution in the Children Court.\textsuperscript{9} The Children Court is a special court designed to deal exclusively with children which is required to operate at a separate court building (as is the case in Dublin) or at a different time to the local District Court. It processes the majority of minor and serious offences allegedly committed by those under the age of 18. Although children charged with serious offences are also granted the option to be tried before a jury in the circuit court if they so wish.\textsuperscript{10} The Children Court makes special provisions for juvenile court proceedings enforcing the principle of anonymity which prevents identifying information or pictures being published or broadcast. The Children Court also ensures that court proceedings are held in-camera (in private) and requires that judges must undertake relevant training and education, although this only applies to judges who have been appointed from the 15\textsuperscript{th} December 1995. The distinctions made between the child and adult court system may be viewed as a positive element of the Irish criminal justice system as they acknowledge the differing needs and rights of children compared to their

\textsuperscript{7} The other diversionary measures introduced under the Children Act 2001 include a probation order, an intensive supervision order, a suitable person (care and supervision) order, a mentor (family support) order, a dual order and a restriction on movement order.

\textsuperscript{8} This amounted to 17,567 juveniles in 2005 (Department of Justice, Equality and Law Reform, 2006).

\textsuperscript{9} This generally applies to those who do not admit to the offence, have participated in the diversion programme before or are accused of committing a serious offence.

\textsuperscript{10} In Ireland minor offences, also known as summary offences, non-indictable offences or non-headline offences generally include crimes such as criminal damage; public order; traffic offences; minor assault; possession of a weapon and less serious drug offences. Serious offences, also known as indictable offences or headline offences generally includes crimes such as theft, fraud, burglary, robbery, arson, serious drug offences, serious assault, sexual offences, manslaughter and murder (National Crime Council, 2008).
adult counterparts. However, recent studies (Anderson, 2004; Kilkelly, 2005, 2008a; Carroll and Meehan, 2007; Seymour and Butler, 2008) suggest that a number of difficulties are experienced with regard to environmental conditions, a lack of communication between judges and young people and long delays processing cases in the courts. The implication of this for children on remand is that many may spend long periods of time in custody waiting for their cases to be heard.

If found guilty of an offence, both children and adults may receive a variety of sanctions including fines; probation; community service or a custodial sentence. It is reported that a punitive attitude exists with regard to sentencing practice in Ireland, particularly in relation to adult male offenders (Kilcommins et al., 2004).11 Indeed, imprisonment has been described as a ‘dominant sanction’ (Seymour, 2006b) in the Irish context, with O’Donnell (2005: 121) stating that there is a ‘bias towards custody’ amid a ‘peripheral status of probation’. Ireland’s prison population grew by over 30% between the period 1997 and 2002 alone, fuelled by a number of factors including an increased media focus on crime, a moral panic among the public, an improvement in economic conditions allowing for prison expansion and significantly an increase in the remand population (O’Connell, 1999; O’Donnell and O’Sullivan, 2003; Kilcommins et al., 2004; O’Donnell, 2005). Despite a crime-rate which is considered low by international standards12, Ireland is now ranked as mid-range in Europe with regard to its imprisonment rate (76 per 100,000 of population).13 The Irish prison context is particularly noted for the high number of individuals who enter prison and serve short custodial sentences. According to the Council of Europe (2006a) Annual Penal Statistics, the average length of imprisonment in Ireland stands at just 3.5 months. Irish Prison Service (2007) statistics suggest that short sentences are particularly common among those under the age of 21,

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11 According to the most recent Irish Service Report (2008), 89% of individuals sentenced to prison were male and 11% were female.

12 Within a population of 4.2 million, a total number of 104,496 serious offences were detected or reported to An Garda Síochána in 2006 (Central Statistics Office, 2007). While exact figures for less serious or unreported crimes remain unknown, a recent Irish victimisation study (Kennedy and Brown, 2007) states that just under 10% of the 10,000 respondents reported that they or a family member had been victim of crime in 2006.

13 This figure, obtained from the Prison Studies Organisation (2008) relates to the rate of imprisonment in Ireland in October 2007.
with just under one-third of this sentenced age-group (29.16%) imprisoned for less than three months and a further one-quarter (25%) spending less than six months in prison in 2006. The common practice of short-term imprisonments may have negative implications for custodial remand as it suggests that judges are not against the use of custody for relatively minor reasons.

2.3 Custodial Remand Legislation

While the previous section provided background knowledge into the legislation of the Irish criminal justice system as a whole, this section moves on to address the specific laws which govern custodial remand in Ireland. This legislation focuses on the bail decision-making process, the settings which are deemed suitable for custodial remand and the duration of time individuals may spend in remand custody.

2.3.1 The Bail Decision-Making Process

The beginning of the remand process can be said to be rooted in the occurrence of an alleged offence, which if detected by An Garda Síochána brings about the first point of contact with the criminal justice system. Following the alleged occurrence of a crime, every child and adult charged with committing an offence is either remanded on bail or in custody before they appear for trial or sentence in court in Ireland.14 When a person is charged with an offence, the immediate decision to remand the individual on bail or in Garda custody is first made by the Sergeant or another person in charge of the Garda station where the accused is detained. This decision will be held until the accused subsequently appears in the District court or the Children Court where their remand situation will be reviewed by the District Judge. If the individual is denied bail or is dissatisfied with their bail conditions they can reapply at their next appearance in the

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14 Bail is a bond entered into to ensure the accused will appear at court for trial (Quinn, 1998).
District / Children Court or can appeal the decision in the High Court. Children and adults charged with serious offences must apply for bail in the High Court (Quinn, 1998). Since 1st July 2007, all individuals applying for bail in the High Court must provide a written statement to the prosecutor containing their personal details such as their occupation, sources of income, property, previous offences, previous offences on bail and bail history. The provision of false or misleading information is considered an offence which may receive a maximum fine of €5,000 or 12 months imprisonment. All bail decisions made in the High Court are final and cannot be appealed.

As Kellough and Wortley (2002: 187) state, ‘the bail decision has long being recognized as one of the most important stages of the criminal court process’. This is due to the legal, social and psychological impact which may arise from individuals being deprived of their liberty prior to trial. The decision to remand an individual on bail or in custody is said to be ‘steeped in complexity’ as courts must aim to maintain a balance between the rights of the accused on the one hand and the protection of the public on the other (Goldson and Jamieson, 2002: 69). In order to guide the bail decision-making decision, all decisions must be made within the legislative framework established by the Bail Acts 1997 and 2007. Section 2 of the Bail Acts 1997 and 2007 outline numerous factors which must be considered by the judge when deciding to remand an individual on bail or in custody. These include the nature and seriousness of the offence; the sentence that is likely to be imposed if convicted; the nature and strength of the evidence available; previous convictions; previous offences committed while on bail and any other charges or pending trials. Serious offences are listed as those which may receive a minimum sanction of five years upon conviction along with organised crime and firearms offences. The Bail Acts 1997 and 2007 also allow for the addiction to a controlled drug and the risk of re-offending to be taken into account during the bail decision process. If a Chief Superintendent of An Garda Síochána is of the opinion that the accused may commit a further serious crime, this may be taken as evidence in court. The only additional

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15 Section 1(3) of the Criminal Justice Act 2007 states that the Bail Act 1997 and part 2 of the Criminal Justice Act 2007 may be cited together as The Bail Acts 1997 and 2007.

16 This provision was passed into law following a public referendum on the right to deny bail to those accused of committing serious offences on the 28th November 2006.
stipulations for those under the age of 18 years with regard to remand in custody are that a child may not be remanded if the only reason for doing so is if he/she is in need of care or protection or because the court wishes the Health Executive to assist in his/her case (section 88 of the Children Act 2001 amended by section 135 of the Criminal Justice Act 2006).

Following the consideration of the factors laid out by the Bail Acts 1997 and 2007, the judge may decide to directly remand an individual in custody if he/she believes the accused poses a risk to the justice process or to public safety. If the individual is under the age of 18, the judge must explain the reason for the remand in open court in language that the child is able to understand (section 88(2) of the Children Act 2001). If the judge deems an individual does not require a remand in custody he/she may otherwise release the accused on his/her own personal bail; on an independent person’s bail; on conditional bail or remand in custody (Quinn, 1998). All individuals released on personal, independent or conditional bail with the exception of children who are exempt under section 89(4) of Children Act 2001, are required to lodge at least one-third of their bail bond with the court (section 5 of the Bail Acts 1997 and 2007). Under section 6(b) of the Bail Acts 1997 and 2007 individuals released on conditional bail may be subject to one or more restrictions during the bail period. These may include that the accused resides in a particular place; reports to a particular Garda station at specified times; surrenders his/her passport and/or refrains from one or more specified locations or persons. Similar conditions may be applied to children under section 90 of the Children Act 2001.¹⁷

As laid down by section 6(a) of the Bail Acts 1997 and 2007, all individuals released on personal, independent or conditional bail are expected to refrain from offending, attend court and abide by any bail conditions imposed. Non-compliance with one or more requirements generally results in the accused being arrested and brought before the court. The accused may then be re-released on bail with additional restrictions or may be

¹⁷ These conditions may include that a child resides with his or her parents or guardians; receives education or training; reports to a specified Garda station at particular times; stays away from particular individuals or locations along with any other conditions that the court may deem appropriate (Section 90 of the Children Act 2001).
remanded in custody. Any crimes committed while on bail and/or failures to attend court are considered as additional criminal offences (sections 9 and 10 of the Bail Acts 1997 and 2007).

Recent studies conducted in the Children Courts in Ireland indicate that the majority of children who appear in court are remanded on conditional bail rather than in custody (Kilkelly, 2005; Young Person’s Probation, 2006; Carroll and Meehan, 2007; Seymour and Butler, 2008). However, these studies also suggest that many fail to comply with the conditions imposed during the bail period (Kilkelly, 2005; Carroll and Meehan, 2007; Seymour and Butler, 2008). A number of countries including England, Scotland, and Northern Ireland have introduced bail support and supervision schemes in order to minimise the use of custodial remand among those who breach bail but do not pose a threat to public safety. These schemes, most often provided by specialist divisions of the Probation Service are designed to help individuals attend court, abide by bail conditions and not re-offend during the bail period. In particular, the schemes aid young people, females, and those experiencing mental health difficulties while they are on bail (Scottish Executive, 2000; Youth Justice Board, 2002; Northern Ireland Office, 2006). With the exception of a planned pilot probation led bail support scheme and remand fostering scheme in Dublin and Limerick in 2008 (Irish Youth Justice Service, 2008) there is no bail support or supervision available in Ireland. The absence of such alternatives to remand custody would appear to have negative implications for young people in Ireland as it is likely that individuals who fail to comply with bail are at greater risk of being remanded in custody in comparison to other jurisdictions. This may have implications for the quantity of individuals remanded in custody but also the quality of the custodial remand experience as increasing numbers may place greater pressures on availability of space and resources within the immediate remand environment.
2.3.2 Custodial Remand Settings

Under section 88 of The Children Act 2001, amended by section 135 of The Criminal Justice Act 2006, children under the age of 16 are remanded in designated remand centres. According to the Children Act 2001 a designated remand centre may include any location including part of a Children Detention School which the Minister of Justice, Equality and Law Reform deems appropriate for young people on remand. Where a child is remanded in a Children Detention School, the Act stipulates that he/she should be separated from other children serving a sentence as far as practicable and when it is in his/her best interests. All males under the age of 16 are remanded in one of three Children Detention Schools; Finglas Child and Adolescent Centre; Oberstown Boys School and Trinity House while females under the age of 18 are remanded in Oberstown Girls School. All of the Children Detention Schools are located in Dublin and since 1st March 2007 are operated under the auspice of the Irish Youth Justice Service, an executive office of the Department, Equality and Law Reform.18

Section 88 of The Children Act 2001, amended by section 135 of The Criminal Justice Act 2006 specifies that males age 16 and 17 may be remanded in custody in a Young Offender Institution until places in a remand centre become available for their age-group. At present, no remand centre currently has the capacity to cater for 16 and 17 year olds in Ireland (Irish Youth Justice Service, 2007).19 Therefore, while 16 and 17 year old males on remand officially come under the remit of Irish Youth Justice Service, in reality they are detained in a remand setting which is operated by the Irish Prison Service. As Kilkelly highlights (2006: 235) the distinction made between males under and over the age of 16 ‘is one of the unjustified anomalies of the Irish system’. Under section 21 of the Criminal Procedure Act 1967, individuals aged 18 and over may be remanded in

18 Before the 1st March 2007, Children Detention Schools were operated by the Department of Education and Welfare. Following a review of the youth justice system (Department of Equality, Justice and Law Reform, 2006) it was decided that a new executive office, the Irish Youth Justice Service, would be set up to oversee the running of the schools.
19 Plans are afoot to develop a new Children Detention School in Lusk, Co. Dublin which will house 100-150 young offenders who are under the age of 18. No dates regarding the construction or completion of the detention are yet known (Department of Justice, Equality and Law Reform, 2008).
custody in prison. The direct implication of this legislation therefore is that both children and young adults on remand may be detained in large institutions which are not necessarily targeted or confined to the purpose of custodial remand. For example, the Young Offender Institution is a closed medium security place of detention which caters for a capacity of over 200 individuals. It accepts both sentenced and remand committals from the courts and individuals transferred from other prisons. The Remand Prison is also a medium-security prison which has an operational capacity for over 400 individuals. It mainly houses males on remand; however it also caters for a smaller number of sentenced individuals who take up positions of work within the prison. While the Women’s Prison operates at a smaller capacity of 80 individuals, it also accepts both remand and sentenced committals (Irish Prison Service, 2008a).

In addition to Irish legislation, it is important to note that guidelines regarding custodial remand settings are contained in a number of European instruments. These include the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990); the Standard Minimum Rules for the Treatment of Prisoners (1977); the United Nations Standard Minimum Rules for Non-custodial Measures (The Tokyo Rules) 1990; the European Prison Rules (Council of Europe, 2006b) and the Rules on the use of remand in custody (Council of Europe, 2006c) the conditions in which it takes place and the provision of safeguards against abuse (2006). While the rules are not legally binding, they are said to help establish minimum standards for the treatment of children and adults in prison and act as an important benchmark and source of informed advice, wisdom and international best practice (Kilkelly, 2006; 2008b). As a whole, the series of rules outline a remanded individual’s rights in almost all aspects of prison life from accommodation; clothing; prison work; legal advice to contact with individuals outside prison. The common ethos underpinning all these rights is the belief that those in remand custody are entitled to receive better entitlements than sentenced individuals in acknowledgement of their status as being presumed innocent until proven guilty. Noteworthy are the guidelines which state that the remand population should have the right to be separated from convicted individuals and if under the age of 18, also from adults, the right to be
accommodated in a single cell wherever possible, the right to wear one’s own clothing where suitable or separate clothing to those who are sentenced, the right to be offered the opportunity to work in prison, and the right to receive additional visits and be able to communicate with others in the same manner as the sentenced population. While the majority of these guidelines are officially recognised by the Irish Prison Rules (2007), it appears that they are often not reflected in practice. For example, the Young Offender Institution is generally considered to be in poor condition and is reported to offer a very limited level of productive activity to the inmates who are detained there (Inspector of Prisons, 2005; Irish Penal Reform Trust, 2006; CPT, 2007). It was first recommended for closure in 1985 (Committee of Inquiry into the Penal System, 1985). Moreover, despite its relatively recent development, the Remand Prison has been criticised for its underdeveloped regime, overcrowded conditions and use of triple occupancy cells (Inspector of Prisons, 2006; Irish Penal Reform Trust, 2006; CPT, 2007). The Women’s Prison is generally viewed in a more favourable light than the other remand settings. This is because of its range of flexible and varied activities and its unique structure which accommodates individuals in single rooms across seven detached houses. However, the problem of overcrowding is also reported to occur within this setting (Inspector of Prisons, 2005, Mason, 2006; Irish Prison Service, 2007).

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20 The Irish Prison Rules (2007) came into operation on the 1st October 2007. At the time of data collection the prisons were governed by the Irish Prison Rules (1947) which also officially contained the majority of guidelines proposed by the various international rules.

21 Plans are afoot to locate the operations of the Young Offender Institution and the Women’s Prison to the proposed Thornton Hall Prison development in North County Dublin (Irish Prison Service, 2008). Expected to be built by 2012, the Thornton Hall Prison development will have a capacity of 1,400 if inmates are held in single occupancy cells and a maximum occupancy of 2,200. This will make it the largest capacity prison in Ireland and Britain and also one of the biggest penal establishments in Europe (Lally, 2008).
2.3.3. Custodial Remand Duration

European legislation states that all children and adults detained in custody should be held for the shortest amount of time possible and are entitled to a trial within a reasonable time (Article 37(b) of the U.N. Convention on the Rights of the Child, Article 5(3) of the European Convention on Human Rights). In Ireland, section 24 of Criminal Procedure Act 1967 stipulates that the decision to remand an individual in custody must be reviewed every eight days. This may be increased to a maximum of every thirty days if it is agreed by the prosecution and the accused. In contrast to countries such as Scotland, Spain, Italy and France, there is no maximum duration of time an individual may spend on custodial remand in the Irish context. In the absence of regular remand statistics from the Irish Prison Service, it is difficult to ascertain precisely the average length of time individuals spend in remand custody in Ireland. Figures obtained from a variety of studies indicate that the average period of time may be anywhere between 10 (O’Mahony, 2002), 37 (Brosnan, 2005) and 84 days (McBride, 2003). This compares to an average of approximately 40 days in England (McBride, 2003) and 17 days in Scotland (Scottish Executive, 2005).

Unfortunately, data are not regularly accessible in relation to the outcomes of remand cases in the Irish context. Concerns have been expressed that individuals were being remanded unnecessarily in Ireland due to the fact that many were not being recommitted to prison on sentencing (McCullagh, 1990). A limited supply of statistics accessible from 1994 (Irish Prison Service, 1995) and 2004 (Brosnan, 2005) suggest that 50% of individuals on remand do not return to custody when convicted; a figure which is in-keeping with international trends (Cavadino and Gibson, 1993; Marshall and Reynolds, 1998; Scottish Executive, 2000; Social Exclusion Unit, 2002; Convery and Moore, 2006).

22 In Scotland, an individual’s trial must commence within 110 days of being remanded in custody. In France if the likely sentence is to be less than five years, an automatic review is carried out after four months and a person of good previous character with a charge based on likely conviction of five years or less has to be released after six months. In Spain if the likely sentence is expected to be six months or less an individual cannot be held on remand for more than three months. Those expected to get a sentence between six months and six years cannot be remanded for more than a year. Two years is the longest amount of time allowed on remand for those expected to get longer sentences (Vogler, 1991; SACRO, 2004; Cavadino and Dignan, 2006).
However, in a recent annual report, the Irish Prison Service (2007) state that of the 5,802 sentenced committals in 2006, only 160 (3%) were originally committed on remand in the same year. This figure suggests that of the 5,311 remand committals in 2006, many may have been released on bail, had their cases dismissed by the courts, received a non-custodial sentence or not had the final outcome of their cases processed in 2006. The implication therefore being that many may have been remanded unnecessarily and/or had spent long durations of time in custody.

2.4 Chapter Summary

The examination of the wider macrosystem of custodial remand suggests that existing legislation may have a negative impact on the well-being of the individual and the immediate custodial remand environment in Ireland. It indicates that current legislation may result in a high number of both children and young adults being remanded in custody in inadequate settings in the Irish context. The chapter also implies that young people may be detained for long durations of time on custodial remand. These potential negative implications and the resulting coping difficulties which may arise only serve to further signify the need to explore the issue of coping in the immediate remand environment in Ireland. The following chapter turns its attention to the immediate remand setting in particular what is known in the international domain about the individuals who inhabit this environment, their experiences of remand and the prison coping process.

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Brosnan’s (2005) study highlights that 24.3% of remand committals were released on bail; 23.4% were recommitted on conviction and 52.3% were not recommitted on conviction.
In explanations of prison crises one often hears such statements as ‘he couldn’t handle it’ or ‘couldn’t take confinement’ or ‘prison was too much’ ... Such formulas tell us nothing because they are too vague. What couldn’t the person handle? In what way was he unable to cope with confinement? What aspect of the prison environment proved too much?

(Toch, 1975:31)
3.1 Introduction

This chapter presents an analytical review of the existing coping and custodial remand literature. Grounded in the study’s theoretical framework, the chapter examines what is known about the individual factors which may impact on remand coping including age and gender, as well as other background characteristics more specific to young people on remand such as an absence of stability and structure prior to custody. Following this, the chapter explores the existing knowledge in relation to the influence of factors in the immediate environment (the microsystem) on remand coping, in particular young people’s experiences of the custodial remand regime and culture. The chapter then moves on to address what knowledge currently prevails in relation to coping behaviour on remand and the wider prison context, with particular emphasis on the level of coping difficulty encountered and the variety of coping strategies used. Finally, the chapter concludes with a synopsis of the research problem that exists in the area of remand coping.

3.2 The Coping Process

The process-oriented theory (Lazarus and Folkman, 1984) emphasises how individuals undergo coping by engaging in a process known as appraisal. As highlighted in Chapter One, cognitive appraisals of the perception of threat and the availability of coping resources may be influenced by a number of individual and environmental factors. In addition to factors such as age and gender referred to in Chapter One, other individual factors such as self-esteem and temperament may play an influential role in coping. Further environmental factors which may impact on coping include the power of environmental demands to do harm and the imminence of harm (Lazarus and Folkman, 1984).
Following cognitive appraisals, individuals usually engage in the coping process in two major ways; namely, emotion-focused coping and problem-focused coping. Emotion-focused coping enables individuals to cope by regulating their emotional response towards a stressor. This includes strategies such as denial, reinterpretation of events, religion and humour. Problem-focused coping facilitates coping through the management or modification of problem situations. It involves the establishment of a goal to help create some sense of control and purpose in uncontrollable situations and can lead to a reduction of helplessness. Problem-focused strategies include information gathering, making plans and the resolution of conflicts. Both methods of coping are adopted by most individuals, and are frequently used concurrently. The process of coping can result in a number of different outcomes including resolution of the stressor, continuation of the stress or an increase in stress levels. If the stress is not removed an individual continually engages in the coping process and reappraises the situation (Lazarus and Folkman, 1984).

While process-oriented theory has not been specifically applied to the remand population, analysis of the existing remand literature reveals information about the individual and environmental factors which may influence perceptions of stress and coping actions on remand.

### 3.3 Knowledge of Individual Factors

As Gibbs (1982b: 98) highlights ‘in order to understand the stresses faced by jail prisoners and their reactions to them, we have to know something about the prisoners themselves’. This section reviews the existing coping literature and custodial remand literature to ascertain what is known about individual factors which may potentially play a role in remand coping.
3.3.1 Age

Age may influence how young people cope in the remand environment. It has been found that young people possess less problem-solving resources than adults (Biggam and Power, 1999). This is mainly due to the fact that young people have less control over their environment (Brezina, 2000) and have fewer life experiences and skills from which to draw upon (Meehan et al., 1990; McLaughlin et al., 1996). These differences appear to have a negative impact on prison coping as several research studies (Silverman, 1990; Biggam and Power, 1999; Her Majesty’s Chief Inspector of Prisons, 1999) have found that young inmates cope more poorly with imprisonment compared to their adult counterparts.

Furthermore, as Lyon (1998: 22) highlights ‘just like other 16 and 17 year olds, juveniles in custody are in transition from childhood to adulthood’. This transitional stage of development is the period when effective ways to deal with tension and anxiety start to develop (Sullivan, 1953). As such, attributes only begin to emerge at this stage, children aged 16 and 17 years are generally not equipped with the same level of coping efficiency as adults (Allen and Hiebert, 1991). Indeed, it has been found that children have a greater need than adults for social support and acceptance to help them cope (Johnson, 1978) while they find it particularly difficult to deal with boredom and loneliness more so than their adult counterparts (Frydenberg, 1997).
3.3.2 Gender

Gender has been consistently shown to influence the way an individual copes (Lazarus and Folkman, 1984; Monat and Lazarus, 1991; Seiffge-Krenke, 1995). In general, males find negative events to be less stressful than females (Monat and Lazarus, 1991; Seiffge-Krenke, 1995) while they frequently report that they experience a smaller number of stressors in their daily lives (Monat and Lazarus, 1991; Frydenberg, 1997). Experiences of imprisonment appear to follow a similar trend as it has been discovered that male prisoners perceive prison to be less stressful than females, while they also experience lower levels of mental distress during confinement (Paulus and Dzindolet, 1993; Lindquist and Lindquist, 1997). While no definitive reasons for these differing prison perceptions have been found, researchers speculate that females may perceive imprisonment to be more stressful as a greater number are parents and / or have stronger attachments to their families than male prisoners do (Paulus and Dzindolet, 1993; Lindquist and Lindquist, 1997).

Gender also appears to influence the type of actions that individuals use to cope. Research studies (Carver et al., 1989; Frydenberg and Lewis, 1991) have revealed that males tend to use more aggressive and confrontational techniques than females while they also generally engage in more denial than their female counterparts. It has also been found that males are more private individuals who make less use of social support than females (Seiffge-Krenke, 1995; Frydenberg, 1997). Males are also more likely to engage in risky behaviours such as substance abuse to help them to cope (Seiffge-Krenke; 1995; Frydenberg, 1997).

3.3.3. Self-esteem

According to Lazarus and Folkman (1984: 159) ‘viewing oneself positively can be regarded as a very important psychological resource for coping’. Research studies have established links between self-esteem and coping; with individuals who possess low
levels of self-esteem more likely to perceive situations/issues to be stressful than those with positive self-esteem levels (Lazarus and Folkman, 1984; Seiffge-Krenke, 1995). This is mainly due to the fact that individuals with poor self-esteem lack the internal resources which aid efficient coping (Seiffge-Krenke, 1995) and tend to lack confidence in their own abilities to deal with such events (Lazarus and Folkman, 1984).

The research literature indicates that self-esteem may play a particularly influential role in how young people cope on remand. Sullivan’s (1953) Interpersonal Theory of Psychiatry highlights how individuals only begin to seek to stabilise their self-esteem during late adolescence. Therefore, young people’s self-esteem may be particularly susceptible to influence in an adverse environment (Greve, 2001). Furthermore, several research studies have found that many individuals who have histories of offending behaviour previously possess low levels of self-esteem (Gullone et al., 2000; Chambers et al., 2001; Hammersly et al., 2003) which suggests that young people on remand may not always possess the necessary resources of self-esteem to aid efficient coping.

3.3.4 Temperament

An individual’s temperament plays an important role in coping (Frydenberg, 1997; Coleman and Hendry, 1999). Research studies have found that a relaxed and equable temperament can help foster resilience in young people (Lazarus and Folkman, 1984; Frydenberg, 1997). Such a temperament is generally not associated with young people who are in trouble with the law, as research has revealed that many young people who come into contact with the justice system are highly impulsive individuals (Collison, 1996; Farrington, 1996; Her Majesty’s Chief Inspector of Prisons, 1999). Impulsivity can hinder the coping process as individuals act rashly and choose basic short term solutions to the varying problems they encounter (Brezina, 2000). It may also cause difficulties with situations like imprisonment due to the strict routine and high level of uniformity that prevails in such an environment (Zamble and Porporino, 1988). Indeed,
impulsive individuals have been found to be more likely to engage in suicidal behaviour in the prison setting (Polvi, 1997).

### 3.3.5 Specific Background Characteristics of Young People on Remand

As Hodgkin (2002: 5) states, if you ‘select at random any inmate of a young offender institution you will almost certainly find a heart-breaking history of personal misery, professional neglect and lost opportunities’. However, what becomes clear when one delves into the international and limited national remand literature is that the picture becomes even more ominous for children and adults on custodial remand (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 2000; Social Exclusion Unit, 2002). Pomeroy et al. (2000: 164) argue that ‘men in jail who are unable to get bail have reached a very low point in their lives’. It appears the granting of bail is often impeded for individuals as their lives have been tainted by a wide range of problems and instabilities (Petersilia, 1997; Kiely, 1999; Social Exclusion Unit, 2002; White et al., 2006) and therefore they are deemed by the courts to be at greater risk of engaging in further criminal behaviour or failing to attend trial (Bamford et al., 1999; Kiely, 1999). It is for such a reason that remand populations tend to become overwhelmingly inhabited and characterised by individuals whose difficulties alarmingly touch almost all aspects of life (Kiely, 1999; Social Exclusion Unit, 2002). Analysis of the literature identifies two major themes which underlie these difficulties; namely a lack of stability and a lack of structure.

#### 3.3.5.1 Lack of Stability Prior to Remand

As Hodgkin (2002: 5) highlights ‘research shows that, whatever offences they may have committed, children in prisons are almost always victims too’. Both Irish (Anderson, 2004) and English (Lader et al., 1998; Goldson, 2002) research studies confirm that such a trend is common among young people on remand. Indeed, many youths on remand are
often victims of family conflict and problems such as violence in the home (Graham et al., 1999; Anderson, 2004); parental separation (Anderson, 2004; Seymour and Butler, 2008) and parental alcohol addictions (Graham et al., 1999; Anderson, 2004). These unstable and dysfunctional familial environments can create many stressors for young people (Seiffge-Krenke, 1995) and greatly hinder the development of efficient coping skills (Shulman et al., 1987; Stern and Zevon, 1990; Frydenberg, 1997). Research studies have found that young people who come from families with high levels of conflict are not provided with an opportunity to observe and learn how to take responsibility for their own actions (Seiffge-Krenke, 1995) or effective ways to deal with problems (Shulman et al., 1983; Stern and Zevon, 1990; Frydenberg, 1997). Familial conflict also reduces the availability of social support from family members when problems arise (Frydenberg, 1997). This may be a particular problem for young individuals on remand who often have smaller support networks than both the sentenced community and the general population (Lader et al., 1998; Farrant, 2001; Goldson, 2002; Social Exclusion Unit, 2002).

The high level of family conflict experienced by the young people also appears to contribute to unstable living arrangements prior to remand. Despite their young age, several studies (Lader et al, 1998; Goldson, 2002) indicate that just less than one-half of the young people on remand reside with a parent or parents. Various other living arrangements have been identified ranging from staying with partners, siblings or friends to living in bedsits, hostel accommodation and residential care (Barnes, 1982; Her Majesty’s Chief Inspector of Prisons, 2000; Goldson, 2002; Hague and Campbell, 2002; Kilkelly et al., 2002; Convery and Moore, 2006; Criminal Justice Inspection Northern Ireland, 2008). The temporary and unstable nature of such accommodation is clearly illustrated by the fact that, despite their relatively short lives, as many as 40 to 60% (Lader et al, 1998; Kiely, 1999) of young people on remand have already experienced an episode of homelessness. These unstable living conditions may also account for the smaller support networks that young people on remand have compared to both sentenced individuals and the general population (Lader et al, 1998; Social Exclusion Unit, 2002).
In addition to family conflict and homelessness, many young people on remand have been exposed to a variety of other adverse life events such as physical abuse, sexual abuse and deaths of close family members and/or friends (Lader et al., 1998; Graham et al., 1999; Anderson, 2004). Such experiences can impede individuals’ coping abilities as they can lead to the development of post-traumatic stress disorder (PTSD), which manifests itself in the form of sleeping problems, nightmares, flashbacks and jumpiness and which is particularly prevalent among prison populations (Gibson et al., 1999). Research studies investigating custodial remand have shown that one-fifth of individuals on remand possess all the main symptoms of PTSD (Her Majesty’s Chief Inspector of Prisons, 2000) while approximately one-half or more report that they experience sleeping difficulties (Lader et al., 1998; Elger, 2004). The presence of these symptoms drains the amount of energy individuals have to expend on coping actions.

The lives of those on remand are also frequently destabilised by other health problems. Recent studies conducted by Linehan et al. (2005) and Kennedy et al. (2006) report rates of mental health difficulty among individuals on remand in Ireland to be almost 40 times higher than in the general community. Several European research studies (Lader et al., 1998; Dimond and Misch, 2002; Otto-Salag et al., 2002; Gosden et al., 2003, Criminal Justice Inspection Northern Ireland, 2008) suggest that at least one out of every two young people on remand have been found to suffer from mental disorders such as depression, anxiety, personality disorder and/or conduct disorder. This compares to the rate of just one in four young people who are detained in sentenced custody (Her Majesty’s Chief Inspector of Prisons, 1997).

Despite such a high incidence of mental health problems among young people on remand, treatment levels appear relatively low, with less than 15% (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 2000; Gosden et al., 2003) of those experiencing problems receiving help prior to being remanded in custody. These findings suggest that young people receive much less treatment than their adult counterparts. While direct comparisons cannot be drawn, Brooke et al. (2000) found that 39% of adults on remand in their study had undergone mental health treatment. Given
such possible disparities, it is perhaps not surprising that despite their younger age, young people on remand have been found to possess a slightly higher lifetime suicide attempt rate (20%) (Lader et al., 1998) than their adult counterparts (17%) (Harding and Zimmermann, 1989). Like PTSD, the prevalence of mental health problems among young people on remand reduces coping capacity as it leaves individuals with less mental energy to focus on the coping process (Lazarus and Folkman, 1984; Mills, 2004).

Analysis of the literature suggests that young people who are remanded in custody often experience acute difficulties with substance use. Children and young adults aged between 16 and 21 years on remand appear to use more drugs than both younger children (Graham et al., 1999; Goldson, 2002) and older adults (Harding and Zimmermann, 1989; Brooke et al, 2000; Niveau and Ritter, 2008) who are remanded in custody. While nearly one-fifth of the 16 to 21 year olds on remand have been found to have serious alcohol problems (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 2000), the picture becomes even more acute for this age-group when it comes to illicit drugs. Abuse rates are reported to range between 32% (Harvey, 2007), 75% (Her Majesty’s Chief Inspector of Prisons, 2000) and 93% (Lader et al., 1998). Indeed, with the exception of heroin, young people on remand have been found to use and be more dependent on cannabis, crack/cocaine, amphetamines and ecstasy than their adult counterparts (Her Majesty’s Chief Inspector of Prisons, 2000). Research has also revealed that nearly three quarters of young people have used drugs regularly in the month prior to their remand (Lader et al., 1998) which suggests that many young people begin their time on remand in a fragile state of withdrawal.

3.3.5.2 Lack of Structure Prior to Remand

A lack of structure characterises many individual’s lives outside of prison as little regular purposeful activity appears to take place. While education is an important concern for many children (Frydenberg, 1997; Lalor and Baird, 2006), both Irish (Anderson, 2004; Seymour and Butler, 2008) and English (Lader et al., 1998; Goldson, 2002) research
studies have found that very few young people who are on remand are still engaged in education by the time of committal. Indeed, between one-half and two-thirds of these children on remand leave school at the age of 14 or 15 with little or no educational qualifications (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 2000). The exclusion rates for such children are particularly high, ranging from 48% (Goldson, 2002) to 77% (Her Majesty’s Chief Inspector of Prisons, 2000). This negative history and experience of education among children on remand comes as little surprise, as numerous researchers (for example, Graham and Bowling, 1995; Rutter et al., 1998; Flood-Page et al., 2001, Berridge et al., 2001) have identified links between school exclusion and contact with the juvenile justice system. Individuals who are not involved in education have little structured activity to keep them occupied which can project them into the company of other excluded individuals who engage in delinquent actions (Rutter et al., 1998). Educational exclusion is also reported to contribute to criminal behaviour by reducing the number of available legitimate employment opportunities which are open to individuals who do not possess educational qualifications (Berridge et al., 2001).

In addition to criminal behaviour, links have also been established between a lack of education and coping difficulties. Educational difficulties limit an individual’s ability to discuss a problematic issue and/or formulate strategies to cope with the problem (Mills, 2004). Similar findings have also been discovered in prison research as it has been found that individuals who have attained an education are less vulnerable to distress (Lindquist and Lindquist, 1997) and are more capable of coping with anger and anxiety (Adams, 1992; Silverman, 1990).

Similar to education, unemployment rates outside prison are also high among young people on remand even among those who are willing to work (Lader et al., 1998). Several studies (Lader et al., 1998; Kiely, 1999; Her Majesty’s Chief Inspector of Prisons, 2000) have discovered that two-thirds of young people are not engaged in employment prior to their remand. This may be partly caused by the young people’s age and their poor levels of education. It is important to note that poor coping skills have been connected to individuals who are unemployed (Zamble and Porporino, 1988). This
may be because individuals who are not working may not be provided with the same challenges and tasks that require coping skills to be put into regular use.

On the whole, the review of the existing knowledge on individual factors indicates that young people remanded in custody are a particularly vulnerable population who appear especially susceptible to coping difficulty in prison.

### 3.4 Knowledge of Environmental Factors

While the previous section addressed individual factors relating to remand, this section moves on to review what is known about young people’s experiences in the remand environment. With the exception of a number of prison inspection reports conducted in Irish prisons (for example, CPT, 2003; 2007; Inspector of Prisons, 2005; 2006) the majority of information regarding experiences of the remand environment tends to emanate from international studies. Analysis of this literature identifies three major themes; young people’s arrival experiences, experiences of the custodial remand regime and experiences of the custodial remand culture.

#### 3.4.1 Custodial Remand Arrival

‘A positive start to his / her custodial experience is crucial for a young person’ (Her Majesty’s Chief Inspector of Prisons, 1997: 28) and one could argue that this is particularly the case for young people on remand. This is because they often enter the remand environment in a state of shock and fear (Goldson, 2002) as they are provided with little time to come to terms with the charge or the fact that they have been deemed to be untrustworthy individuals (Sykes, 1958). They are also frequently removed from their normal support networks close to the time of the alleged offence (Bird, 1998; Liebling, 1999) and research studies have also revealed that many children and young adults who
are placed in custody lack foresight regarding their remand and therefore are not mentally prepared for the experience ahead (Her Majesty’s Chief Inspector of Prisons, 2000; Goldson, 2002). As Gibbs (1982a: 34) describes:

prior to arrest and incarceration, the possibility of eventual confinement is in some ways similar to perceptions of death. Although death happens to all of us, very few are prepared for its arrival. The early period of confinement, like death, may be reacted to with shock and disbelief when it does arrive.

Furthermore, it has been found that the reasoning behind the custodial confinement is not always comprehended by the young people who are placed on remand (Her Majesty’s Chief Inspector of Prisons, 2000; Seymour and Butler, 2008). This lack of understanding appears to immediately render individuals vulnerable as it has been found that individuals in prison who believe they have been unjustly treated (Sykes, 1958; Gover, 2001; Dalbert and Filke, 2007) along with those who cannot make sense of their imprisonment (Liebling, 1992) are more likely to experience coping difficulties in prison.

Remanded individuals first contact with the prison usually occurs within the reception area. Reception areas have been described to frequently resemble that of a ‘cattle market’ due to the constant coming and going of individuals (Goldson, 2002: 134). While the majority of young people on remand report that they are treated fairly by staff on their arrival to custody (Her Majesty’s Chief Inspector of Prisons, 2000), the busy and hectic nature of the reception process ultimately leads to deficiencies (Her Majesty’s Chief Inspector of Prisons, 2000; Goldson, 2002). These deficiencies generally relate to the inconsistent provision of essential information. Indeed, despite the high incidence of mental health and substance abuse problems, young people on remand are not always asked about their health needs or prior custodial experience (Her Majesty’s Chief Inspector of Prisons, 2000; Goldson, 2002; Irish Prisons Inspectorate, 2003). This practice could ultimately lead to their needs being ignored at a time when they may need the most attention and support (Her Majesty’s Chief Inspector of Prisons, 2000).

Following the reception process, individuals arriving in custody frequently undergo an induction procedure to aid their adjustment to the prison environment (Her Majesty’s
Chief Inspector of Prisons, 2000). Remanded individuals’ experiences of such procedures vary with some reporting that they received information booklets for this purpose (Irish Prisons Inspectorate, 2003) while others have described attending specific induction courses (Her Majesty’s Chief Inspector of Prisons, 2000). In relation to the information booklets, one could question the effectiveness of such an induction method, given the fact that a significant number of those who come into contact with the prison system have literacy problems (Audit Commission, 1996; Farrington, 1996). In an Irish prison literacy study conducted by Morgan and Kett (2003), it was found that the highest level of literacy problems were reported among young males and among those detained in locations where individuals on remand are housed.

While remand induction courses may be more useful to overcome literacy difficulties, several inadequacies have also been identified with this method (Her Majesty’s Chief Inspector of Prisons, 2000). Many individuals report that they are not informed about fundamental issues such as the relevant legal processes and/or resources or the complaints procedure that exist in the prison. This information needs to be provided to all individuals on remand to aid future bail applications and court appearances as these issues are frequently deemed to be stressful experiences for individuals on remand (Harding and Zimmermann, 1989; Her Majesty’s Chief Inspector of Prisons, 2000). On the whole, the research literature suggests that young people’s experiences of the reception and induction processes are somewhat inadequate and often fail to ease concerns the young people may experience on their arrival to remand custody. These adverse experiences appear to set the precedent for the continuation of young people’s time on remand as they are exposed to the negative culture which permeates the prison world.
3.4.2 The Custodial Remand Regime

Her Majesty’s Chief Inspector of Prisons (2000: 3) states that:

Logically those still presumed innocent should expect to be treated better than those proved guilty … But for years, despite all the evidence and all the criticism, outcomes have continued to defy this logic.

Analysis of the literature identifies a number of factors which create a negative regime for those in remand custody. The high turnover of individuals (O’Mahony, 1997; Kilkelly et al., 2002; Gosden et al., 2003; Convery and Moore, 2006; Harvey, 2007) generally reported to characterise the remand environment has been found to generate a sense of instability and stress in the prison environment. This is because it hinders the development of close social bonds as individuals constantly have to integrate and adjust to new inmates (Gibbs, 1982a; Bird, 1998). The frequent turnover also fosters a sense of instability as the prison staff’s main responsibilities have to focus on the processing and housing of different individuals, along with the constant organisation required by court appearances (Neustatter, 2002). These demands leave little time for staff to interact with, and get to know, those on remand. Therefore, while only a minority of those on remand report experiencing problems with staff (Her Majesty’s Chief Inspector of Prisons, 2000; Irish Prisons Inspectorate, 2002), research studies (Goldson, 2002; Irish Prisons Inspectorate, 2002; Howard League For Penal Reform, 2003) have generally reported that individuals on remand and prison staff remain largely detached from each other, with few individuals establishing positive prisoner-staff relationships. The lack of rapport between staff and individuals on remand may also increase young people’s vulnerability as staff may not be able to identify an individual’s mood or uncharacteristic behaviour (Wool and Dooley, 1987). Young people may find this particularly stressful as they often require more contact, protection and supervision from staff than their adult counterparts (Her Majesty’s Chief Inspector of Prisons, 1997; 1999).

In addition to the constant turnover of individuals, the custodial remand setting is characterised by a high level of uncertainty. As Toch (1977: 81) highlights ‘going to jail shatters one’s sense of predictability’ as individuals on remand are unaware of the total
duration of time they will have to spend in custody (Farrant, 2001). Event uncertainty also prevails as untried individuals do not know if they will be found guilty or not guilty, while unsentenced individuals are not yet informed about the type of sanction they will receive (Gibbs, 1982b). These uncertainties can leave remanded individuals in ‘limbo time’ (Neustatter, 2002: 52), forcing them to play a ‘waiting game’ (ibid) regarding their future. In this way, individuals on remand remain caught between two worlds, in the midst of the prison world and the outside world (Gibbs, 1975).

It has been stated that ‘unpleasant events are, by definition, unpleasant, but unpredictable unpleasant events are downright intolerable’ (Atkinson et al., 1996: 234). Uncertainty has been identified to be one of the most mediating processes which effects stress (Lazarus and Folkman, 1984). Therefore, it is not surprising that uncertainty has been identified as one of the major sources of stress reported by individuals on remand (Harding and Zimmermann, 1989; Linquist and Lindquist, 1997; Harvey, 2007). Uncertainty contributes to high stress levels as it prevents individuals from preparing adequately for the potential event (‘The Preparatory Response Hypothesis’), while also failing to allow individuals to engage in necessary periods of relaxation and recuperation (‘The Safety Signal Hypothesis’) (Lazarus and Folkman, 1984). Uncertainty also impedes the coping process by bringing about a sense of uncontrollability regarding the situation (Gibbs, 1975). Abramson et al.’s (1978) Learned Hopelessness theory has demonstrated how such perceptions of uncontrollability can lead to the development of psychological attributes such as apathy and helplessness. These negative traits have been found to cause distress amongst individuals in prison (Pomeroy et al., 2000) while they can also hinder a person’s desire and willingness to engage in coping efforts. Individuals with unstable lives are more likely to make negative attributions regarding uncertain events over which they have little control (Peterson et al. 1993). Based on this premise, it would appear that those with unstable life circumstances prior to custody may be particularly susceptible to developing these characteristics and find it difficult to cope with the uncertainty of remand.
A lack of facilities and structured activities are commonly reported difficulties in the remand environment (Her Majesty’s Chief Inspector of Prisons, 2000; Kilkelly et al., 2002; CPT, 2007). Indeed the terms ‘busy doing nothing’ (Howard League for Penal Reform, 2003: 1); ‘dead time’ (The John Howard Society of Ontario, 2002: 1) and ‘marking time in prison’ (Howard League for Penal Reform, 2003: 19) have all been used to describe experiences of the remand regime. The provision of remand services are often so limited, it results in young people on remand being treated worse than their sentenced counterparts (Penal Affairs Consortium, 1996; Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 2000; Hodgkin, 2002). In relation to education, young people on remand have been identified as having ‘much poorer experiences in custody’ than their sentenced counterparts (Her Majesty’s Chief Inspector of Prisons, 2002: 21). While Lader et al. (1998) found that one-half of the young remand population were involved in education, other studies generally report that a majority of young people on remand do not engage in prison educational activities (Her Majesty’s Chief Inspector of Prisons, 2000; 2002; Howard League for Penal Reform, 2003). The low level of participation appears to largely arise from the instability, distraction and logistical difficulties which are created by custodial remand (Her Majesty’s Chief Inspector of Prisons, 2000) rather than a lack of desire or motivation among young people to take part (Her Majesty’s Chief Inspector of Prisons, 2000; Howard League for Penal Reform, 2003). This lack of educational activity available for remanded individuals may disrupt the education of the small number of those who are still engaged in education on the outside. It may prevent further educational opportunities by creating or reinforcing negative views of education.

Like education, the numbers of individuals who are provided with work on remand is substantially less than that offered to their sentenced counterparts (Social Exclusion Unit, 2002). Levels of participation, particularly among young people on remand are very low, with, on average, only one in four young people being provided with an opportunity to work while they are remanded in custody (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 2000).
In addition to the lack of time spent engaging in education and employment, receiving visits also appears to consume little of young people’s time on remand. A majority of young people on remand receive an average one to two visits per week (Her Majesty’s Chief Inspector of Prisons, 2000); while approximately one quarter of young people on remand do not come into contact with visitors over the period of a month (Lader et al., 1998). Along with the high prevalence of family conflict, a low level of contact with family and friends appears to take place as a substantial number of remanded individuals are detained in prisons which are located far away from their communities (Her Majesty’s Chief Inspector of Prisons, 2000; Howard League For Penal Reform, 2003). This is due to the fact that only a limited number of places are available for young people on remand within the prison system. Given the low levels of contact, it is not surprising that familial separation has been identified to cause much distress for remanded individuals as they miss and worry about the welfare of others outside prison (Zamble and Porporino, 1988; Harding and Zimmermann, 1989; DeRosia, 1998; Liebling, 1999; Gullone et al., 2000). It is reported that individuals who have previously had little contact with their families prior to remand often yearn to see them while they are in prison as they have had time to reflect on the importance of their family in their lives. Those on remand may also become stressed from not receiving family contact as it reduces their chances of availing of tangible benefits such as bail, legal resources, money and clothing (Gibbs, 1982b).

Young people in remand custody are also provided with few opportunities to come into contact with individuals of the opposite sex. Segregation from females may contribute to high levels of stress among males (Sykes, 1958; Lindquist and Lindquist, 1997) as it can reduce their sense of meaning and responsibility in the world and can lead to the development of an unbalanced identity (Sykes, 1958). The deprivation of heterosexual relationships can also create feelings of stress as individuals may feel guilty or ashamed if they have questioned their sexuality or engaged in sexual acts with fellow inmates (Sykes, 1958). These various stressors brought about by gender segregation may cause particular frustrations for adolescents in prison as it is a time when their sexual needs and identity come to the fore (Lerner and Spanier, 1980; Rutherford, 1992).
The lack of contact with the outside world, along with the paucity of education and employment facilities means that ‘the daily routine for remand prisoners resembles little more than crowd control’ (Howard League For Penal Reform, 1995: 26). As the Irish Prisons Inspectorate (2002: 7) notes ‘the main problem with [the remand prison] is sheer boredom…there is no other activity as there would be in any other prison to occupy the attentions of the prisoners’. A lack of facilities and activities has been found to be a major source of stress among individuals in prison (Toch, 1977; Zamble and Porporino, 1988, Lindquist and Lindquist, 1997). This is not surprising given the fact that activity is identified as one of the most important perceived needs among imprisoned individuals, particularly amongst the young (Toch, 1977; Gibbs, 1991; Lindquist and Lindquist, 1997).

The lack of activities available indicates that many youths on remand are subjected to a double confinement by firstly being confined to prison and secondly being confined within the prison (Sykes, 1958). This means that the majority of remanded individuals spend a much greater amount of time in confinement than the sentenced population (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 1998). Indeed, numerous research studies (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 1998; 2000; Goldson and Peters, 2000; Howard League For Penal Reform, 2003) have found that, on average, individuals in remand custody spend between 19 and 24 hours locked up each day. Long levels of confinement are further exacerbated by the punitive conditions in which they are frequently held. In spite of their presumption of innocence, research studies (Her Majesty’s Chief Inspector of Prisons, 1998; Irish Prisons Inspectorate, 2003) have found that the condition of cells is very poor for those who are held on remand. During an inspection of Feltham Prison in England, Her Majesty Chief Inspector of Prisons (1998: 5) observed that the cells for young people on remand were so dilapidated and dirty that it amounted to ‘institutionalised deprivation’. Similarly, the Irish Prisons Inspectorate (2002) commented on the overcrowded nature of the prison cells in the Remand Prison, describing that many were too small to house the three prisoners assigned to them. Poor ventilation and sanitary conditions were also reported (Irish Prisons Inspectorate, 2002). Inadequate cell conditions have been shown to create
considerable stress (Zamble and Porporino, 1988) particularly in relation to the lack of privacy it may create (Toch, 1977).

Cell conditions are often made even more arduous for individuals on remand as they are not always allowed to personalise their cell with photos or pictures (Goldson, 2002). This practice may prevail as it has been found that those on remand are not always allocated the same cell when they return to prison following a court appearance (Her Majesty’s Chief Inspector of Prisons, 2000; Harvey, 2007). Like the prison cells, research has revealed that individuals on remand often experience poor conditions in court holding cells and court transport vehicles when attending court (Her Majesty’s Chief Inspector of Prisons, 2000, Goldson, 2002). While those remanded have mainly identified that they are treated well by prison escort staff (Her Majesty’s Chief Inspector of Prisons, 2000), a negative image has generally been portrayed of the journey to and from court. A range of negative experiences have been reported by individuals on remand such as the failure to stop for toilet breaks, being driven recklessly and being handcuffed for long periods of time (Her Majesty’s Chief Inspector of Prisons, 2000, Goldson, 2002; Convery and Moore, 2006; Harvey, 2007). Given such experiences, it is of little surprise that over one-third (38%) of those on remand reported feeling unsafe when being escorted between prison and court (Her Majesty’s Chief Inspector of Prisons, 2000).

The lack of freedom which is brought about by long periods of cell confinement has been found to be a major stressor for individuals both on remand (Harvey, 2007) and under sentence (Sykes, 1958; Zamble and Porporino, 1988) particularly among the young (Toch, 1977). This may be because young individuals have yet to resolve identity and dependency issues, which may increase their concerns regarding the potential impact the deprivation of freedom, may have on their lives (Toch, 1977). The lack of freedom is reported to bring about high levels of stress as it leads to problematic issues such as boredom (Zamble and Porporino, 1988), loneliness (DeRosia, 1998) and a dearth of autonomy (Sykes, 1958).
Remand research has also identified that long periods of unstructured confinement in a punitive setting can generate negative feelings such as extreme anger, anxiety and frustration among those in custody (Nurse et al., 2003). These feelings may arise as enforced idleness can provide individuals with too much time to dwell on past adversities which have occurred throughout their lives (Lader et al., 1998; Graham et al., 1999; Anderson, 2004). The rekindling of bad memories in such an isolated environment may also ignite the disabling psychological reactions which may have previously accompanied these traumatic experiences (Haney, 2003).

In addition to reflecting on past events, research has found that many individuals in prison are provided with ample time to worry about future events and circumstances (Parisi, 1982; Zamble and Porporino, 1988; Harding and Zimmermann, 1989; Pomeroy et al., 2000). Many of these worries focus on the likely response of the judge to their case and the severity of the sentence they may possibly receive (Harding and Zimmermann, 1989). Several research studies (Fitzgerald and Marshall, 1999; Her Majesty’s Chief Inspector of Prisons, 2000; Hickey, 2002) have discovered that individuals on remand have valid reasons to be concerned about such issues. Research (Toberg, 1992; Flood-Page and Mackie, 1998) has revealed that when all factors such as the seriousness of the alleged offence are made equal and taken into account, remanded individuals still have a much greater chance of being found guilty and being given a custodial sentence than those previously released on bail. This trend may be because individuals held in custodial remand may plead guilty more often to bring about a quicker conclusion to their case (Petersilia, 1997; Fitzgerald and Marshall, 1999). It may also arise from the lack of legal resources provided to individuals on remand (Her Majesty’s Chief Inspector of Prisons, 2000; Ruthven and Seward, 2002; Brookman and Pierpoint, 2003). Furthermore, it has been argued that judges may feel under greater pressure to convict those in remand custody in order to justify and uphold previous judicial decisions to hold such individuals in custody before their trial (Fitzgerald and Marshall, 1997).

It has also been identified that the remand population worry about the reaction they will receive if they are released back into their communities following their remand (Harding
and Zimmermann, 1989; Lindquist and Lindquist, 1997). Young people may fear that their families will be ashamed of them or reject them (Lindquist and Lindquist, 1997). Even when young individuals on remand who have no previous convictions are found not-guilty, they may still face a hostile response as their communities may still view them as criminals due to their confinement in prison. This may lead to young people being discarded and labelled as a delinquent in their community. The labelling process has been found to exert powerful effects such as the negative altering of one’s self concept and the creation of exclusions from legitimate and conventional activities and opportunities (Becker, 1963; Lemert, 1967; Braithwaite, 1989).

Given that ‘pretrial confinement is regularly described as an unusually disruptive, debilitating and even traumatic juncture in a person’s confinement’ (Gibbs, 1982b: 99), it is perhaps not surprising that individuals on remand have also been found to express concern about future practical issues such as employment and accommodation (Harding and Zimmermann, 1989). Research evidence (Her Majesty’s Chief Inspector of Prisons, 2000; Hickey, 2002) has confirmed that those on remand possess valid reasons to be apprehensive about their future post-release circumstances. In relation to employment, custodial remand can create employment difficulties for those who worked prior to their remand. Research conducted by Her Majesty’s Chief Inspector of Prisons (2000) found that half of the individuals who were engaged in employment before their remand were made redundant due to the uncertain amount of time they were likely to spend in custody. Similar to job losses, young people in custody are often confronted with accommodation difficulties following their release from remand. An English research study conducted by Her Majesty’s Chief Inspector of Prisons (2000) discovered that nearly a third of young men lost out on their accommodation while they were remanded in custody. Similarly, in Ireland, Hickey (2002) discovered that 41% (24 individuals) of individuals who were homeless prior to their first prison sentence had been remanded in custody before the age of eighteen.
3.4.3 The Custodial Remand Culture

The prison world has long been found to be pervaded by a culture grounded in the notion of masculinity and a ‘strong shall survive’ climate (Bartollas, 1982: 165). It is a world where violence, aggression and drug use are normalized (Howard League For Penal Reform, 1995; Her Majesty’s Chief Inspector of Prisons, 1997; Cope, 2003; Hammersly et al., 2003; Davidson-Arad et al., 2009) where jokes and innuendos regarding sexual assault are part of daily life (Irwin, 1970); and where status, power and dominance become the ultimate aims to be achieved (Ireland, 1999). Ironically, despite the existence of separate rules and regulations designed to protect the remand population, young individuals on remand are exposed to the very same ‘sink or swim sub-culture’ (Goldson, 2002: 51). Such exposure is brought about as young people who have not been imprisoned before come into contact with those who have previous knowledge and experience of the way the prison environment operates (Barnes, 1982; Lader et al., 1998). Such integration is facilitated by the varying functions custodial remand aims to fulfil. Furthermore, despite legislative guidelines, those on remand still engage with sentenced individuals in prison cells and activities (Her Majesty’s Chief Inspector of Prisons, 2000). Although Keve (1974: 14) argues that ‘the criminal can learn the technology of crime far better on the streets’, custodial remand has been identified as a potential ‘school of crime’ (Hawkins, 1976: 56) as young people on remand with little or no previous history of offending behaviour are placed in an environment where criminal activity is largely normalised.

Like the general acceptance of criminal activity, the existence of the prison culture in remand settings becomes particularly apparent when the issue of victimisation is examined. As the Howard League for Penal Reform (1995: 13) argues ‘the nature of prison life breeds bullying’ and remand appears to be no exception to this. High levels of victimising behaviours among young people on remand have been identified in a number of research studies (Penal Affairs Consortium, 1996; Lader et al., 1998; Palmer and Farmer, 2000; Goldson, 2002; Ashkar and Kenny, 2008) with nearly one half of the young remand population (45%) in Lader et al.’s (1998) study reporting that they had
suffered from at least one episode of victimisation at the hands of their fellow inmates since their arrival. Victimisation on remand occurs in a variety of forms, with the most common offences being theft, physical assaults, intimidation and threatening behaviour (Lader et al., 1998; Palmer and Farmer, 2002). While no specific research has been conducted with young people on remand in Ireland, a similar high victimisation trend is likely to prevail as it has been found that bullying is a significant problem in Irish prisons, particularly among young people (Leddy and O’Connell, 2002). Given the high prevalence of victimising behaviours, it is not surprising that many report that they find the potential lack of safety that prevails in the prison environment to be highly stressful (Sykes, 1958; Toch, 1977; Zamble and Porporino, 1988; Pomeroy et al., 2000). Young people (Toch, 1977) in particular have identified that victimisation causes them much distress. In addition to the increased presence of such behaviours found in young prison populations, this distress may be caused by the fact that younger individuals frequently have less prison experience than their adult counterparts (Goldson, 2002). This may lead to them being viewed as easier victims to bully and intimidate (Penal Affairs Consortium, 1996).

The high level of victimising behaviours found among youths on remand has important consequences for the coping process. Experiences of victimisation seriously impede effective coping in prison as victimised individuals develop higher levels of helplessness (Biggam and Power, 1999) anxiety (King, 1991) and suicidal tendencies (Liebling and Krarup, 1993; Meltzer et al., 2003). The development of such negative feelings following experiences of victimisation is not unusual. According to Maslow’s (1970) Hierarchy of Needs, safety is a basic and important human need. If this need is not gratified, individuals become preoccupied with trying to fulfil it. This drains much of the individual’s emotional and intellectual energy (Maslow, 1970) which are recognised as essential resources for effective coping (Lazarus and Folkman, 1984).

In addition to victimisation, the normalisation of drug use is found to be a common feature of prison culture (Cope, 2003; Ashkar and Kenny, 2008). English research studies have shown the consumption of cannabis is particularly high, ranging between a
usage rate of 37% (Lader et al., 1998) and 83% (Cope, 2003). While the use of heroin on remand (rate of 6% to 10%, Lader et al., 1998; Cope, 2003), is said to be significantly less than that of cannabis, it is important to note that this figure is two to three times greater than the level of heroin used by sentenced individuals (Lader et al., 1998; Cope, 2003). Similar high usage levels of cannabis and heroin are also likely to exist among people on remand in Ireland as drug use has been recognised to be a particular problem in Irish Prisons (O’Mahony, 1997; Dillon, 2001; Long, 2004). Studies conducted by Allwright et al. (1999) and Long (2001) have revealed that approximately one-half of all individuals engage in injecting drug use during their period of incarceration while 20% who inject drugs do so for the first time in prison. With specific regard to those on remand, the Governor of the Remand Prison has reported that significant difficulties arise from the amount of illegal substances which are thrown over the prison perimeter walls (Irish Prisons Inspectorate, 2002).

On the whole, the research evidence regarding the remand environment indicates that young people on remand are a low priority within the prison system whose basic human rights are regularly compromised (Goldson and Peters, 2000). Indeed, youths on remand appear to be ‘persons who, though they may never be sentenced to imprisonment, get their taste of it just the same’ (King and Morgan, 1976: Preface). Ironically, the research literature also indicates that this taste of imprisonment may be more taxing than sentenced custody as those on remand are embroiled in an environment where they have to face both unique and more severe prison restrictions and stressors (Gibbs, 1982b; Harding and Zimmermann, 1989; Lindquist and Lindquist, 1997). As Gibbs (1982b: 99) highlights ‘no group other than pretrial detainees is exposed to high levels of stress’ when it comes to the four problematic issues; prison entry shock; obtaining stability; lack of prison activities; and lack of contact with the outside world. Lindquist and Lindquist (1997) argue that such findings are particularly alarming given the fact that sentenced imprisonment has already been established as a painful (Sykes, 1958) and stressful (Holmes and Rahe, 1967; Bukstel and Kilman, 1980; DeRosia, 1998; Liebling, 1999) experience.
3.5 Knowledge of Remand Coping Behaviour

While knowledge of the individual and environmental factors which may influence remand coping has been derived from the existing literature, few studies have actually examined the coping actions of individuals on remand. This lack of information gives cause for concern, in light of prison suicide figures which consistently show that a disproportionate number of suicides occur among individuals on remand (Liebling, 1999). While suicide rates among individuals on remand in Ireland have been found to be lower in comparison to other European countries (Council of Europe, 2002), 15 suicides have occurred among adults and youths on remand between 1991 and 2001 (The Royal College of Psychiatrists, 2002). While these figures are not as relatively high as in other countries, it is important to note that youth suicide has been a growing problem in Ireland (Kenny, 1999). Indeed, Lynch et al. (2004) report that suicides per 100,000 of males aged between 15 and 24 years, have increased from 5.79 in 1980 to 25.93 in the year 2000 and therefore it is possible that such increases may filter into the prison setting in the coming years.

3.5.1 Prison Coping Strategies

To date, very little research has addressed the specific coping actions young individuals use when they are remanded in custody. Therefore, much of the information regarding the coping strategies employed in prison comes from prison coping studies conducted with sentenced individuals (Toch, 1977; Zamble and Porporino, 1988; DeRosia, 1998). Such studies indicate that individuals in prison engage in a wide variety of coping strategies. These include actions such as activity; resistance; social support; victimisation, information-seeking; denial; drug use and self-harm. As Lockwood (1982: 61) states:
The variety of these coping patterns warrants close attention. They tell us much about man’s survival in stressful environments, and also help us to understand social psychological forces of a general importance in prison life.

3.5.1.1 Activity

Activity has been identified as a major coping strategy used by individuals in prison (DeRosia, 1998; Jamieson and Grounds, 2002) and has been connected with overall levels of well-being (Wooldredge, 1999; Liebling, 2004) in the custodial environment and a reduction in prison violence (Huebner, 2003; Steiner, 2009). It is seen to provide a source of distraction and a legitimate means for releasing anxieties and frustrations (Gibbs, 1982b; Cope, 2003; Mohino et al., 2004). It is also reported as a useful method to help deal with substance withdrawal (Long, 2004). Activity appears to be a particularly popular strategy among young people in prison (Johnson, 1978; Cope, 2003; Mohino et al., 2004) and those who possess no previous convictions (Mohino et al., 2004). As Johnson (1978: 466) highlights:

For some youths the need for activity reaches extremes. They describe a compulsive need for involvement to hold their feelings in check. They diagnose themselves as prone to tension, subject to outbursts, controlled by urges. In activity they find temporary release, in constant activity there is a kind of equilibrium.

The important coping role that activity seems to play among youths in prison is visibly highlighted by Liebling’s (1992) research. In this research, comparisons between 44 young males who had attempted suicide and a group of 44 young male inmates who had not tried to commit suicide revealed that 90% of the comparison group engaged in activities in prison, while less than 50% of the suicidal subject group did. Those who engaged in more activity reported that they found it easier to cope with the boredom and isolation of being confined to prison (Liebling, 1992). Thus, these findings strongly demonstrate that ‘inactivity can compound difficulties in coping’ (Liebling, 1992: 138). This may have important implications for young people who are remanded in custody as
the research literature (Lader et al., 1998; Her Majesty’s Chief Inspector of Prisons, 2000; Goldson, 2002) has previously indicated that inactivity is common on remand.

3.5.1.2 Drug Use

As previously described, the use of drugs is a significant problem in prison, particularly among youths on remand (Lader et al., 1998; Cope, 2003). It is perhaps not surprising that individuals resort to drugs in prison, given the fact that many rely on drugs as their main coping strategy in the outside world (Gibbs, 1982a; Hammersly et al., 2003). Individuals also report that the use of drugs helps them to cope with the boredom of imprisonment by enabling them to escape from the reality of the prison world (Cope, 2003; Long, 2004; Ashkar and Kenny, 2008). Furthermore, many engage in drug-use so they will not be forced to cope with withdrawal symptoms or sleeping problems (Cope, 2003).

While the use of drugs may provide temporary relief and comfort for individuals in prison, there is little doubt that the over-reliance on this coping strategy may bring about many negative effects, both for the individuals and the prison as a whole. The role of drug use in temporarily relieving anxieties and stress may also entice those individuals who have not taken drugs before to enter into the detrimental cycle of drug use (Long, 2004).

Widespread drug use can create additional stressors and coping complications for individuals through the transmission of blood-borne viruses like HIV and Hepatitis C (Long, 2004). Such viruses appear to be particularly endemic in Irish prisons as it has been found that imprisoned individuals are ten times more likely to have the HIV virus than the general population (Condon, 2003) while 81% of injecting drug-users and 37% of the prison population have been found to possess the hepatitis C infection (Allwright et al., 2000). Research has found that young people are particularly susceptible to such
viruses (Otto-Salag et al., 2002; Murray et al., 2003) as they consume more drugs in prison than adults and engage in more risky behaviours both inside and outside of prison.

3.5.1.3 Self-harm

Another potentially damaging prison coping strategy has been identified in the form of self-harm (Liebling and Krarup, 1993; Her Majesty’s Chief Inspector of Prisons, 1999; Hodgkin, 2002). Numerous incidences of self-harm occur in both sentenced and remand prison populations particularly among the young (Liebling and Krarup, 1993; Her Majesty’s Chief Inspector of Prisons, 1999, Brooke et al., 2000, Goldson and Peters, 2000). Indeed, it has been identified that young people in prison are twice as likely to engage in self-harming behaviour than their adult counterparts (Howard League for Penal Reform, 1999). Lacerations are the most common form of self-harming behaviour that occurs in prison, followed by hanging and overdoses (Shea, 1993).

In addition to a history of self-harming behaviour, research has revealed that a variety of characteristics can potentially make individuals susceptible to self-harm in prison. Individuals who are very distressed, along with those who perceive their circumstances to be extremely negative and uncertain are more prone to self-harm (Shea, 1993; Dear et al., 2001). Furthermore, individuals who feel they lack control (Haines and Williams, 1997) and/or those who have experienced episodes of alienation or isolation during their imprisonment (Shea, 1993) engage in self-harm more regularly. Such mutilating behaviour has been found to provide individuals with a sense of control over their environment and therefore, is seen as a coping strategy (Mental Health Foundation, 2003). Miller’s (1941) frustration-aggression hypothesis also indicates that actions such as self-harm may be used as a means of releasing pent up frustrations and emotional distress. Additionally, those in prison may rely on the self-harm strategy in order to receive secondary gains such as extra attention or nurturing which may be used to assist coping efforts (Shea, 1993).
While self-harm may provide short-term relief for individuals in prison, the use of such a coping strategy has particularly destructive consequences such as permanent physical damage and unintended death (Shea, 1993). As Shea (1993: 583) also argues, the modelling of self-harming behaviour by some individuals can lead to such a behaviour becoming ‘contagious’ within a prison.

3.5.1.4 Victimisation

As Miller’s (1941) frustration-aggression hypothesis highlights, individuals may not only harm themselves but also other people in an attempt to cope with their anxieties. The high level of victimising behaviours carried out by young individuals remanded in custody (Penal Affairs Consortium, 1996; Lader et al., 1998; Palmer and Farmer, 2000; Goldson, 2002) indicates that such a strategy may be used by those on remand to help them cope with imprisonment. Indeed, Pomeroy et al. (2000) has found that adults on remand often rely on lashing out at fellow inmates in order to cope, particularly when their needs are not met by the prison. The ill-treatment of others aids prison coping as it enables individuals to gain a sense of power and control over their environment (Toch, 1977; O’Donnell and Edgar, 1996; Edgar et al., 2003). It has also been discovered to help reduce tension and enhance masculinity and social status in prison particularly among those who experience insecure identities and doubts regarding their ability to cope (Bowker, 1980; Butler, 2008). Furthermore, research studies (Ireland and Ireland, 2000; Leddy and O’Connell, 2002; Palmer and Farmer, 2002) have consistently found that a significant number of young individuals are both victims and perpetrators of prison victimisation. This suggests that young people may use such a strategy to cope with their own experiences of being victimised.

Research indicates that victimisation may act as successful prison coping strategy on an individual level. For example, it has been found that young people in prison who have good anger control actually suffer higher levels of distress as many of their frustrations
remain internalised (Nieland et al., 2001). However, on a collective level, the use of victimisation as a coping strategy can be highly detrimental as the easing of one individual’s stress can create great distress for others (Parisi, 1982). Indeed, the negative consequences that victimisation can have on collective prison coping is highlighted by Meltzer et al.’s (2003) research. This study revealed that two fifths of remanded individuals who had attempted suicide in prison had been threatened with violence compared to only one-fifth of those who had not tried to kill themselves (Meltzer et al. 2003).

3.5.1.5 Resistance

Individuals in prison have also been found to cope with their anxieties by engaging in resistant actions against the prison system as a whole (Goffman, 1961; McEvoy, 2001). Violent actions are often carried out to provide a source of distraction and variety against the mundane regime of the prison world (Goffman, 1961; Parisi, 1982, McEvoy, 2001). While performed much less frequently than prison violence, individuals have been found to use other resistant actions such as hunger strikes and attempted escapes (McEvoy, 2001). Research conducted by McCorkle (1992) has revealed that individuals under the age of 25 tend to be more opposed to the prison regime. Such a trend indicates that younger individuals may rely on such resistant strategies to help them cope with imprisonment.

3.5.1.6 Support from Individuals Inside and Outside Prison

While there is no denying that resistant and victimisation coping strategies are widely used, it is important to acknowledge that individuals in prison do not always turn against each other or the prison establishment to help them cope with imprisonment. Numerous research studies (Sykes, 1958; Jamieson and Grounds, 2002; Severance, 2005) have found that individuals frequently rely on the social support of other prisoners to help
them cope in the prison environment. Fellow inmates help individuals to cope by supplying useful information about the prison regime and the court system (Rottman and Kimberly, 1977), providing a source of companionship (Sykes, 1958; Rokach, 1997) and a way of receiving goods and services within the prison (Goffman, 1961; Severance, 2005). Research (Biggam and Power, 1997) suggests that despite the high levels of victimisation that occur among young people, social support from fellow inmates acts as an important means of coping for young people detained in both sentenced custody (Biggam and Power, 1997) and remand (Nieland et al., 2001). Those who do not receive social support from other inmates often possess higher levels of anxiety and depression (Biggam and Power, 1997; Nieland et al., 2001; Van Harreveld et al., 2007) and a greater tendency to attempt suicide in prison (Meltzer et al., 2003). These findings may have particularly important implications for many youths on remand as highlighted earlier; the availability of social support from fellow inmates may be impeded by the constant turnover of individuals on remand (Gibbs, 1982a). In addition to this environmental obstacle, young people on remand may not be able to rely on the same level of inmate support as sentenced individuals due to the high level of mental health problems which prevail in the remand population (Lader et al., 1998; Otto-Salaj et al., 2002; Gosden et al., 2003). The presence of such a volatile population may seriously limit the number of stable peers youths on remand can turn to for support and advice. The particular individuals who possess mental health problems such as depression may find it especially difficult to avail of social support on remand as Coyne’s (1976) Interpersonal Theory of Depression highlights how the presence of such negative emotions can alienate and frustrate surrounding individuals. Indeed, Coyne’s (1976) theory has found some support in prison research as Marcus et al. (2001) have found that individuals who suffer from depression are more likely to be rejected by their peers in prison. This alienation may increase their reliance on prison staff members as a source of support. However, such a strategy may not be a viable option for many individuals on remand. In addition to the lack of rapport which has been found to characterise remand prisoner-staff relations (Goldson, 2002; Irish Prisons Inspectorate, 2002; Howard League For Penal Reform, 2003), research has failed to identify common usage of prison staff as a source of support (Sykes, 1958; Cohen and Taylor, 1972; Zamble and Porporino, 1988; DeRosia, 1998;
McEvoy, 2001). While some studies identify that prison staff can offer support through the use of respect and humour (Hobbs and Dear, 2001) the availing of support from prison staff is generally viewed as an unacceptable practice among the prison population.

Social support from the outside world has been found to be used by many individuals as a means of coping with confinement (Cohen and Taylor, 1972; Toch, 1977; Halsey, 2007). While all individuals outside of prison may not fully understand or be able to give advice about what goes on in the day to day prison world, receiving letters, visits and phonecalls has been identified to help individuals to cope in a number of ways. As Toch (1977) highlights, receiving contact from family and friends can provide a source of distraction from the mundane prison routine and can help individuals to structure their time in prison (Cohen and Taylor, 1972). It can also ease worries or concerns that they may have about events or other individuals in the outside world (Toch, 1977).

3.5.1.7 Cognitive Coping Strategies

Young individuals in prison often make use of a wide variety of cognitive strategies to aid coping (Greve et al., 2001). Cognitive strategies frequently involve a reinterpretation of the meaning of imprisonment (Zamble and Porporino, 1988). For example, to help justify their confinement, individuals may view their time in prison as a test of character (Ashkar and Kenny, 2008) while others may perceive their imprisonment to be caused by inequality rather than their own actions (Toch, 1975). Other studies have identified that individuals may reinterpret their imprisonment as providing them with an opportunity to sort their lives out or a chance of respite to obtain particular goods and services (Halsey, 2007; Ashkar and Kenny, 2008). Engagement in such positive re-interpretative thought processes has been identified to aid coping by reducing the intensity of negative emotions experienced while in prison (Van Harreveld et al., 2007).

Like reinterpretation, individuals in prison may engage in cognitive strategies where they focus and plan ahead for the future (Zamble and Porporino, 1988). One particularly
popular focus for the future is that of the release date (Neustatter, 2002). As Neustatter (2002: 115) explains:

Young people in prison almost always focus on their release date, dreaming of how it will be, comparing with others, competing in the grandiosity of their fantasies about what they will do when first outside. The release date becomes the thing around which they shape their time inside and cope with, the day when they see themselves getting their lives back.

However such a positive focus may not possible for young individuals on remand as they are unaware of their release date (Neustatter, 2002). For this reason, the future focus coping strategy may not be as effective for those on remand as they may have to rely on other less definitive events as their main focus.

While forward-planning may not be as effective for remanded individuals, the information seeking strategy may particularly aid coping on remand (Gibbs, 1975; 1982b). This coping strategy is a commonly used mechanism for coping with general uncertainty (Monat et al., 1972). As Gibbs (1982b: 105) highlights ‘while he is waiting in a cell for his day in court, a man’s information needs may amplify’. The desire to attain information about their legal position and future may motivate young people on remand to keep going until the final outcome of their case has been determined. Additionally, it may encourage those in remand custody to remain in contact with individuals outside prison who may be able to provide them with valuable information. The need for information may also stimulate remanded individuals to develop an interest and gain access to prison legal resources where they are available. These motivations can act as a powerful source of distraction from the humdrum reality of the prison regime.

Denial has been identified as a widely used cognitive strategy to cope with uncertainty (Monat et al., 1972; Monat, 1976), particularly in the prison context among adults (Irwin, 1970; Toch, 1975; Gullone et al., 2000; Pelissier and Jones, 2006) and young people (Ruchkin et al., 1999; Cope, 2003; Ireland et al., 2005; Brown and Ireland, 2006). Individuals have been identified to frequently engage in event denial whereby they fail to register the occurrence of their imprisonment (Gibbs, 1975). Young people in particular
have been found to deny the passing of time as a means of coping in prison (Cope, 2003). The creation of this ‘time vacuum’ helps them to gain control over time and thus view custody as just a minor part of their lives (Cope, 2003). Similarly, the process of identity suspension has been recognised as a widely used denial coping strategy (Schmid and Jones, 1991). Through the denial of their real identity, individuals are able to develop an identity that assimilates with the characteristics of the prison environment. A congruent identity can aid coping by reducing the likelihood of victimisation and adjustment difficulties (Schmid and Jones, 1991). Indeed, research (Nieland et al., 2001) has confirmed that the development of an identity façade can lead to less prison distress. However, it is important to note that identity preservation techniques can bring about some undesirable effects. As Schmid and Jones (1991: 154) argue, ‘no inmate can ever fully revive his suspended identity, he cannot remain the same person he was before he came to prison’. Indeed, while all forms of denial may provide temporary solace, their usage may have negative consequences for the future. According to Richards and Gross (1999) denial can be cognitively demanding and can bring about both physiological and cognitive deficits. The use of denial has also been associated with poorer long term coping outcomes (Brisette et al., 2002) and a greater susceptibility to self-harming behaviour (Kircher et al., 2008).

On the whole, analysis of the general coping literature indicates that individuals may engage in a variety of coping strategies to help them cope in prison, some of which are likely to produce more positive outcomes than others and some of which would appear to be more accessible than others on remand.

**3.6 Chapter Summary / The Research Problem**

The individual and environmental factors discussed in this chapter serve to emphasise the potential level of coping difficulty which may prevail among the young remand population. Despite this, the chapter indicated that we have little information on remand
coping and have to mainly rely on studies conducted with the sentenced population. While of some insight, the generalisation of these findings is limited by the differences between remand and sentenced custody. These differences were highlighted in this chapter and included higher turnover of individuals and a greater degree of uncertainty. Therefore in order to address this research problem and the dearth of knowledge which exists in relation to remand coping, in particular in the Irish context, this study aims to answer the following research questions:

- What are the background characteristics of young people on remand in Ireland?
- What is the nature of the custodial remand experience in Ireland?
- What do young people perceive to be stressful on remand?
- What is the impact of the remand experience on young people?
- What coping strategies do young people adopt while on remand?
- What level of coping difficulty is encountered by young people on remand?
- What factors influence coping on remand?
- In what ways may coping be improved on remand?

The methodology that guided and addressed these specific research questions is the focus of the next chapter.
CHAPTER FOUR

RESEARCH METHODOLOGY

Some would argue that from a methodological standpoint that substantial numbers of any research population make the undertaking more fruitful, the information obtained more abundant, the results more statistically significant and generalisable. In other words, the end justifies the means—studying the masses to the exclusion of smaller (but no less valuable) segments of the prisoner population. However, a strong case can be made that to fully understand a problem requires more rigorous and in-depth study of those who most closely exhibit the problem (DeRosia, 1998: 8).
4.1 Introduction

This chapter presents the research methodology used to conduct the study. The chapter commences with an overview of the research design including the epistemological viewpoint that guided the study. Following this, the use of various research methods including observation, semi-structured interviews and standardised instruments is described and justified. The chapter then moves on to provide a detailed insight into the data collection and data analysis phases of the study. This part of the chapter is divided into two main sections; the court observation study and the prison study. Each section presents information in relation to the preparation for the data collection, the data collection setting, the participants and the procedures involved in collecting and analysing the data. The chapter then addresses a variety of methodological issues relevant to the study. This includes access issues; ethical issues such as informed consent and exceptions to confidentiality; issues regarding the validity/credibility of the data including the impact of the researcher’s personal characteristics on the research experience and the effect of the research experience on the researcher; and finally, issues surrounding the strengths and limitations of the study.

4.2 Research Design

An exploratory and descriptive research design was employed in this study which is a design framework that is frequently used to investigate both human behaviour and social institutions (Adams and Schvanevelat, 1985). This design was adopted in the study as an issue as complex and under researched as coping on remand required an approach that would facilitate an accurate portrayal of individuals and their experiences and enable new insights to be developed (Adams and Schvanevelat, 1985; De Vaus, 2001). According to De Vaus (2001: 2) good description and exploration plays an important role in the research enterprise as it ‘can challenge accepted assumptions about the way things are
and can provoke action’. It can also lay the foundations for further research by identifying ‘why’ questions which may need to be addressed by explanatory research. A cross sectional design was also employed in the study whereby each participant took part a single time in the research. This was deemed to be the most appropriate design for the study due to the transient nature of the remand population.

The research study incorporated both quantitative and qualitative research paradigms, thereby ensuring the presence of methodological and data triangulation. As Hilton states (2002: 2) ‘using triangulation can capture a more complete, holistic and contextual portrayal and reveal the varied dimensions of the given phenomenon’. The use of such an integrated approach was informed by a post-positivist epistemological position. Post-positivism has a critical realist ontological stance, viewing knowledge as an objective entity which may never be fully apprehended. An individual’s perspective may only be approximated by another person as all individuals are inherently biased by their own experiences and world views (Guba and Lincoln, 1994; Denzin and Lincoln, 2003). However, in comparison to the relativist position, post-positivism argues that the objectivity and validity of an individual’s understanding of another person’s perspective can be maximised if varied forms of data are obtained from the individual in his/her natural setting (Guba, 1990).

### 4.3 Research Methods

In keeping with the post-positivist epistemological viewpoint, a multi-method approach was adopted in this study. Research methods employed included observation, semi-structured interviews and standardised instruments.
4.3.1 Observation

Observation was selected as a research tool to investigate court proceedings in this study. The observation method allows the researcher to observe a number of individual and environmental variables and gain an insight into how events naturally operate without influencing the proceedings in any way (Adams and Schvaneveldt, 1985). Observation was also chosen as it is an unobtrusive research tool (Adler and Adler, 1994). This is a particularly important and relevant quality for court research as the researcher did not want to create any further apprehension or stress for the participants appearing before the court. Observation was also selected as a research method in this study when combined with other research methods such as semi-structured interviews which aim to collect in-depth information; it helps to enhance the level of consistency and validity of the research (Adler and Adler, 1994).

4.3.2 Semi-Structured Interviews

Like previous national and international prison research studies (Zamble and Porporino, 1988; O’Mahony, 1997; Chambers et al.; 2000; Peterson-Badali et al., 2001) semi-structured interviews were used as the main research tool. As has been widely documented over the years (Lee, 1993; Dunne, 1995; Shaughnessy and Zechmeister, 1997) the semi-structured interview method enables detailed information to be gathered and followed up about feelings, experiences and sensitive issues while allowing the researcher to maintain a sense of focus and structure over the issues which are discussed (Oppenheim, 1992). The important role such features play in prison research is evident in Cohen and Taylor’s (1972: 71) negative account of the unstructured prison interview process:

we gradually realised that some formal constraints were necessary. Up to that point we had been behaving like naïve inductionists, hoping that patterns, and recognizable themes would somehow emerge if we talked for long enough. However, it became clear that our notes on conversations resisted any such
structuring, the range of topics was too great, the levels of analysis were too varied, the differences within even so apparently homogeneous a group were impossible to comprehend.

It was decided to use audiotaped interviews to ensure that all information was gathered correctly. Audio taping was also selected as it would enable the researcher to convey the participants’ views in their natural language, which is considered to be particularly important when one is trying to present an accurate portrayal of a marginalized and stigmatised group such as prisoners (Soothill, 1999). Furthermore, it was decided to audiotape the interviews to provide the researcher with a greater number of opportunities to use eye contact and listen attentively to the participants’ responses, thus aiding the development of rapport.

4.3.2.1 Design of the Semi-Structured Interview Schedule

An original semi-structured interview was designed for the purpose of this research. The interview content was strongly grounded in the prison coping and custodial remand research literature. The majority of questions were constructed in an open ended fashion to facilitate the collection of rich detailed data. Probes were included to aid the retrieval of information if so required. The use of negative and double-barrelled questions was avoided as the complexity of these questions has been identified to create misunderstandings (Maxfield and Babbie, 2001).

In keeping with the interactionist theoretical framework (Lewin, 1935; Bronfenbrenner, 2004), questions were designed to address the potential role of individual factors and environmental experiences in a number of different settings. The questions were divided into four main sections, intentionally designed to reflect a natural progression from past to present to future behaviour (see Appendix A). This format was adopted to maximise clarity and to help the participants focus on particular events and experiences during different phases of their lives. Also, similar to Liebling’s (1991) research, the use of such a design would allow the researcher to gain an autobiographical sketch of the young
people’s lives prior to imprisonment, entering prison, during custody and future expectations enabling possible interactions between different environments to be examined. Questions regarding the participants’ backgrounds and life experiences were incorporated into the first section entitled ‘Pre-Custodial Remand’. Demographic questions were included at the start of the interview as their generally non-threatening nature has been identified to increase confidence and put participants at ease (Maxfield and Babbie, 2001). Questions regarding the participants’ histories of offending behaviour were also included in this section of the semi-structured interview schedule. It was decided to refrain from asking specific questions about the current alleged offence during the interview, an approach which is often adopted by those working with individuals on remand (Thomas and Goldman, 2001). It was believed this would respect the participants’ fundamental human right to be presumed innocent until proven guilty and also ease any concerns or sense of distrust the participants may have had about participating in research while still awaiting trial or sentencing.

A wide variety of questions concerning issues such as remand experiences and the effects and stressors of remand were included in the second section ‘Current Custodial Remand’. Sensitive questions investigating overall coping ability before and during remand were introduced further on in sections one and two to ensure that adequate time had been allocated to introduce the issues and facilitate the development of rapport (Lee, 1993). Questions focusing on future expectations, aspirations and plans were covered in the third section of the interview ‘Post-Custodial Remand’. The fourth and final section of the interview schedule was designed to provide participants with an opportunity to make comments and ask questions about the research study. Such questions were included to resolve any sense of confusion or unease individuals may have regarding their participation in the research and to allow the interview to conclude in a positive and empowering manner.
4.3.3 Standardised Instruments

In addition to the semi-structured interview method, it was decided to use standardised instruments to gather information about alcohol use, self-esteem and the coping strategies the young people used outside prison and on remand. In light of its frequent use as a coping strategy among young people outside prison (Hammersley et al., 2003), the researcher wished to place a more detailed focus on the issue of alcohol use in order to examine the possible impact its removal had on young people’s coping in remand custody. The gathering of information on alcohol use was also deemed important in this study, given that previous research (Brooke et al., 2000) has found that problem users perceive their general health and vitality to be worse than that of other individuals on remand. The use of a standardised instrument (CAGE Questionnaire, Ewing, 1984) was deemed to be the most effective means of gathering information about the seriousness of the young people’s alcohol use. This is because it can be difficult for young people to evaluate their drinking habits and distinguish between problem use and social use of alcohol (Brooke et al., 2000), in particular as they may over-estimate drinking norms (Henrik and Knut-Inge, 2008). Ewing (1984) also highlights, that the use of a standardised instrument (such as the CAGE Questionnaire), to measure drinking habits, allows a physician/researcher to avoid focusing too heavily on specific issues which may make a problem drinker feel uncomfortable or self-defeatist.

In light of the fact that self-esteem acts as an important internal coping resource (see Chapter Three), the researcher decided to gather information on the young people’s self-esteem. The decision was taken to measure the young people’s self-esteem using a standardised instrument (Rosenberg, 1965 Self-esteem Scale) as individuals are not always consciously aware about information about themselves and in turn, are less able to directly self-report information (Hayes, 2000). In these cases, carefully constructed standardised instruments, which contain certain types of questioning and highlight particular patterns of responses can be useful in helping to deduce this information (Hayes, 2000). The use of a standardised instrument also increases our understanding of the concept of self-esteem through the provision of population norms which help to
facilitate interpretation and comparisons between different groups of people (Rosenberg, 1965).

As highlighted in Chapter Three, the coping strategies individuals engage in can have an important role in determining the success or failure to cope with a particular stressor. Similar to the measurement of self-esteem described above, a decision was made to gather information about coping strategies using a standardised instrument (Brief COPE, Carver, 1997), in order to obtain information that individuals might not be directly aware of or consider to be coping behaviour. As Frydenberg (1997) highlights, the use of a standardised instrument can help to provide a good and easy starting point for helping young people to focus on their coping actions and can enhance the level of rich description and validity in a study when combined with interview data.

The specific standardised instruments used to measure the areas of alcohol use, self-esteem and coping strategies were the CAGE Questionnaire (Ewing, 1984) the Rosenberg Self-esteem Scale (Rosenberg, 1965) and the Brief Coping Orientations to Problems Experienced (COPE) Scale (Carver, 1997). These were widely available in the public domain and did not require explicit permission for use or modification. All of the standardised instruments were incorporated into the main interview schedule (see Appendix A). It was decided that they would be administered orally as poor literacy skills are common among males and females in prison in Ireland, particularly for young males detained in the remand settings included in this study (Morgan and Kett, 2003).

4.3.3.1 The CAGE Questionnaire (Ewing, 1984)

The CAGE Questionnaire (Ewing, 1984) is an internationally used assessment instrument for identifying the presence of alcoholic tendencies. It is a four item measure which examines people’s drinking patterns and feelings regarding their alcohol use. Each item

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24 The name CAGE is derived from the first letter of an italicised word in each item (i.e. cut, annoyed, guilty, eye-opener).
requires a yes or no response. The CAGE Questionnaire was specifically chosen as it is an easily administered, non-confrontational instrument which is suitable for use with individuals aged 16 and over (Ewing, 1984; Liskow et al., 1995; Dhalla and Kopec, 2007). It has been used in a variety of settings with a number of different populations including individuals in remand custody (Brooke et al. 1998). A meta-analysis of its use in previous studies has revealed adequate correlations (0.48-0.70) with other alcohol screening instruments and a high test-retest reliability (0.80-0.95) (Dhalla and Kopec, 2007).

4.3.3.2 The Rosenberg Self-esteem Scale (Rosenberg, 1965)

The Rosenberg Self-esteem Scale (Rosenberg, 1965) is a widely used measure of self-esteem which Rosenberg (1979) refers to as an individual’s overall evaluation of his or her worthiness as a human being. The scale was originally developed for use with young people. It consists of 10 items, each of which contain a four point scale which range from strongly agree to strongly disagree. Five of the items are positively worded and five are negatively worded. The scale was slightly modified to allow each item to be answered twice; first in relation to how the respondent believed they would have felt about the statement prior to remand and second, how they felt about the particular statement on remand. This modification was made to provide an insight into the participants’ likely self-esteem before, as well as, during remand. The Scale (Rosenberg, 1965) was deemed specifically suitable for this study due to its uncomplicated language and prior use with male and female prison populations (Negy et al., 1997; Oser, 2006). Also, it has been reported to have high level of reliability, with test-retest correlations ranging between .82 and .88 and internal consistency varying from .77 to .88 (Rosenberg, 1986; Blascovich and Tomaka, 1993).
4.3.3.3 The Brief COPE (Carver (1997))

The Brief COPE (Carver, 1997) is a widely used instrument which assesses adaptive and maladaptive coping responses. It is a modified version of Carver et al.’s (1989) COPE Inventory which correlates strongly with the full scale. Based on Lazarus and Folkman’s (1984) constructs of coping, it comprises twenty-eight items distributed across fourteen sub-scales (each containing two items). Each sub-scale measures a different coping strategy such as emotional support; substance-use, religion and denial (see analysis of Brief Cope section). Every item contains a four point scale which measures the frequency each coping strategy is used. The scale ranges from ‘I haven't been doing this at all’ to ‘I've been doing this a lot’. Similar to the Rosenberg Self-esteem Scale, the Brief COPE was modified to enable each statement to be answered twice; the first responses relating to a young person’s use of coping strategies prior to remand and the second their use on remand. In line with Zamble and Porporino’s (1988) prison coping research, this modification occurred to enable comparisons to be conducted between individuals’ coping behaviour in and outside prison. The Brief COPE was specifically selected for this study due to its appropriate theoretical foundation and its prior use with males and females in prison (Negy et al., 1997).

4.4 Data Collection and Analysis

The previous section examined the research methods selected for the study. This section documents how the research was executed. The research included two main methods of data collection; court observation and semi-structured interviews with young people on remand.

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25 The Brief version of the COPE Scale was deemed to be more suitable than the COPE Inventory (60 items) for use in the prison based study in light of the fact that Carver et al. (1993) and Carver (1997) have described the full inventory to be particularly demanding and time-consuming which can lead to a sense of impatience and frustration among respondents.
4.4.1 The Court Observation Study

The court observation study involved a number of stages, from the preparatory phase to the analysis of the data.

4.4.1.1 Preparation for the Court Observation Study

The first step in preparing for the observation study concerned the selection of the observation site. The Children Court was chosen as it deals with more young people’s cases than any other court in Ireland, with over 100 children passing through the court every week (Fahey, 1998). In addition, the Children Court would allow the researcher to spend more time conducting observation as it is the only Children Court which operates a five day working week (Courts Service, 2004).

Access to the Children Court was obtained following negotiations with the court registrar. Written evidence regarding the researcher’s status and the nature of the research study, which were requested by the court, were submitted by the researcher. As all cases in the Children Court are held in-camera, the researcher agreed to abide by the court regulations, which stated that no personal identifying information could be revealed and data obtained could only used for the purpose of the research study.

Once access to the Children Court was approved, the researcher visited the court on two occasions before the main observation study was carried out. The purpose of the first visit was to become familiar with the court environment and of the sequence of events that occurred during court proceedings, as well as to ascertain the nature of the information that could be obtained through observation. The researcher recorded narrative field notes during this first observation session.
Following the first observation period, the researcher conducted a content analysis on the court field notes. This content analysis revealed that several main forms of information were recorded during the observation. These were age, gender, alleged offence, remand position and custodial remand location. These different categories informed the design of a pro-forma document which would be used during the main observation sessions (see Appendix B).

In order to pilot the use of the pro-forma document, the researcher visited the Children Court for a second time. The researcher observed each case and recorded the relevant information on the pro-forma document. This pilot study revealed that the use of the pro-forma document was an effective way to record the required information. It also highlighted the need to include an extra category on the pro-forma document to account for the times when the young people, their parents or the Gardaí did not attend Court.

4.4.1.2 Data Collection Procedure in The Children Court

The main observation study took place in the Children Court over a two-week period from the 14th to the 25th July 2003. The researcher observed every remand case that occurred in this time frame, which in total added up to 207 cases. The gender, age and remand position of each child was observed and recorded on the pro-forma document. The offences the children were accused of committing were not always discussed, particularly when the case was just in for mention in Court, but were recorded whenever possible. The failure of children, parents and An Garda Síochána to attend Court was also documented. The researcher also decided to record her observations about her experiences, the court environment, court proceedings and the children who appeared before the court each day in written field notes. As Emerson et al. (2001: 253) highlight the use of field notes can aid analysis as ‘written contemporaneously with the events, experiences and interactions they describe and recount … fieldnotes (re)constitute that
world in preserved forms that can be reviewed, studied and thought about time and time again’.

4.4.1.3 Participants in the Court Observation Study

A total of 203 separate children were involved in the 207 cases observed in the Children Court. Of this total, 189 were male and 14 were female. Sixty-two percent (126) were aged 16 or 17, with thirty-eight percent (77) under the age of 16 years.

4.4.1.4 Analysis of the Court Observation Data

The quantitative data obtained during the court observation study was analysed using the S.P.S.S program which is the most widely used analysis software for quantitative data (Bryman, 2004). The data was entered into a purposely designed S.P.S.S. file entitled ‘remand court observation data’ which was guided by variables identified from the data. When all data had been entered, the program was used to calculate non-inferential statistics including descriptives and frequencies. Thematic analysis (see analysis of semi-structured interviews for more detail of this process) was conducted on the qualitative data recorded in the court fieldnotes.

4.4.2 The Prison Based Study

The prison based research incorporated a number of different stages and processes ranging from the preparation of the research study to the collection and analysis of data.
4.4.2.1 Preparation for the Prison Based Study

As Sparks et al. (1996: 33) describe ‘prisons have some enigmatic and distinctive features which can make them sources of various combinations of fascination and revulsion, puzzlement and horror’. Therefore, it was beneficial for the researcher to engage in some form of preparation before entering the prison environment. In this study, the researcher prepared for the data collection phase in a number of ways such as assisting in a prison based research study, developing a code of practice and attending preparatory meetings with prison governors.

4.4.2.1.1 Voluntary prison research study. The researcher gained experience for this research by voluntarily assisting in a prison based study with the Centre for Social and Educational Research in the Dublin Institute of Technology from the 5th August to the 20th August 2003. The research entitled ‘A Study of the Number, Profile, and Progression Routes of Homeless Persons before the Courts and in Custody in Dublin’ (Seymour and Costello, 2005) examined the housing needs of individuals detained in Dublin prisons. As part of the study, the researcher attended a prison research training day facilitated by the Centre for Social and Educational Research. Individuals from the Probation Service and ex-prisoner organisations and researchers discussed a variety of important issues including prison protocol, ethics and methods to deal with problematic situations. Data collection for the prison based aspect of the study involved interviewing 280 individuals in prison along with three other researchers across seven prisons including the three research settings included in this study. The experience enabled the researcher to become accustomed to the prison environment and gain experience of interviewing in a wide range of prison settings. It also greatly increased the researcher’s confidence and sense of ease about her data collection process. The development of these skills was considered to be particularly beneficial as it has been found that the more comfortable an individual is asking questions, the greater the success of the interview (Lee, 1993). Furthermore, Bradburn and Sudman (1979) have shown that an individual’s beliefs regarding the expected success or failure of an interview can influence the quality
of the interview process. Thus, individuals who have successfully completed interviews in the past are more likely to expect a positive outcome regarding future interviews.

4.4.2.1.2 Development of a code of practice. The researcher decided to develop a code of practice to help transfer the knowledge which was gained regarding successful procedures and protocol in the study of homelessness amongst the prison population. The general design of the code of practice (see Appendix C) developed for this research study was guided by Craig et al.’s (2000) suggestions for the content of a code of practice. These issues covered included the researcher’s responsibilities and fieldwork risks. These issues were previously successfully incorporated into Liebling and Stanko’s (2001) prison based research on violence and disorder. Each section of the code was created following a review of the effective procedures adopted in the housing needs prison study described above, along with those used by various other prison researchers including Sykes (1958); Cohen and Taylor (1972); Zamble and Porporino (1988) and DeRosia (1998). It is important to note that the purpose of the code of practice was not to create compulsory stringent procedures or raise alarm about potential dangers but to establish practical guidelines which may be useful if particular situations were encountered in the prison. The code of practice was reviewed and received positive feedback from the prison governors.

4.4.2.1.3 Preparatory meetings with prison governors. Preparatory meetings were held with all prison governors before the data collection procedure began in the three remand settings. Detailed information about the purpose and procedures of the study which had been sent to each governor prior to the meetings were examined. The Governors were fully informed about the study and following this, the researcher obtained their consent to interview young people under the age of 18 (see ethical issues section for more details). The meetings also provided the researcher and governors with an opportunity to discuss the regulations that had to be followed; in particular, the exceptions to confidentiality which may arise in prison research. These exceptions to confidentiality state that information concerning criminal or suicidal behaviour must not remain private and must be disclosed by the researcher to prison staff (see ethical issues section for more details).
In addition to these issues, the preparatory meetings enabled the particular requirements that were necessary to conduct the research (such as appropriate interview settings and the availability of young people on remand) to be discussed and put into place.

4.4.2.1.4 Pilot study. Piloting was conducted to ascertain the average length of time it took to complete the interviews and to identify if any important issues had been omitted or caused difficulty or distress. The semi-structured interview and standardised instruments were piloted with four young males on remand in the Young Offender Institution in February 2005. Following each interview, the participants were asked an additional ten questions about the study (see Appendix D) and were provided with an opportunity to express any other views they had about the research. Each participant’s comments and feedback were noted and recorded by the researcher.

The pilot study proved to be a highly valuable venture, revealing some useful information. It identified that it took between 40 and 55 minutes to complete the interview, a duration which all of the participants expressed satisfaction with. The study highlighted that the young people on remand were happy to participate in audiotaped interviews particularly when the reasons why they were being recorded were explained to them. While none of the questions created any distress or unease, the pilot did identify that a number of other changes were required. Firstly, it became apparent that the questions regarding previous prison experiences needed to be limited to a maximum of five previous custodial remands and sentences to prevent the participants becoming confused and irritated. Furthermore, it emerged that it would be appropriate and beneficial to include more open ended questions on the topic of coping difficulties as the young males willingly discussed this issue. In addition, the pilot revealed that some of the participants became confused and restless while the standardised instruments were being administered. Thus, it became evident that the provision of cards which clearly

26 Young males on remand in the Young Offender Institution were selected to participate in the pilot study as access had been granted to this prison at that time. While females on remand were not accessible to be included in the pilot study phase, it is important to note that the first two female participants were asked for their views on the study following their interviews. No difficulties or necessary changes were reported or identified.
highlighted the different available responses was needed to simplify and speed up the completion of the standardised instruments. All of these required changes were implemented before the main data collection phase commenced.

4.4.2.2 Data Collection Setting: The Prisons / Detention Centre

The data collection process took place in three remand settings consisting of the Young Offender Institution, the Remand Prison and the Women’s Prison. In the Remand Prison and the Women’s Prison, the interviews were conducted with the young males and females in the professional visiting area. These areas are made up of a number of adjoining small private rooms designed to facilitate meetings between prisoners and individuals visiting in a professional capacity such as solicitors, social workers and researchers. Each room was divided by a table and the young people entered the room on the opposite side to the researcher. The doors on both sides of the room contained panes of glass on each side so the supervising officers in the general visiting area could observe but not hear proceedings. A buzzer was provided on the wall on the professional visitor’s side of the room to indicate when an interview had been completed or if any assistance was required.

The interviews conducted in the Young Offender Institution took place in the board room which was a large room used for meetings within the prison and hosting occasional visits for individuals who had to remain segregated from other prisoners in the main parts of the institution for their own protection. This room was designated as a suitable setting under the Institution’s research protocol which requires researchers to conduct their study in a room where a door can be left ajar while a supervising prison officer waited outside the room on the opposite side of the corridor. While the researcher initially felt concerned that this arrangement may lead to a lack of privacy, this did not transpire. The

27 The researcher was informed by the Governor that this protocol had been developed in the Young Offender Institution following an incident where a researcher had been barricaded into a room by an inmate while an interview was taking place.
researcher conducted the interviews at the end of the room as it was not possible to hear the participants’ responses from such a distance given the background noise that prevailed within the prison. Indeed, it is important to note that none of the participants expressed any unease in relation to this interview setting.

4.4.2.3 Sampling Issues and Technique

A non-probability sampling technique was used to obtain the sample to participate in the semi-structured interviews. The researcher selected a name from the list of remanded individuals provided by the prisons. The constraints associated with prison research are well documented (Zamble and Porporino, 1988; King, 2000); however the requirement to attend regular remand hearings meant that of the 96 participants identified from the prison lists, 17 were unavailable because they were attending court. Other young people were not available because of personal visits (7 cases), professional visits (4 cases), being transferred to another prison (1 case) and medical reasons (2 cases); this resulted in a total available sample of 65 individuals.

If an individual was not available to take part in the interview due to court appearances or family visits (see methodological issues) another name was selected from the list. Purposive sampling was employed to guarantee that at least 10% of the sample consisted of females. This sampling method also ensured that an adequate number of young people under 18 were included in the study. Due to relatively few women and young people under the age of 18 years in the remand population, individuals who could not avail of the original opportunity to partake in the research, were frequently provided with another chance to take part. In total, 62 of the 65 available individuals on remand took part resulting in a refusal rate of 4.6%. A sample size of 62 was considered to be sufficient on both a practical and theoretical level for a qualitative study, particularly given the fact

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28 While such a rate is higher than that found in Harding and Zimmermann’s (1989) remand study (1.4%), it is much lower than the 18% refusal rate reported by Brooke et al. (2000) in their remand study.
that individuals in prison have been found to be a relatively homogenous population (Cohen and Taylor, 1972; Zamble and Porporino, 1988; DeRosia, 1998).

4.4.2.4 Prison Based Study Participants

Of the sixty-two participants who partook in the prison study, fifty-five were male and seven were female. While this gender configuration may initially appear to be largely unbalanced, this in fact reflects the reality of prison trends in Ireland where approximately nine out of ten individuals in prison are male (Irish Prison Service, 2006a; 2007; 2008). Twenty-nine of the male participants were remanded in custody in the Young Offender’s Institution and twenty-six of the males in the Remand Prison. The seven female participants were remanded in custody in the Women’s Prison.

Participants were aged between 16 and 21 years. The sample consisted of 26 children aged 16 and 17 years and 36 young adults aged 18 to 21 years. The mean age was 18 years. Forty-eight of the participants were Irish, nine were Irish Travellers, two were English, two were African and one was Romanian. All of the participants were living in Ireland prior to their remand and hailed from areas widespread across Ireland. Over one-half (56.5%; N=35) of the participants were from Dublin. Eleven of the twenty-five postal code areas in the Dublin region were represented. In line with previous Irish criminological studies (O’Mahony, 1997; Anderson, 2004) Dublin 1, Dublin 11, Dublin 15 and Dublin 24 accounted for over one-half (56.6%; N=19) of the young people from Dublin. The remaining 27 (43.5%) participants hailed from 14 other counties around Ireland including Kildare (N=5); Limerick (N=4); Laois (N=3); Westmeath (N=2); Carlow (N=2); Waterford (N=2); Cork (N=2); Donegal (N=1); Derry (N=1); Louth (N=1); Clare (N=1); Offaly (N=1); Galway (N=1) and Longford (N=1) (see Figure Six in Appendix E).

29 Twelve participants were aged 16; fourteen participants were aged seventeen; thirteen participants were aged 18; eight participants were aged nineteen; nine participants were aged twenty and six participants were aged twenty-one.
4.4.2.5 Data Collection Procedure in the Prison Based Study

The first step in the data collection procedure required arranging access for each interview date. The researcher rang the Chief Prison Officer in the Remand Prison and the Governor in the Women’s Prison who were responsible for overseeing the research study, a day or two in advance of each visit to ensure that it was convenient and that young people on remand were present. In the case of the Young Offender Institution, the Governor contacted the researcher by phone whenever the prison was in a position to facilitate the research study (see methodological issues section for more detail regarding access arrangements).

Once interview dates had been agreed, the researcher was required to display identification and state the purpose of the visit at the prison gate and the reception in order to gain entry. The researcher was provided with updated lists of the young people on remand at the reception areas or in the case of the Young Offender Institution was met by an allocated officer who held a record of remanded individuals. The researcher was then escorted to the interview location. The officer(s) were informed which individuals on the list the researcher wished to interview. A prison officer then located these individuals as required while the researcher set up and waited at the interview location.

When each participant entered the room the researcher shook their hand, introduced herself and thanked the individual for agreeing to meet the researcher. The researcher stressed her independent status from the criminal justice system. Informal conversation was engaged in before the researcher explained the purpose of the interview and the reason why the young person had been selected to participate. The researcher particularly highlighted the voluntary nature of the research. Following this, each participant was verbally informed of the content of the consent form (see Appendix F) which notified the young people about his/her rights, the research procedure and the exceptions to confidentiality which prevailed. Such a practice was implemented as it was important to guarantee that all individuals particularly those with literacy difficulties were aware of their rights. Once the contents of the consent form had been read, the
researcher then instructed the participants to sign the consent form to indicate that they understood what had been said and were willing to take part in the study. Participants were provided with a chance to read the form themselves if they wished before signing. When the forms were signed, the researcher immediately folded them over and placed them randomly at the back of a folder. A tape and interview schedule were then coded with the number of the interview, along with the letter P which was used to represent the word participant (for example, 1P; 2P etc.). The procedure was completed in front of the participants to provide reassurance that their responses were confidential and could not be traced back to them. The dictaphone was then positioned in the centre of the table within the participants’ reach in case they wished to stop it at any point. The researcher guided the participants through the interview by stating the nature of the issues they were being asked about. The order of questions was guided by the interview schedule. Areas of interest were followed up with additional questions, while all responses to quantitative questions were recorded by the researcher on the interview schedule. When the standardised instruments were being administered, the relevant response cards were provided, while the responses were verbally repeated by the researcher where literacy difficulties were present. The researcher informed each participant when the interview was coming to an end. All participants were provided with an opportunity to make any comments or ask questions about the research at the end of the interview. Each participant was then thanked for their time and valuable contribution. When all interviews were completed, the researcher was escorted back to the prison reception, where she had to state her name before being granted permission to leave the prison. Following this, each coded tape, interview schedule and consent form were stored securely in a locked filing cabinet. Similar to the court observation study, written field notes were constructed to provide a record of the researcher’s experiences in the prison including observations the researcher made or any difficulties, comments or requests that occurred.

30 In a small number of cases where the participants were unable to sign their name due to literacy difficulty, the researcher asked the participants to place their initials (if possible) or a tick on the form. The researcher then requested if it was acceptable to print their name in block letters on the form alongside their initials or tick. All such participants agreed to this procedure and did not express any concerns with this arrangement.

31 Two young people stated that they did not want to complete the standardised tests as they felt that they were too long.
4.4.2.6 Transcription of the Semi-Structured Interviews

Following the completion of each semi-structured interview, the content of each interview was transcribed. In keeping with the design and aims of the research, all interviews were transcribed verbatim. While the process proved lengthy (four to five hours per interview) the practice was worthwhile, in particular given that phrases such as ‘like’ ‘and all’ which may initially seem meaningless emerged over time as noticeable patterns and representations of the way individuals from certain areas spoke.

In total, the researcher transcribed two-thirds of the interviews. The remaining 20 interviews were completed by a transcriber from a transcription company officially endorsed by the Dublin Institute of Technology. Clear guidelines and examples were established between the researcher and the transcriber and constant consultations via phone and email occurred during the process in order to maximise consistency and quality in the transcription.

4.4.2.7 Analysis of the Semi-Structured Interview Data

Spencer, Ritchie, Lewis and Dillon (2003: 199) highlight that:

although there will be a stage dedicated to analysis, the pathways to forming ideas to pursue, phenomena to capture, theories to test begins right at the start of a research study and ends while writing up the results.

Therefore, while the analysis of the semi-structured data has been allocated its own sub-section in the chapter for the purpose of clarity in the thesis, it is important to note that in reality, the data analysis was a lengthy and continuous process that occurred over a number of stages in the study.

The quantitative data derived from the semi-structured interviews was analysed using the S.P.S.S program. Similar to the quantitative court data, a purposely designed S.P.S.S. file entitled ‘remand semi-structured data’ was created using variables identified from the
The quantitative data was entered and non-inferential statistics (for example, descriptives and frequencies) were examined.

The qualitative data obtained from the semi-structured interviews and prison fieldnotes (and court fieldnotes) were analysed using thematic analysis. Thematic analysis can be described as an analytical method which organises, describes and searches for patterns in data and facilitates interpretation (Boyatzis, 1998). This widely used form of qualitative analysis is known to have a number of benefits including a high level of flexibility; a capacity to create rich descriptions, highlight similarities and differences in the data, develop social and psychological interpretations and produce largely accessible results (Boyatzis, 1998; Braun and Clarke, 2006). These advantages were deemed to be particularly important aspects of the analysis process given the descriptive and exploratory research design, the aims of the study and the under-researched nature of the research topic.

The thematic analysis process consisted of a number of different stages. Possible themes were first recorded in the fieldnotes during the data collection process. As Silverman (2001: 65) highlights ‘in making fieldnotes, one is not simply recording data but also analysing them. The categories you use will inevitably be theoretically saturated’. The transcription of the interviews also emerged as an important element of the thematic analysis process. Engagement in transcription enabled the researcher to re-familiarise herself with the data and write down any emerging themes along with thoughts and impressions which were not noted during the actual interviews. In the cases where the interviews were not transcribed by the researcher, the transcripts were read over a number of times to ensure a similar level of familiarity with the content.

Following the transcription and familiarisation of the data, the transcripts and fieldnotes were imported into the Atlas.ti (version five) computer package to store and manage the data. Computer assisted analysis of qualitative data (CAQDAS) was selected as it has been identified to improve the rigour and speed of the data analysis process (Bryman, 2004). The Atlas.ti program was specifically chosen as it is a well supported system
which offers efficient and creative data analysis which is suitable for use in the criminological, psychological and sociological fields (Barry, 1998).

Once all the data had been incorporated into the saved database (referred to as a hermeneutic unit) set up in Atlas.ti, the researcher began to index the data. This particular process involved tagging the data with different codes in order to make it more accessible and aid the development of themes. In keeping with post-positivist paradigm, an inductive data-driven approach was adopted throughout this process, whereby the codes were constructed in line with the data, rather than existing codes developed prior to the collection of the data. A criticism sometimes levelled at the thematic analysis approach concerns its danger of decontextualising the data and ruling out possible trends which may emerge at a later stage (Boyatzis, 1998; Braun and Clarke, 2006). For this reason, careful consideration was made to include surrounding text where relevant, apply general coding schemes, and code both common and uncommon aspects which occurred in the data (see Figure Seven in Appendix G).

After all of the data was indexed, the cases of information within each of the constructed codes were examined and more detailed descriptive codes were applied (see Figure Six in Appendix G). In keeping with the interactionist theoretical framework (Lewin, 1935; Bronfenbrenner, 2004) connections and relationships between the different codes were explored. The researcher found it helpful to construct written drafts about the information to which the codes represented. Connections were also identified through the use of thematic maps which helped to graphically display the codes. These processes enabled themes to be recognised and reviewed from the data until final distinctive themes emerged (see Figure Seven in Appendix G).

Once the final themes were developed, the researcher completed the last part of the qualitative data analysis and began to look for explanations to interpret the themes. This interpretative analysis was guided by a re-examination of the participants’ responses to search for the presence of co-factors and consultation with the theoretical framework and other existing theory.
4.4.2.8 Analysis of the Standardised Instruments

The standardised instruments were analysed using the specific scoring system of each instrument. Relevant variables were set up in the S.P.S.S. prison based data file to accommodate the participants calculated scores on the three instruments. This was done to facilitate safe storage, ease of retrieval and enable non-inferential statistics in the form of frequencies to be conducted on the data.

The CAGE Questionnaire’s (Ewing, 1984) scoring system involved the allocation of one point to each ‘yes’ response. The points received for the four items were added together to give the total score for each participant. The minimum score a participant could receive was zero and the maximum score was four. Based on Ewing’s (1984) guidelines, a score of two or more was considered indicative of alcoholic tendencies.

The Rosenberg Self-esteem Scale (Rosenberg, 1965) scoring system involved the attribution of certain values for the positively worded and negatively worded items. The positively worded items (items 1, 2, 4, 6, and 7) were scored as follows: strongly agree: 4; agree: 3; disagree: 2; strongly disagree: 1. A reverse system was used to score the negatively worded items (items, 3, 5, 8, 9 and 10): strongly agree: 1; agree: 2; disagree: 3; strongly disagree: 4. The minimum score the participants could receive was 10 and the maximum was 40. The higher the total score, the higher the self-esteem (Rosenberg, 1965).

The Brief COPE (Carver, 1997) scoring system involved the division of the different items into 14 different coping strategies. These were as follows: self-distraction: items 1 and 19; active coping: items 2 and 7; denial: items 3 and 8; substance use: items 4 and 11; use of emotional support: items 5 and 15; use of instrumental support: items 10 and 23; behavioral disengagement: items 6 and 16; venting: items 9 and 21; positive reframing: items 12 and 17; planning: items 14 and 25; humour: items 18 and 28; acceptance: items 20 and 24; religion: items 22 and 27 and self-blame: items 13 and 26 (Carver, 1997). There was no overall score on the Brief COPE (Carver, 1997). Rather, the values
attributed to the items within each coping strategy were added together to determine their frequency of use.

4.5 Methodological Issues

The previous section provided an insight into the data collection and analysis. This section moves on to discuss a number of methodological issues which emerged during the research study which are worthy of further attention. These issues include the areas of access, ethics, the rights and needs of young people on remand and the validity of the research data.

4.5.1 Access Issues

Gaining access to the prisons proved to be a lengthy process, made up of a number steps. Firstly, the study had to receive overall clearance from the Irish Prison Service Ethics Committee. The researcher was then permitted to contact the specific prisons to arrange access. In order to do this, the researcher sent confirmation of the ethical approval (see ethical issues section below) and information about the study to the head governors in each prison. Due to the busy and demanding nature of the prison environment, several phone calls were also required before successful contact was made. Once contact had been established, the researcher met the head governors and governors which had been delegated with the responsibility of overseeing the research study in each prison.

Jewkes (2002: 72) highlights that ‘access is a continual process of negotiation and renegotiation in prisons which does not necessarily end when you are in’. While young males aged 18 to 21 were present on a regular basis, the same could not always be said for children under 18 or females on remand. Thus, significant delays occurred while the researcher sometimes had to wait for such individuals to become available to interview.
Indeed, while data collection took place over a one year period from February 2005 to March 2006 the main bulk of interviews took place between March 2005 and August 2005, with five interviews occurring in November 2005 and a further two interviews taking place in March 2006. While, it was deemed appropriate to apply for ethical approval and prison access for the male and female populations at the same time (given that the total number of female participants was expected to be small and therefore achievable in the time-frame allotted to conduct a greater number of interviews with males), the benefit of hindsight demonstrated that access to females on remand would have been better facilitated by an earlier start date than in the male prisons.

Even when participants were present to participate in the research, several other restrictions prevailed with regard to interview access. In the Young Offender Institution, access was only permitted if a prison officer was available to supervise the researcher and locate the participants. Access was granted by the Governor by telephone at short notice (between twenty minutes and one hour beforehand) when he was assured that an officer was available. Indeed, on the one occasion where access was approved a day in advance it transpired that it was not convenient to conduct the interview when the researcher arrived due to staff shortages on the day. This arrangement required a lot of flexibility as it was not possible to plan the dates of the interviews in advance. Fortunately, the researcher was located close to the prison (approximately twenty minutes away).

Additionally, as Matthews (1999: 92) has previously noted ‘although the prison day may be extremely long for prisoners, it is relatively very short for researchers’. Access to the Young Offender Institution was only possible in the afternoons due to the demands that the remanded individuals’ court appearances placed on staff in the morning times. While access was available from ten to twelve and two to four o’clock in the Remand Prison and the Women’s Prison, delays also occurred as many of the young people attended court and received visits from their family and solicitors during these times. This often created difficulties and delays when the prison officers were trying to locate the individuals in the prison. On some occasions such time delays meant that it was not
possible for the researcher to conduct more than one interview per session. As recorded in the fieldnotes:

Today was a frustrating day … The Governor rang quite early and I got in to the prison at 2pm, however just the one interview was done in the end … Two of the participants selected were not available for interview. I just missed the chance to interview one male who was unavailable the last time due to a visit, had just been released. The prison officer spent much time trying to locate another young person who was believed to be back from court. However it emerged that he had actually not returned from court yet … Trying to be helpful, the officer located a male whose name was not on the list, however it turned out he was a sentenced individual. I politely explained that only individuals on remand could participate and thanked him for offering to take part. After much delay, one interview with a young person on remand was completed.

(Prison fieldnotes, 10th June 2005)

While the data collection process required more flexibility and time than initially envisaged, it is important to highlight that such constraints were not viewed in a completely negative light. The delays that were encountered enabled the data to be transcribed and inputted on a continuing basis, which as described previously helped to aid data analysis by increasing the researcher’s familiarity with the data. Indeed, the frustrations that were brought about by the occurrence of access and timing issues paled in comparison to the general positive nature of the researcher’s prison experiences.

4.5.2 Ethical Issues

While ethical considerations play a very important role in all research studies (Homan, 1991; Abbott and Sapsford, 2006), Adams and Schvanevelat (1985: 33) argue that ‘research involving the use of incarcerated, mentally ill or legally underage subjects provide added ethical dilemmas to social science researchers’. In the course of this research, particular considerations emerged around the issues of ethical approval, informed consent and exceptions to confidentiality.
4.5.2.1 Ethical Approval

Ethical approval was granted for the study from the Dublin Institute of Technology Research Ethics Committee in September 2003 and from the Irish Prison Service Prisoner Based Research Ethics Committee in June 2004. Both ethical committees required the submission of detailed forms outlining the aims, objectives, rationale and research procedure along with the potential risks and benefits to the researcher, young people on remand, the Irish Prison Service and wider society as a whole. These requirements heightened the researcher’s awareness of ethical issues from an early stage in the research process and helped ensure that the study complied with ethical standards at all times.

4.5.2.2 Informed Consent

The issue of informed consent was a particularly important consideration in this study due to the fact that a significant number of participants were under the age of 18 years. While organisations like the Market Research Society and the Press Complaints Commission operate under a protocol where the attainment of parental consent is only obligatory for children under 16 years, the Declaration of Helsinki recommends that the consent of a child and that of a parent or a responsible adult should be sought when research is being conducted with all children up to the age of 18 years. The researcher decided to adopt the latter stance. While 16 and 17 year old children were detained in an adult environment at the time data collection period, it was considered important to abide by the Children Act 2001 and the UN Convention on the Human Rights of the Child (1989) which state that any individual under the age of 18 who is not married is entitled to be viewed as a child and receive the according rights.

In the court study, overall consent was granted by the Court Registrar which was standard procedure for research conducted in the Children Court. With regard to the prison based study, prison governors, who are responsible for the care of the child while they are in prison, were selected to grant written consent rather than parents (see Appendix H). As
referred to previously, research (Lader et al, 1998; Her Majesty’s Chief Inspector of Prisons, 2000) has found that children remanded in custody often do not receive visits from their parents/guardians on a regular basis. Therefore, in order to obtain parental consent, the researcher would have had to contact the parents by letter and due to the high turnover of this age-group many potential participants may have been lost.32

The prison governors were initially surprised when approached about the issue of consent. Indeed, it emerged that to the best of the Governor’s knowledge in the Young Offender Institution; no researcher had previously requested his consent before to conduct research with children detained there. Despite this however, all governors viewed it as a welcome and positive feature of the research. They were happy to grant consent for children aged 16 and 17 years to participate in the study once they were informed about what the research involved and were assured that the children had to provide additional consent themselves.

4.5.2.3 Exceptions to Confidentiality

As discussed previously, exceptions to confidentiality prevail in the domain of prison research. All participants were informed of the exceptions to confidentiality before they agreed to take part and were made aware that the researcher had to abide by these exceptions for safety reasons. None of the participants expressed any concerns about such an arrangement. Indeed, many of the young people seemed to be highly knowledgeable and comfortable with these exceptions, which may have been a result of their previous encounters with individuals such as solicitors and social workers in the prison context. Despite such awareness, all young people were reminded of the exceptions to confidentiality which prevailed during the interview process whenever it was appropriate to ensure that they had no doubts or misunderstandings regarding the

32 This arrangement received ethical approval from the Irish Prison Service Prisoner Based Research Ethics Committee. In recent times however, a new requirement has been incorporated into their ethical protocol whereby parental consent must be obtained for all young people under the 18 who wish to participate in research.
decision to disclose information. Overall, the exceptions to confidentiality issue did not emerge as a significant matter in this study and thus did not act as a major obstruction to the collection of data or development of rapport. While some young people discussed how difficult it would be to break away from crime, no participants disclosed any specific details regarding future criminal acts. Furthermore, despite a number of participants reporting a history of self-harm and/or suicidal thoughts, only one young male expressed currently feeling suicidal at the time of interview. The researcher informed this participant that she would have to contact the Governor about the issue. The young male was happy for the researcher to do this and continued to talk openly about his feelings and experiences. As documented by the researcher in her prison based fieldnotes:

During the interviews today an individual who was feeling suicidal was encountered for the first time. Although I anticipated that this may be a very tricky situation to handle, luckily no difficulties arose … My first instinct was to let him know again about my duty to inform the Governor in case he would regret telling me later on. However he didn’t even bat an eyelid when I said it and quickly responded that he didn’t mind at all. He continued to talk freely about feeling hopeless and suicidal and I was surprised of his level of openness… The lack of any visible sign of unease or embarrassment when discussing the issue gave the impression that such feelings were a regular and almost normalised part of his life and that he was aware that the prison most likely already knew of his vulnerability.  
(Prison Fieldnotes, 23rd March 2005)

Once the interview had finished, the researcher immediately informed the Governor who thanked the researcher for telling him and said he would take note of it and look into the matter. The Governor asked how the particular individual felt about him being informed and the researcher reported that the young person was satisfied with this arrangement.

In addition to the exceptions to confidentiality, other issues surrounding the area of confidentiality arose during the data collection period. During the interviews, some participants referred to the names of other individuals when they were recounting their experiences. This information was not transcribed in order to protect these individuals. At times, participants also enquired if their friends or family members in the prison had participated in the research. In these cases, the researcher explained that such
information could not be disclosed for confidentiality reasons and provided the young people with more general information and trends regarding the overall sample.

4.5.3 Respecting the Rights and Needs of Young People on Remand

Maxfield and Babbie (2001) highlight how the target population should be a major consideration when selecting research methods and conducting data collection. Therefore, in addition to the ethical considerations discussed above, it was important to respect the participants’ rights and needs on custodial remand. Some of the young people’s remand rights and needs have been referred to already in this chapter, for example, in relation to the selection of research methods and the design of the semi-structured interview schedule. However, a number of other issues which emerged during the study are also worthy of attention. As stated in Chapter Two, the presumption of innocence forms the cornerstone of remand. Thus, it was important that the young people did not perceive that they were being treated as if they were guilty or that judgement was being cast (see Chapter Five). For this reason, each individual was informed that he/she would not be judged during the interview process (see Appendix F). Furthermore, in conjunction with the decision not to request young people to discuss their current charge(s), it was decided that official prison records would not be consulted for the purpose of the research.

In respect of the participants’ right to wear their own clothes on remand, plain nondescript clothes were worn by the researcher at all times during the data collection period so as not to encourage social comparison or create embarrassment among the participants during the interview. This decision was informed by the pilot study in the Young Offender Institution where it emerged that the young people had to wear clothing provided by the prison which they deemed to be old-fashioned, shabby and unclean. Indeed, difficulties with clothing were reported by individuals in all three remand settings (see Chapter Five).
Furthermore, in respect of the fact that the individuals on remand were still awaiting trial, it was deemed important to create as little disturbance as possible to the participants’ lives in prison. In the Remand Prison, it came to the attention of the researcher early on that participants were being located in groups of two and three and as such were spending much of their limited ‘time out’ of the cells waiting to be interviewed. The researcher was conscious of the fact that such individuals may have wanted to see their family or their solicitor during this time and arrangements were made therefore with prison staff to locate just one young person at a time. Given the uncertainty associated with waiting for trial (Gibbs, 1982; Harding and Zimmermann, 1989), it is perhaps not surprising that the researcher was requested to perform certain tasks for the participants on a few occasions. During the data collection process, four young males asked the researcher to write reports for the court for them, while one female participant queried if the researcher could make a phone call to her key worker on her behalf. As instructed on the code of practice, the researcher respectfully informed each of the participants that as a researcher, she had not been granted permission to conduct such tasks. It was clarified that the refusal was not based on a personal decision but a general regulation that had to be adhered to, in order to be allowed to continue to conduct research in the prison. The researcher then explained that it may be beneficial for them to discuss their requests with the individuals responsible for those areas such as solicitors and governors if they so wished. While disappointed (although some seemed expectant of the provided response), all of the young people appeared to be satisfied with this explanation, showing no signs of distress.

As with the court observation study, it was deemed important to minimise distress levels for the participants during what was already a difficult experience in prison. As stated previously this involved a number of techniques including the selection of suitable research methods, careful ordering of sensitive questions and reassurances that participants could refrain from answering a question or pull out of the study at any time. Overall, with the exception of one female, the participants did not show any visible signs
of distress or unease during the data collection process. \textsuperscript{33} Indeed, despite being asked an array of personal and sensitive questions, many of the young people reported that they enjoyed taking part in the research. This may be due to the fact that interviews which express an interest in people’s lives and request them to recount their experiences have been reported to reduce stress levels rather than contribute to them. This is said to be because these interviews provide individuals with a chance to express their feelings and review events without the feelings of threat which may have initially accompanied the experiences (Toch, 1982). In addition, it became apparent that many participants felt that their accounts of their lives and experiences on remand could help to benefit other young people. This sense of aiding others has been linked to feelings of increased control, self-esteem and social usefulness (Thoits and Hewitt, 2001) all of which were found to be in short supply on remand (see Chapters Six and Seven).

4.5.4 Validity/Credibility of the Data

Schwandt (1997: 168) highlights that ‘in social science, validity is one of the criteria that traditionally serve as a benchmark for inquiry’. This places an added responsibility on the researcher to examine the accurateness and trueness of the research data. In relation to observational data, it is important to acknowledge that possible threats to the validity can occur if there is an over-reliance on the researcher’s own observations (Adams and Schvaneveldt, 1985). Careless biased recording may also occur if a researcher tries to focus on too many different concepts and observe too much (Adams and Schvaneveldt, 1985). These threats to validity were minimised in the court observation study, by virtue of the fact that only pre-selected variables which were openly stated in the Children Court were recorded at the time of observation. Other issues of importance which came to the attention of the researcher (these were not generally quantifiable observations but rather

\textsuperscript{33} In this particular interview, a young female became emotional when the issue of missing her family and friends was being discussed. The researcher listened empathetically to this participant and reiterated that she could take a break or withdraw from the study at any time if she wished. The participant decided to carry on with the interview and reassured the researcher that she was not feeling distressed after the interview had been completed.
observations about the young people and the court environment) were noted on paper using key words and were written up fully in the court fieldnotes directly after each court visit while the observations were still fresh in the researcher’s memory.

As with all methods which adopt a self-report approach, it is difficult to guarantee that all participants told the truth when they disclosed information in the prison based study. One of the main threats to validity in relation to self-report data concerns the possible occurrence of social desirability, whereby participants may adapt their response to please or impress other individuals including the researcher (Shaughnessy and Zechmeister, 1997). A number of features of the study reduced the possible occurrence of social desirability. The assurance of anonymity and confidentiality enabled the participants to talk freely in the knowledge that it would not affect their remand position. Also, the one-off nature of the study eliminated the need for any individual to feel like they had to meet certain criteria to secure continued participation in the study. The voluntary nature of the study also helped to minimise any pressure the young people may have felt to answer in a particular way, especially as no rewards such as cigarettes or money were offered for participation. Indeed, an analysis of the reasons provided by the young people for taking part in the research showed little sign of it being to please the researcher. Rather, as mentioned above, many agreed to take part as they felt it would be of benefit to them and/or to other young people. The latter motive in particular helped to provide a common goal for the participants and the researcher and helped to reduce any power imbalance which may have prevailed. Other features of the study, including the researcher’s independent status, the semi-structured interview style and the lack of emphasis on literacy skills also helped to minimise the power imbalance between the participants and the researcher.

Support for the truthfulness and accurateness of the young people’s accounts may also be derived from the criminological literature. Numerous studies (West and Farrington; 1977; Zamble and Porporino; 1988; US Survey of State Prison Inmates, (Beck et al., 1993; Seymour and Costello, 2005) have shown that self-report data maintains a high level of validity in criminological research. The high levels of validity found among
incarcerated populations may be explained by the fact that the situations people find themselves in can influence their norms and the issues they feel appropriate to disclose (Gross, 1996). Thus, individuals in prison may view crime and other undesirable behaviours as more normalised and easier to discuss than other populations. This was found to be the case in this study, where the participants openly talked about a variety of issues including criminal behaviour, victimisation and prison experiences. These accounts appeared to have a high level of validity as the young people tended to freely admit if they did not know the answer to a question and presented balanced opinions and accounts of potentially controversial topics, such as their interactions with prison staff. The one exception to this was when some of the young males appeared to put on a front when it came to discussing the issue of coping difficulty. In these cases, a different pattern emerged in the males’ responses, with them often replying with quick defensive responses which were given little thought (see Chapter Seven).

The validity of the data was also increased through the triangulation of research methods which compensates for deficiencies in each method (Ackroyd and Hughes, 1992) and helps to rule out alternative explanations for research findings (King, 2000). The homogeneity of many of the participants’ descriptions gave weight not only to the validity of individual responses but also to the court observations (and vice versa). Moderate to high levels of validity have been identified in the literature for the CAGE questionnaire (Liskow et al., 1995), the Rosenberg Self-esteem Scale (Blascovich and Tomaka, 1993) and the Brief COPE (Carver et al., 1997) and similar to the interview and court data, many of the participants’ open-ended responses corresponded with those recorded on the standardised instruments, thus increasing their validity.

In addition to the data collection phase, threats to validity were minimised during the data analysis process. The standardised tests were scored individually throughout the data collection period rather than in a collective fashion when all interviews had been completed. This provided ample time for the attributed scores to be checked twice. These scores, along with the other quantitative data were inserted regularly into the S.P.S.S system in order to avoid fatigue and human error when entering the data. With
regard to the qualitative data, the use of audiotaping during the interviews provided the researcher with an accurate reflection of the participants’ responses to analyse; the decision to transcribe the young people’s words verbatim helping to maintain the trueness of these accounts. In addition, it is important to acknowledge the significance of having a good data management system in place, otherwise data can become ‘miscoded, mislabeled, mislinked and mislaid’ (Miles and Huberman; 1992: 293). The use of the Atlas.ti package was found to be an efficient system; its clear and user-friendly interface helping to ensure that all information was coded consistently and was easily retrieved. The fact the one researcher conducted both the data collection and data analysis created a high level of consistency and familiarisation of the research data and context, thus increasing the validity of the coding and analysis process. The validity of the data was also maximised by the inclusion of cases which deviated from the identified themes in the analysis process as well as presentation of the participants’ own words as evidence for the findings (see Chapters Six and Seven).

In line with the study’s interactionist theoretical framework (Lewin, 1935; Bronfenbrenner, 2004) the validity of the research findings may also be maximised through the practice of reflexivity (Ritchie and Lewis, 2003). Alvesson and Sköldberg (2000: 39) state ‘there is no one-way street between the researcher and the object of study; rather, the two affect each other mutually and continually in the course of the research process’. The process of reflexivity, which focuses on the reflection of feelings and behaviour in the research setting, along with possible effects of the researcher and the research process on the research data enables the nature of this shared, recurrent interaction to be explored (Boulton and Hammersly, 2006). According to Van Maanen (1988: 74-75):

[reflective] writings are intended to show how particular works came into being, and this demands personalised authority. No longer is the ubiquitous, disembodied voice of the culture to be heard. In its place is a person … Confessionals do not usually replace realist accounts. They typically stand beside them, elaborating extensively on the formal snippets of method description that decorate realist tales.
It is for this reason, therefore, that a personal authority is adopted and the reflective sections are written in the first-person.

4.5.4.1. Reflection on the Possible Impact of the Researcher and the Research Process on the Research Data

In keeping with the theoretical framework which guides the study, it is important to reflect on the environmental and individual factors which may have impacted on the research data. Various environmental impairments have been identified in previous prison studies including difficulties regarding background noise and the suitability of interview rooms (King, 2000; Halsey, 2007). The environmental surroundings in this study may not be deemed perfect research conditions (particularly in comparison to other research contexts), however they were considered acceptable, especially given the constraints within which prison research must take place (for example, emphasis placed on maintaining safety and security in the prison). Indeed, in the Women’s Prison and the Remand Prison, no environmental difficulties were found to arise during the research process. On the contrary, participants in the Remand Prison were often found to express their delight of being able to talk more easily and more comfortably without the presence of glass screens (see Chapter Six). While it would have been preferable to conduct the interviews in the Young Offender Institution without the door ajar, none of the young people expressed any unease about such an arrangement. Indeed, initial concerns that such a situation may compromise the participant’s confidentiality were soon dispelled by the background noise which went on outside the interview room.

In addition to the role of the environment, an individual factor which has received much interest in prison research relates to that of gender, in particular the issues associated with being a female researcher in the prison setting (Gelsthorpe and Morris, 1988; Liebling, 1991; Warren, 1988; Genders and Player, 1995, Jewkes, 2002). Analysis of previous female researchers’ accounts convey a range of experiences from the benefits of being seen as traditionally more caring and an effective communicator to the drawbacks of
experiencing intimidation and perceptions of heightened vulnerability. In this study, the issue of gender emerged early on during the preparatory phase. During the prison research training course, female researchers were advised by ex-prisoner organisations to wear loosely fitted, non-revealing clothing (which included long sleeve rather than short sleeve attire). It was recommended that such clothing would be viewed more favorably by prison staff and would minimise unwanted attention from inmates. In general, this advice was incorporated into my daily prison practices; the decision purely grounded in maximising co-operation among the prison staff who acted as important gatekeepers in the prison and not on the automatic assumption that the young people on remand would engage in threatening or harassing behaviour. The one exception to this advice related to the use of short sleeved shirts during the summer period due to particularly warm weather where long sleeve shirts were deemed impractical and uncomfortable (especially when access to prison was only granted at short-notice). This was not found to create any difficulties or negative reaction among the staff or young people on remand. Indeed, on the whole my gender was rarely alluded to by the young people on remand or the prison staff. This may have been down to the fact that due to the presence of individuals on remand, the selected prisons were accustomed to dealing with a variety of both male and female professionals entering the prison on a regular basis. The few times my gender was mentioned related to some of the males commenting that they favoured talking to a female researcher. As highlighted in the fieldnotes:

At the end of the interview today the young male commented that he probably wouldn’t have come down if a male was conducting the research. When questioned about this, he said that he preferred to talk to a woman as he wouldn’t feel comfortable discussing his feelings with other men as they would laugh at him and think he was ‘soft’.
(Prison fieldnotes, 29th June 2005)

The preference for a female researcher in these cases indicated that stereotypical gender assumptions may have been in operation. Thus, while of benefit to the study in this case, it was important to guard against other potential stereotypical beliefs, in particular that females may be more easily upset or thin-skinned than men (Browne, 2005). In order to minimise the risk of participants potentially censoring their accounts on the basis of my gender, the young people were constantly encouraged to speak freely during the
interview. Indeed, in a few cases where the young males apologised for cursing, reassurance was provided that this language was acceptable during the interview. The participants were also informed of my contact with other young people in the prison system, to assure them that I had prior experience of listening to this population’s views and life histories. Further to this, possible gender stereotypes may have been neutralised by the fact that I have a keen interest in football, an activity traditionally known to be popular among males. Many of the young males spoke about football when discussing their interests and thus this topic emerged as a well-liked conversation, which often appeared to aid rapport and help put participants at ease.

The relatively close proximity between my age at the time of data collection (25/26 years) and that of the participants (16-21) aided rapport and a sense of openness in the interviews. The young people frequently asked about my age and a number of participants reported that they preferred talking to a ‘young’ person as they did not have to keep explaining themselves or feel judged.

It is important to note that the issue of regionality arose during the research. It emerged that the young people often favoured interaction with individuals from their own county while in prison (see Chapter Seven). While the fact that I was from Dublin did not appear to deter the young people (many almost seemed to expect it given that the prisons were located in Dublin), I felt it important to emphasise that I was from an area situated very closely to the Young Offender Institution and the Women’s Prison. I believe this disclosure provided the participants with a greater sense of familiarity which appeared to be the underlying reason behind their preference for regionally based relationships (see Chapter Seven). The fact that I came from an area close to the prisons was also often found to aid rapport and levels of co-operation with prison staff, helping to move conversation beyond the practicalities of the research to a greater discussion of local places and matters of interest.34

34 While the Remand Prison is located further away, disclosure that I lived near the other prisons was still found to be beneficial given that many of the young people and prison staff had either spent time in the Young Offender Institution or were aware of its location.
In light of the fact that the vast majority of participants were Irish, the issue of nationality did not appear to impact on the research data. In the small number of cases where participants were Irish travellers or of another nationality, I believe previous experience I had gained in the social care field with such individuals in a number of jobs facilitated a good level of understanding and rapport. Indeed, both my professional and educational background provided a solid base for the data collection and analysis process. While initially reluctant to disclose that the research formed the basis of a PhD study for fear that it may create too great a social distance with those who had experienced educational disadvantage, such concerns proved unfounded. The participants did not appear phased or intimidated by the educational aspect of the research, generally believing it to be a positive development. A number of young people expressed an interest in the particular aspects and location of my course. Some males appeared to identify with the more technological aspect offered by the Dublin Institute of Technology, reporting that they would like to engage in practical courses outside prison. Some of the females, on the other hand displayed a desire to enter the field of social care:

The participant was very interested in the research study and also asked several questions about the college where I was based. She had a particular interest in the area of social care and helping other people. We spent several minutes chatting during the interview about the different courses and work experience that was available in the college that she would like to attend in the future. (Prison Fieldnotes, 30th July 2005)

The large scale nature and long-term commitment that a PhD study entails, was generally greeted with respect and admiration from the prison staff. Indeed, similar to the young people, many expressed that custodial remand was an important area in need of investigation. While the overall level of staff co-operation cannot be stressed enough, it is important to note that a small number of negative remarks were experienced from a minority of prison officers regarding my status as a student researcher. The comments recorded in the prison fieldnotes reveal that they generally focused on doubts about my insight into the prison environment, my ability to get young people to participate and the overall value the research would have:
Sure what do you know about what it’s really like in here?
(Prison Officer’s Comment Recorded in Prison fieldnotes, 27th May 2005)

I don’t think you’ll get many talking to some student coming in.
(Prison Officer’s Comment Recorded in Prison fieldnotes, 30th March 2005)

Who is going to take the time to read all that?
(Prison Officer’s Comment Recorded in Prison fieldnotes, 20th May 2005)

In such cases, I found it best to politely deal with these remarks by restating the aims of the research and providing the officers with an update regarding the progress that had been made at these times.

In addition to one’s personal characteristics and background, Fontana and Frey (1994: 367) highlight that ‘the decision of how to present one self is very important, because after one’s presentational self is cast it leaves a profound impression on the respondents and has great influence on the success or failure of the study’. The most important consideration in how I presented myself concerned the legitimisation of my status as an independent researcher. In order to be consistent with my independent research role, I avoided wearing items similar to those worn by prison officers (navy trousers and a blue shirt) at all times in the prison. I also made a conscious decision to emphasise my first name when presenting myself to each participant. This strategy was employed to prevent the young people referring to me as ‘miss’ (as they did for female prison officers) which may have led to some confusion about my independent role in the prison. The decision to present myself in this manner seemed to help the young people to view both myself and the study in a more favourable light. Indeed, in some cases it appeared that the young people’s decision to participate in the research rested on the very assurance that it was not connected to the Prison Service.

4.5.4.2 Reflection on the Impact of the Research Process on the Researcher

As highlighted by Powell (1996: 1) ‘it has been widely claimed that an emotional element must inevitably be present within research at every stage-planning, implementation and
writing up’. This increases the importance of reflecting on emotions during the research process and the possible impact they may have on research data. During the preparatory and data collection phases of the research, both my welfare in the role of the researcher and the well-being and rights of the young people as participants were given paramount consideration within the prison especially among prison governors. Beyond prison circles however, it was difficult not to notice how other individuals I came into contact with, often focused their interest and concern solely on me entering the prison environment, and not on those who were actually imprisoned. The contrasting attitudes towards my welfare and that of the young people on remand only served to confirm the marginalised position of the remand population in society. While this led to feelings of frustration on occasion, it also increased my motivation to ensure that the research acted as an effective and meaningful platform for the young people’s views to be heard.

While the preparatory phase of the research was found to be of great assistance, it is important to acknowledge that a sense of anxiety and nervousness was experienced when first entering the prison in the capacity of a lone researcher. The presence of such feelings led to the realisation that, in spite of a psychological and criminological background, I was not entirely immune from stereotypical assumptions regarding the risky nature of prison settings and individuals in prison being potentially dangerous individuals. As recorded in the fieldnotes:

I conducted the first interview today, it was great that all the planning had finally been put into action and one of the main parts of the study was underway … On entering the prison I found it slightly more daunting than I had expected and than I had been when meeting the prison governors. Feelings of nervousness and anxiety were present and as I was waiting by myself for the first participant, the sense of responsibility that lay on my shoulders regarding the overall success or failure for the study was brought home to me more than ever before. Once the interview began I felt these feelings were pushed to the background and the interview went well. However, the sense of relief I experienced following the success of this interview made me realise that I was more anxious than I had probably first envisaged I would be in this situation.

(Prison Field Notes, 17th February 2005)

While initially disappointed for experiencing these feelings, I recognised what was of most significance, was that I had become conscious of their underlying presence. Indeed, discussing these feelings in the prison fieldnotes helped increase my awareness of the
importance of treating each young person as a separate individual and not as a member of a collective group. It could be said that this realisation was of added magnitude in the remand context, given that the young people on remand appeared to be frequently treated as just another name or number on a list within the criminal justice settings. The observation of the detached nature of such prison and court practices encouraged me not to focus on the research interviews in purely quantifiable terms (for example, how many interviews I had done, how many I wanted to conduct in a certain time-frame etc.) but rather on the importance of maximising the quality of the interviews and the opportunities provided to the young people to express their views.

As the interviews progressed, I became more comfortable interacting with the young people and the prison staff. The level of detail and openness the participants displayed made me question any underlying reluctance I had about answering questions about myself, which ultimately may have acted as a barrier in the development of rapport. While my role as a researcher (rather than a psychologist or a counselor for example) was clearly clarified it was impossible not to show empathy on occasion in relation to some of the issues and feelings that were raised. As recorded in the fieldnotes:

The young woman was in for drug detoxification and was showing visible signs of withdrawal, shaking during the interview. She became very emotional when talking about her family. I asked her if she was ok, would she like a break or wish to stop the interview but she wanted to carry on. She wanted to speak mostly of her heroin addiction and said she found it helpful to talk about it as it had all been ‘bottled up’. As I listened to her speak it really hit home the difficulties she was experiencing and I could not but feel empathetic towards this young female’s situation and hope that she would receive the assistance she so badly required. (Prison Fieldnotes, 4th November 2005)

While the intensive preparation and review of literature I had engaged in prior to the data collection provided me with a good knowledge base, I found that the greater exposure and contact I had with the young people and the research settings led to a deeper appreciation and understanding of concepts and issues that emerged during the interviews.
While gaining a greater appreciation of remand issues and an insight into the views of young people on remand, I was conscious of the importance of not becoming too biased or taking sides at any time throughout the research process. I had initially worried that this may have been slightly problematic due to the traumatic and adverse stories that were often told by the participants. To my relief however, I found a number of processes assisted me in maintaining a neutral and fair stance. First and foremost, it can be said that exposure to the prison environment offered a pragmatic view of the constraints that the prison system often has to operate under. This led to the recognition that reality was often more complex and not as easily fixed as perhaps I had once envisaged. Also, it can be said that exposure to a world so absent of support made me more aware and appreciative of the support resources that were available to me during the research process. I was in the fortunate position to be able to gain from the views and expertise of my peers and colleagues and have each aspect of the research reviewed, thus further reducing the likelihood of bias.

While on the whole the research process was a positive experience for me it is important to acknowledge that I did experience a certain degree of guilt particularly early on. This generally arose from the fact that I would ultimately be benefiting from the study through the gaining of new skills and my PhD qualification. Also, some guilt was experienced when undergoing the highs and lows of the research process which often appeared somewhat trivial to the adverse events going on in the young people’s lives. However, it became apparent as the research progressed that the participants did not wish for me to feel bad or offer them sympathy. Rather they wanted me to focus on the job I had set out to do and share their story. While this eased my sense of guilt, it did sometimes lead to worries about the value of the research and the possible impact it may have. As Carter and Delamont (1996: xiii) state ‘general dilemmas about the value of research are particularly acute when the setting is a powerful bureaucracy, such as a prison’. I found the best way to deal with such worries was to place a strong focus on the validity of the research findings and aim to maximise their accessibility to others through journal articles, conference papers and newspaper reports.
4.6 Strengths and Limitations of the Study

The previous section discussed the methodological issues which arose during the research. This section moves on to address the strengths and limitations of the study which have an important role to play in assessing the overall value of the study and also informing future methodological practice and research (see Chapter Eight). The study’s main strength lies in its focus on the neglected area of remand coping. The adoption of a prisoner centred approach enabled an informed insight to be gained into this under-researched area from those most directly involved in the custodial remand domain. The use of a multi-method technique could be considered a further strength of the study, resulting in the collection of a rich data set and the minimisation of threats to validity which self-report data can potentially bring about.

Another major strength relates to the inclusion of several remand settings in the study including the Children Court and all of the main places of detention for young people aged 16 and over on remand in Ireland. This enabled the research to reflect the experiences of children and young adults on remand in the different penal institutions and in court, and thus provide a wider and more complete picture of custodial remand in Ireland. One limitation with regard to the research settings however, was that youth aged 18 to 21 years could not be observed in the Children Court setting. The addition of another court was not deemed practical in the study as the relatively narrow age range of this population would have taken considerable time to observe especially given the number of individuals who pass through the adult courts. While disadvantageous, this limitation could be said to be somewhat minimised by the fact that this age-group’s court experiences were addressed extensively in the semi-structured interviews which acted as the primary source of research data in the study.

In relation to the research sample, the inclusion of males and females can be said to have strengthened the study. In particular, as the males’ and females’ experiences on remand were found to differ in the study (see Chapters Six and Seven). The diversity of the sample was further strengthened by the participation of foreign nationals in the study.
However, it is important to note that due to practical and financial constraints participation was limited to those who spoke English.\footnote{The researcher did not have the language skills required to conduct the interviews in a variety of languages. Funds were not available to employ an interpreter to assist with the interview process.}

As stated previously, a cross sectional design was employed in the study. The use of this design enabled all English speaking young people to participate in the study and did not exclude any individual on the basis of them being at risk of imminent release. In line with the diverse amount of time individuals may spend on remand as highlighted in Chapter Two, this approach enabled a wide range of remand durations to be represented in the study, from those in custody for their first week to those on remand for one year. While a longitudinal design may have been of benefit in analysing possible differing coping trends experienced over time, this deficiency was somewhat compensated for by the fact the young people were asked about different phases of time during their remand episode. Also, while it was beyond the practicalities and scope of the study, it is important to note that the final outcomes of the participants’ remands would have been an interesting avenue of research to explore.\footnote{The fact that the research had a relatively limited time-frame and was being conducted by a single researcher made the follow up of participants impractical in this study, particularly in light of the unlimited amount of time individuals may spend on remand and the number of different outcomes which may occur after remand (see Chapter Two).} To its strength however, the study aimed to address the limited knowledge which prevails in this area (see Chapter Two) by facilitating a retrospective approach which focused on the outcomes of the participants’ previous remands.

4.7 Chapter Summary

This chapter provided a detailed insight into the research methodology. It highlighted the appropriateness of an exploratory and descriptive research design for the purpose of the study and the suitability of observation, semi-structured interviews and standardised instruments for meeting the research aims. The chapter conveyed the pervasive and
detailed nature of the data collection and data analysis process. The chapter raised awareness of a number of methodological issues that occurred during the research including delays and flexibility gaining access; issues and rights that required respect on remand and the importance of maximising the validity of the research data. Finally, the chapter provided an analytical account of the research as a whole, drawing attention to its numerous strengths as well as some of its inevitable limitations. The findings that emerged from this overall methodological process are addressed in the following two chapters.
As each child appeared before the court, specific trends and concerns emerged in relation to custodial remand. 
(Court fieldnotes, 21st July 2003)
5.1 Introduction

This chapter presents the findings of the observation study conducted in the Children Court. Guided by the interactionist framework (Lewin, 1935; Bronfenbrenner, 2004), the chapter focuses on the observations of individuals appearing before the court, the court environment and the court proceedings. The chapter commences with a profile of the children appearing before the court, in particular the trends that emerged in relation to their gender and age. With regard to the environment, the chapter then moves on to address the layout of the courtroom and the inadequate conditions that were observed by the researcher outside and inside the courthouse. Following this, the chapter examines important trends that emerged during the proceedings in court. This includes the decision to remand children on bail or in custody, the duration of the cases heard in the court and the issue of non-attendance at court. The chapter concludes with a synopsis of the observations that were recorded and the main issues of concern that emerged.

5.2 Observations of the Children Appearing Before the Court

A total of 203 separate children attended the Children Court during the two-week observation period. Analysis of the observation data indicated a number of trends with regard to the profile of these children in relation to their gender, age and other background characteristics.

5.2.1 Gender and Age

In relation to gender, the children were predominately male, with a total of 189 (93%) young males appearing before the Court in comparison to only 14 (7%) young females. This gender dimension is well documented in youth justice and this finding is similar to that found in other studies (for example, NACRO, 2000).
With regard to age, the majority of children were aged 16 or 17 years. In total, 128 children (62\%) were aged 16 or 17 years in comparison to 77 children (38\%) who were under the age of 16 years. This trend is supported by national Garda statistical trends (2002) and international literature (Rutherford, 1992; Farrington, 1999) which indicates that the peak-age of offending ranges from 15 to 18 years. Evidence of this peak age range of offending years was found to be present for both males and females in this study, with 121 of the 189 males and nine of the 14 females aged 16 and 17 years.

5.2.2 Other Background Characteristics

With the exception of gender and age discussed above, it was difficult to record other personal information in relation to the children appearing before the court. This was mainly due to the short duration of the children’s court appearances (see section 5.4) and the lack of information that was openly disclosed in court. One observation which was possible to note however, concerned the similar way many of the children spoke. Strong working class accents were observed among those talking outside the Court building and in the waiting area. This indicated that the children appearing before the Court were most likely to be from areas which were characterised by deprivation and disadvantage. This finding is in line with previous Irish research (McLoughlin et al, 1999) which found that in spite of catering for offending children from the whole district of Dublin, the Children Court mainly only deals with children from a small number of specific disadvantaged areas.

The decision was made to respect the children’s presumption of innocence (see Chapter Four), by not requesting court files or asking any individual child about his/her alleged offence(s). However, it was possible to record some details about the children’s alleged offending behaviour where it was openly stated in court. The alleged offences were recorded for 64 cases (31\%) during the observation period. In these cases, 53 children were charged with one offence and 11 children were charged with two offences. The most frequent crimes of those that were recorded were non-violent offences such as
larceny (25%), public order (22%) and criminal damage (18%) offences. Other alleged offences included assault (13%), drugs offences (8%), traffic offences (4%), vagrancy (4%), trespassing (4%), possession of a weapon (1%) and fraud (1%). While no major conclusions can be drawn due to the limited availability of data, the findings support the general international trend (NACRO, 2000; Howell, 2003) that juvenile crime is mainly non-violent in nature.

5.3 Observations of the Court Environment

While the previous section examined the observations of the children who appeared before the court, this section addresses the observations that were recorded in relation to the court environment. These observations specifically focus on the courtroom and the waiting area.

5.3.1 The Courtroom

With regard to layout (see Figure Two), the main courtroom in the Children Court where the court observation study took place was relatively small. As illustrated in Figure Two, the children sat directly opposite the main entrance to the courtroom. The Judge was situated to the right hand side of the young people. There were a number of benches facing the Judge for the prosecution and defence teams along with others associated with the case (for example, the Gardai, members of the Health Board). There was one chair located to the left of the court entrance for the official court reporter. The children’s parents / guardians were allocated space on the last bench against the wall, close to the entrance of the courtroom.37 Young people on custodial remand entered the courtroom

37 The researcher was situated in the middle of the bench between the space for family members and the prison escort service, thus preventing any disruption to court proceeding or the turnover of family members and escorting officers. This location provided the researcher with an ample auditory and visual position to conduct the observation study.
from a separate doorway, on the opposite side of the courtroom from the main entrance. The prison officers responsible for escorting young people in custody to court assembled at the back of the court nearest this particular entry (see Figure Two).

**Figure Two: Courtroom Layout**

*This diagram depicts the layout of the courtroom in the Children Court.*

The courtroom itself was of satisfactory standard, with its relatively small size helping to establish a less formal court atmosphere compared to that of an adult court.\(^{38}\) One drawback of the court layout however was that family members were not located directly

\(^{38}\) The conditions present in adult courtrooms were observed by the researcher during a separate study which investigated the use of video-link technology in the Circuit Court.
beside the child, with the distance between the location of the child and the parent being
greater for those who were remanded in custody at the time of the court appearance. This
was due to the required presence of prison officers to escort them to and from the court.

5.3.2 The Waiting Area

While the courtrooms themselves were found to be of satisfactory standard, inadequate
conditions were observed in the waiting area, which was located in the immediate
vicinity outside the courtroom. The waiting area was a particularly busy area of the
courthouse, which was often populated by a high number of people. This was mainly due
to the fact that all children appearing in court were required to be in attendance from the
beginning of the court session at 10.30am. Given the large volume of people, it is not
surprising that the waiting area was found to be a considerably crowded area in the
courthouse. The seating facilities, which consisted of a number of benches along the
main walls, were often found to be inadequate to deal with the high numbers of people
present. This resulted in people having to stand in the waiting area which, on occasion
led to some obstruction in this area and frustration on the part of the children and their
family members who often had to wait long periods of time until their case was called.
The toilet facilities (only women’s toilets observed), in the waiting area were also
inadequate for dealing with the number of individuals who attended the court. They were
generally of poor quality and contained no mirrors or lockable doors. While this was
most likely for safety reasons, it was problematic as even with a bag placed up against the
toilet door, the researcher found that it swung open a number of times leading to little
privacy. There was also no toilet tissue, soap or towels available in the toilets, items one
would expect to be considered basic necessities that everyone should be entitled to.
Unfortunately, the researcher was not permitted to observe the conditions in the holding
cells, where children remanded in custody were detained while waiting to appear in court.
Given the inadequacy of some of the conditions that were on public view however, it was
not expected that such conditions would be of any better standard.
While a lack of interaction between the children and their parents was frequently observed in the waiting area, a high level of communication was noted to occur between the different children who often appeared to know each other. Furthermore, in spite of the obvious lack of privacy, meetings between solicitors and their young clients were often observed taking place in the waiting area, sometimes just minutes prior to the children being called to appear in court. These conversations generally led to a high level of noise in the waiting area. This created a distracting environment outside the courtroom and often led to delays in court as names had to be announced more than once. Indeed, on a number of occasions, when the Judge questioned a child inside the courtroom as to why he or she had not attended court on time, the child responded that he/she had been present but had not heard his/her name being called to direct him/her to enter the courtroom.

On entering and exiting the court each day, the researcher observed many children gathering outside the court. It emerged that the immediate area outside the courthouse acted as an unofficial waiting area and meeting place for many children, the majority of who seemed to be unaccompanied by an adult. The congregation of children outside the court appeared to encourage particularly loud and boisterous behaviour, with many of the children overheard bragging about their charges. The sense of bravado witnessed outside the court was also apparent through the display of children’s names graffitied on the front and side of the court building. This created a particularly unkempt appearance to the courthouse. The conditions observed in the official and unofficial waiting areas meant that while the courtroom offered an informal and generally non-threatening atmosphere, the majority of children were still exposed to a hostile and unwelcoming environment during their attendance at court.

39 This was recognised as a considerable problem by the Children Court. In order to try to reduce the number of children who congregated outside the court, a bail condition was imposed on some children to refrain from this area when they were not officially attending court.
5.4 Observations of the Court Proceedings

While the previous section addressed the nature of the court environment, this section presents the observations of proceedings that occurred in court. A number of different observations were recorded during the study, including the decision to remand children on bail/in custody, the duration of the cases heard and the rate of absenteeism that occurred among children, parents and the Gardai.

5.4.1 Decision to Remand on Bail/Remand in Custody

In total, nine children (4%) were remanded in custody during the two week observation period, with the remaining 198 children (96%) remanded on bail. In the majority of cases, children were assigned a number of conditions to their bail. These conditions generally required the children to abide by curfews and refrain from using drugs or entering certain places/areas. It emerged that children often experienced considerable difficulty keeping these bail conditions. Of the nine children who were remanded in custody during the study, eight were remanded in custody for breach of their bail conditions (the remaining child was remanded to undergo drug detoxification). It also emerged that a further five children, who had been released from remand custody during the observation period, were originally remanded for failing to keep the conditions of bail.

Children aged 16 and 17 years were particularly prone to ending up in remand custody, with seven of the nine remanded children found to be in this age-group. Perhaps of some surprise however, was the fact that four of the nine children remanded in custody were female. Therefore, in contrast to the 3% of males, of the 14 females who appeared before the Court, over one-quarter (29%) were remanded in custody. Two of these females, who were under the age of 16, were remanded to a Children Detention School. The remaining two, who were aged 17 years, were remanded to the main Women’s Prison. In the case

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40 Five of these breaches related to curfews and three related to the consumption of alcohol or drugs.
of the males, three were remanded to the Young Offender Institution. The remaining two, in spite of their young age, were remanded to the main adult Remand Prison.

5.4.2 The Duration of Court Proceedings

Most cases were heard extremely quickly in the court, lasting approximately between two and five minutes. This quick duration left little opportunity for the children or their parents to ask questions or request clarification. Indeed, it could be said that children were expected to adopt a very passive role in court. The lack of emphasis placed on involving the child in proceedings was often found to result in children becoming distracted or disengaged in court, with many observed to either spend their time looking around the courtroom or staring into space.

The quick duration of the court proceedings generally resulted in a fast latency rate with children and their families frequently passing each other on their way in and out of court. This general quick pace in and between court proceedings created some confusion as to when people they should enter the courtroom. On several occasions, relations arrived into the courtroom while an unrelated remand case was being dealt with. This created some disruption to the court proceedings as the Judge had to request that these individuals leave the court to honour the in-camera rule which prevails in the children’s Court.

5.4.3 Non-Attendance at Court

A high level of non-attendance was noted during the observation study. Over the two-week period, 36 children did not appear in court when scheduled to do so. This represented an absenteeism rate of 17% among the total group of children. Of particular note, was the fact that, of the thirty-six absenteees, eight were reported to be remanded in custody at the time. One must question why such a high number of these young people
were not escorted to the court, particularly when one of the stated purposes of custodial
remand is to ensure court attendance. One could also question the example that was set
by others involved in the court system. The children could often be heard outside the
court speculating about the chances of the Gardai failing to appear in court and the
possibility of having their cases being ‘struck out’. During the two week observation
period alone, it was noted that 18 cases were dismissed due to the non-appearance of the
relevant Gardai or a nominated representative to deal with the case.

In addition to the Gardai, a high rate of absenteeism was also found to occur among
parents/guardians. One in six children (34) attended court in the absence of a parent/
guardian. This number can be considered particularly alarming given the stipulation in
the Children Act 2001, which requires that all children should be accompanied by a
parent/guardian in court. In most of these cases, the Judges ordered that a parent or
guardian had to attend on the following occasion or they would be held in contempt of
Court. Some inconsistency in response was apparent however, with some judges failing
to even comment on the fact that a child had undergone the court experience alone.

5.5 Chapter Summary

This chapter highlighted that a large number of children, in particular 16 and 17, year old
males, come before the Children Court each week. While the proportion who is
remanded in custody may initially seem encouraging, the chapter demonstrated that some
children who are granted bail have already been remanded in custody. Others are less
visible in the courts due to the fact that they are not escorted from prison to the court
when required. Indeed, the chapter highlighted that the children who are remanded in
custody are not even those who pose a threat to public safety but rather are detained
because they experience a number of difficulties on bail. The chapter outlined how
attending court can be an intimidating and frustrating experience for children, with the
quick nature of proceedings often contributing to a high level of uncertainty and
confusion. The chapter concludes therefore, that it is likely that those who are remanded in custody enter prison in a state of confusion and uncertainty, with little or no-one having listened to their voice. The following chapter aims to provide an insight into the experience of being on remand, from the perspective of young people who are remanded in custody.
CHAPTER SIX

THE LIFE AND TIMES OF THE YOUNG PEOPLE ON REMAND

Write out something, something for everybody out there to tell them what it’s like being in prison on remand ... Tell them like you’re closed off from the outside. All there is, is us and the prison ... A place where everything around you, like, it’s just, like, you don’t want it ... Doing nothing, just thinking, not knowing like if or when you are going to be sentenced or how long you are going to be doing ... Will you tell them all about it?
(P34, Male Age 20 on Remand 330 days)
6.1 Introduction

This chapter sets the scene for remand coping by presenting the findings on the young people’s lived experiences of remand custody and the issues they deemed stressful. It addresses the dearth that exists in the remand literature by providing a unique insight into custodial remand through the eyes of young people in the Irish context. The chapter is grounded in the view that individuals on remand are not in prison as a punitive sanction. It sets out to show that despite its non-punitive theoretical perspective, young people are exposed to punitive experiences on remand in Ireland. The chapter achieves this by first presenting the starting point of the young people’s remand journeys, which is the reason why they are remanded in custody. Following this, the chapter goes on to discuss the punitive elements those on remand are exposed to in two main aspects of remand ‘life’; court experiences and prison experiences. It addresses the punitive aspects experienced in court including the labelling and unsettling nature of attending court on remand. Following this, the chapter delves deeper into the punitive features present in remand custody. This encompasses a variety of aspects of prison life. These include the lack of differentiation afforded to young people in remand custody, the boredom of remand and the additional difficulties young males experience in the Remand Prison in relation to screen visits and cell accommodation. Finally, under a similar punitive theme, the chapter goes on to address how the issue of ‘time’ contributes to the punitive experience of being on remand in Ireland.

6.2 The Young People’s Routes to Remand Custody

There’s a mixture of us here. There’s people, like, with serious charges and anyone that breaks their conditions you know, you end up on remand like I am. To be truthful some other people just can’t afford the bail. Some poor soul is here a few weeks because he didn’t have 100 euro.
(P42, Male Age 21 on Remand 135 days)
Individuals on remand are said to ‘occupy a no-man’s land between criminal jurisprudence and penal theory’ (Vogler, 1991: 258). In sentenced custody all individuals are imprisoned for criminal behaviour which is usually considered to be frequent or serious in its nature. In this study, the young people’s self-reported criminal histories reflected that serious or repeat offending behaviour was not the main reason underpinning their remands in custody. Indeed, like many young offenders who are granted bail (Kilkelly, 2005; McPhillips, 2005) most of the young people had committed offences which were mainly non-violent in nature such as criminal damage, public order and larceny. One in three on remand reported that they had never been convicted for their criminal behaviour and over one-half of those convicted previously obtained a relatively small number of convictions (five or less). In many cases (32), the young people’s prior criminal actions had not been deemed serious enough to warrant a custodial sentence. Given these relatively limited criminal histories, it is perhaps not surprising that only one third of the young people (23) reported that they were remanded due to the nature of their criminal behaviour (18)\textsuperscript{41} or because they were deemed to be at risk of re-offending (5). Rather, it emerged that a number of alternative reasons had led to the majority of young people being remanded in custody. Almost one-half of the young people interviewed in the study had been originally released on bail but had ended up in remand custody due to an inability to abide by bail conditions or attend court. In line with the court observation study, 15 of those on remand reportedly broke one or more of their bail conditions including curfews, refraining from particular areas and abstinence from drug/alcohol use prior to their custodial remand:

They remanded me for breaking me bail. I was on curfew you know but, like, Guards saw me out later than me time so me bail was took off me.
(P61, Female Age 17 on Remand 35 days)

A further 10 young people stated that they had failed to appear in court when scheduled to do so:

I missed one of me court dates. I went down to hand meself in to sort out the warrant and the Guard told me he would be objecting to me getting bail the next

\textsuperscript{41} Thirteen individuals were remanded due to the serious nature of the charge. Five individuals were remanded because they had committed a criminal offence while on bail.
day and I was put in custody.
(P20, Male Age 18 on Remand 14 days)

Two young males in this study reported that they were placed in remand custody only because they had no fixed accommodation to go to:

I didn’t have a fixed address … I was sleeping around different places … I’m back up for bail on Friday but I don’t think I’m getting it ‘cause I couldn’t find an address. I could get out Friday if there’s somewhere. If I have a home to go to somewhere out there; if someone will take me. I was supposed to go to me grannie’s [house] but she’s going away … I don’t have anywhere to go at the moment.
(P9, Male Age 17 on Remand 2 days)

Two other males were directly remanded for being unable to meet the bail surety set by the court. All three attributed this inability to pay to their unemployed status:

I was getting bail but it was too high for bail for me. I couldn’t get up the money … Like I wasn’t working, couldn’t get a job. I had no money to cope or anything. No money for bills. No money to whatever so I had no way of getting it.
(P56, Male Age 19 on Remand 120 days)

In addition to the above reasons, one in six of the young people was remanded purely on the grounds of their drug use. It emerges that remand was sometimes used to fast track individuals into drug treatment programmes:

I was remanded to get a place in treatment. They sent me on remand ‘cause they want me to go to a treatment centre for drink and they sent me here to see could I get it faster.
(P58, Female Age 18 on Remand 4 days)

For other individuals it seems that remand custody was deemed a suitable location for drug rehabilitation in its own right. Three individuals were directly remanded for the purpose of drug detoxification:

I’ve never got a sentence, I’ve been here a few times on remand ‘cause of the drugs … They put me in here like to get myself off the drugs … In a way it’s not a place I should be … Its prison at the end of the day. I want to be getting treatment outside and see my family.
(P60, Female Age 20 on Remand 17 days)
Four other males reportedly remanded themselves in custody by choice. They believed prison to be the only available option to receive help for their substance abuse difficulties. However, a number of issues surrounding the decision to remand oneself voluntarily appear to call into question the potential effectiveness of such a process. First, it seems that the high number of cases which pass through court results in little time being afforded to review the decision to remand oneself in custody. As one of the young males described he ‘didn’t have time to think about it enough’ (P10). Second, while individuals can avail of legal advice; it appears some are not equipped to make informed personal decisions as they have no prior experience of imprisonment (four cases). Overall, it seems that the current lenient approach to voluntary remands may have adverse consequences for young people:

My life’s a mess, I had taken too many tablets and just couldn’t get back to normality … I told the Guards and the judge I wanted to be remanded … It’s my first time ever away in prison and I don’t like it one bit like. The place it’d make you more crazy … I have to wait ‘til next week now. In court they better not say it’s good, they’ll keep me in. I never want to see that gate again. (P10, Male Age 17 on Remand 3 days)

In summary, it is evident that a variety of different paths lead to young people entering remand custody. None of these routes explicitly intend to detain youths on remand as a form of punishment. However, the data reveal a major contradiction in terms, between the non-punitive concept of remand and the actual experiences young people encounter in the Irish context.

42 These young people reported that they were deemed suitable to be granted bail but they requested instead to be remanded in custody.
6.3 The Court Experience

Going to court on remand is a lot different than on the outside, just everything like, everything. It’s a lot harder.
(P25, Male Age 18 on Remand 180 days)

While the previous section addressed the various routes which led to the young people’s remands, this section explores the nature of their court experiences once remanded in custody. Court attendance is central to the remand process; it is where all important decisions regarding a remanded individual’s future is made. The data reveal that appearing in court was a particularly arduous experience for those in remand custody. Difficulties centred primarily on the frequent requirement to attend court; as well as the labelling process individuals underwent during the court experience.

6.3.1 Remand Court Demands

Under Criminal Procedure Act 1963 individuals detained in custody are expected to attend court many times during their remand period. At the time of interview one-third (20) had reportedly attended court on at least five occasions. Some had experience of appearing in court up to twenty times:

You’ve to go [to court] a lot where you’re here on remand. I’ve been about 15 times now I’d say … Sometimes like you feel you’ve only been there like. Then you’re off going again.
(P33, Male Age 19 on Remand 330 days)

In line with the court observation study, the interview data suggest that the main purpose of the court appearances was for the judge to decide whether to release the individual on bail or detain him/her in remand custody for a further period of time. It is unsurprising therefore that those unlikely to be granted bail found the frequent appearances frustrating:

A lot of the times I have ended up being brought to court I know I won’t get bail and the solicitor knows I am not getting bail … Like if you don’t have a chance to
get bail like in my situation like I probably would have got it by now. I don’t even have the chance to look forward to.
(P42, Male Age 21 on Remand 135 days)

The findings reveal that the frequent court demands connected with remand exerted an unsettling effect on the young people’s overall remand experiences. Individuals reported experiencing a range of emotions from the highs of the thoughts of release to the lows of having to face re-entry to the prison environment once more:

The thing with court is you go in on a bit of a high if you think you’ve a chance of getting bail and you know your family are going to be there. So you get really depressed when you’re told you’re going back in [to prison]. You can’t go with your family … Going out and back in you’re feeling like you’re getting more time.
(P56, Male Age 19 on Remand 120 days)

A lot of the time when I’d be in the court in the morning I’d be like thinking I might be getting out tomorrow. I’d be trying not to get me hopes up about it but then I’d be still thinking yeah I’ll probably get out … Everytime you hear you get refused bail it’s that much worse ‘cause its like oh shit I’ve to go back there again. When am I going to get out? … Is this ever going to end?
(P45, Male Age 17 on Remand 14 days)

The data show that the frequent court appearances also created a high level of confusion among the youths on remand. It emerges that many of the young people were unsure about what happened during their court proceedings particularly those experiencing the custodial remand process for the first time. Similar to observations noted in the court study (see Chapter Five) many reported that their actual appearances before the court were over very quickly and there was little time for discussion:

Going to court like no I don’t find it helpful. I thought you’d find out what the story is but so far like I haven’t got to find out anything …. You do be more confused after it and all. All you’ve really done is go in and sit there for a few minutes you know. Listen to some people muttering away for a few minutes and then you find yourself coming back here [into prison] still in the exactly same situation.
(P35, Male Age 17 on Remand 10 days)

The data suggest that a lax approach by solicitors and prisons compounded the confusion young people experienced when appearing in court. A number of individuals stated that
no solicitor was present when they attended court. In essence, this means that some youths appear before the court during a vital stage of the criminal justice process without any source of legal advice. Furthermore, it results in some young people being denied the opportunity to have someone act as their voice in court:

I was up in court there last Thursday and he [solicitor] wasn’t even there. I don’t know why … I’d like to find out more from him about my day in court do you know what I mean? About what happened and that but I haven’t heard from him. (P62, Female Age 19 on Remand 24 days)

In line with findings from the court observation study (see Chapter Five), several others explained how they missed one of their scheduled remand court appearances due to not being escorted to court:

I was meant to be in court the other day. Like I thought I was gonna go and all but like I wasn’t brought … Like I said it to some of the officers here but they didn’t give me a reason why … I don’t know if they did just forget about me? Has something happened with my case or something? I don’t know what the story is. (P16, Male Age 17 on Remand 180 days)

Thus, it emerges that custodial remand does not necessarily guarantee court attendance despite being one of the main reasons why young people are placed in custody in the first place.

6.3.2 The Court Labelling Process

The data indicate that if found guilty of their charge(s) the majority of young people would not be classified as a serious / violent offender. Despite this, it emerges that the practice of attending court made the young people feel as if they have committed a serious offence. Normalisation of crime involving theft, property and drugs was evident amongst the youths. However, the majority appeared keen to distance themselves from more serious crimes such as sexual assault and murder. It seems that the use of handcuffs and holding cells made such a distancing strategy difficult on remand. While individuals on remand no longer have to sit in the dock or be seen the by jury in handcuffs
(Hamilton, 2007) the young people identified that wearing handcuffs created the perception that they were particularly dangerous individuals on the way to and entering the courthouse:

I don’t like being handcuffed, it’s embarrassing. Like I was in court the other day and you’re outside smoking a fag with handcuffs on you. Like your mother’s friends or something could be going up and down the road and do you know you’d be embarrassed … It’d make them think you’re in for murdering someone not just ‘cause of the drugs.
(P55, Female Age 18 on Remand 14 days)

People look at the handcuffs and that’s all they see. Yeah like I know I’ve done some things I shouldn’t but I’m not a rapist or murderer or anything you know? But that’s what they think when they see the handcuffs. You see it in their eyes.
(P31, Male Age 19 on Remand 180 days)

While many felt they were over-exposed in public outside the courthouse, the opposite was reported within the court. The presence of holding cells described as ‘filthy’ (P34), ‘stinking’ (P18) and ‘overcrowded’ (P42) seemed to create the impression among those on remand that they were being concealed ‘out of the way’ (P16) in court and that they were only deemed suitable to mix with serious offenders rather than ‘normal criminals’ (P3):

I don’t think there should be holding cells; because you are handcuffed and brought up and down to the court anyway you know … We’re hidden down there. Like that’s the thing they want to hide us away from other people even though we might not have done anything that bad.
(P37, Male Age 21 on Remand 75 days)

You are stuck in this box. Little tiny room, dirty like, with about 20 people in it. You know with people like you wouldn't know, could be a few rapists or something like that … You would read it the next day on the paper and you’d realise that you fucking talked to him.
(P38, Male Age 21 on Remand 240 days)

Becker’s (1963) labelling theory highlights the danger with the operation of any labelling system is that it can potentially cause the labelled behaviour to occur. Indeed, the data suggest that the young people’s court experiences on remand may subsequently foster or reinforce a sense of contempt for the law. The data reveal that the young people
perceived that a high level of disrespect prevailed behind the conditions they were forced to endure. Many reported feeling like they were treated ‘like an animal’ (P31) during their court experience. Prison escort vans were commonly known as dog-boxes with the practice of handcuffing individuals on remand to prison officers said to be like being ‘a dog on a leash’ (P30). The youths identified that their most basic human needs went unmet when attending court on remand. This included the need to provide them a sufficient amount of food when often having to travel long distances to the court dealing with the case where they were from (see Figure Six in Appendix E):

Going up and down to court is the hardest thing about remand. It wrecks your head. You're handcuffed all the way down and all the way back up and you get barely nothing to eat. It’s easier for people who live in Dublin ‘cause it’s only like across the road for them.
(P26, Male Age 16 on Remand 12 days)

It emerges that the young people also perceived a particular lack of regard for their safety needs when they were attending court. This is due to the cramped conditions reportedly encountered in the escort vehicles:

The dog boxes [prison escort vehicles] are disgraceful. The van like, little cube with no lights. God knows what would happen to you in it.
(P39, Male Age 20 on Remand 210 days)

There is a truck you go to court in and it’s like a dog box. You wouldn't even put a dog in it that is how bad it is. You are stuck in it and there is no air. There is about that size [indicates approximately a foot and a half in length] and you are stuck in about this width [indicates similar measurement]. What if that crashes or anything? You would be dead straight away.
(P37, Male Age 21 on Remand 75 days)

The treatment of young people in this manner is in contradiction to their human rights and would seem to only encourage them to resent the judicial system and live up to their labelled identity of a serious / violent offender:

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43 The young people in the Remand Prison reported that escort vans and handcuffs are not used if they are being transported to the court which is connected to the prison. However they are used if required to attend other courts. The majority of young people had attended another court on at least one occasion during their remand.
They treat you like you’re a piece of crap. Putting you in them cells and vans and all … They can’t be expecting anyone to have any bit of respect for the law and that like the way they do be treating you, you know what I mean? After they’ve had fuck all [no] respect for you.
(P30, Male Age 20 on Remand 135 days)

In summary, attending court on remand is identified as a particularly punitive experience which has several negative effects on young people. Despite this, over one-half did not report their court experiences as stressful when asked. There is little evidence to suggest that the youths had become accustomed to the conditions they experience as part of the court ritual during remand custody. Rather, the data indicate that the main reason behind the relatively low stress levels is due to it being considered by many to offer a reprieve from the prison environment:

Going to court, well let me see, it’s a bit of a funny one like ‘cause you say I’m getting out of prison to go down to court. You’re getting out for a bad reason but it’s nice to get the break do you know. It’s still a bit of a break from your time in prison.
(P53, Male Age 20 on Remand 60 days)

6.4 The Prison Experience

Well I’m not in here for punishment like but I think that when you get sent to jail they must think they have to punish you or something like that.
(P57, Male Age 20 on Remand 15 days)

While the previous section discussed the young people’s court experiences, this section addresses their remand experiences within the prison / place of detention. The findings indicate that young people are exposed to a particularly punitive experience in remand custody in Ireland. In spite of the presumption of innocence, individuals on remand contend with similar conditions as those serving a sentence. Not only that, the data reveal that they have to deal with a number of difficulties specific to remand.
6.4.1 Lack of Differentiation between Remand and Sentenced Individuals

*It’s like you’re doing a sentence. It’s just you might get more time on top.*
(P6, Male Age 16 on Remand 31 days)

Almost all of the young people reported that they were informed of their remand rights on arrival at the prison / place of detention. However, for many it seems that acknowledgement of their remand status did not extend beyond the point of prison entry. A lack of segregation between remand and sentenced individuals clearly demonstrates a failure to view remand as a distinct custodial entity and in the Young Offender Institution and the Women’s Prison integration was found to occur on a large scale:

I mix with sentenced all the time, we go into their cells, out in the yard, on the landing, library, down in the rec [recreation area] everywhere.
(P2, Male Age 17 on Remand 42 days)

Everyone’s all in together everywhere like … You don’t really know whose remand or sentenced do you know that way, you only know like if you get talkin’ to them and that or people do be telling you stories about them.
(P55, Female Age 18 on Remand 14 days)

Additionally, despite being a purpose built remand prison, some of those detained in custody in the Remand Prison described interacting with sentenced inmates working in the prison:

Some people here like they’re not on remand, they do sentences here. They’re usually on C wing like but they do be cleaning around the place or workin’ in the kitchen and that you know.
(P32, Male Age 19 on Remand 90 days)

It emerged that all three locations did not also comply with their legal duty to keep children under the age of 18 years separate from adults in the prison. The data provide some support for the belief that integrated prison systems can encourage more

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44 In the most recent Inspector of Prison’s (2006) report on the Remand Prison, almost one-fifth (17%) of the 411 inmates present during the inspection period were sentenced prisoners who were involved in work parties in the prison.
sophisticated criminal activity among the young and less experienced offender (Dooley and Corbett, 2002):

Some young people come in here and they get more deeper into crime because they’re meeting the older fellas, the top criminals. They tell them more chance of doing crimes right [sic]. When I came in here I was offered like to rob cars for €1,000.
(P15, Male Age 17 on Remand 49 days)

This is contradictory given the main aim of some young people’s remands was to prevent future re-offending behaviour. In addition, it appears that the integration of remand and sentenced individuals exposed young people on remand to a similar regime as adults undergoing a prison sentence. This is in contradiction to a number of international legal measures (for example, the UN Convention on the Rights of the Child, 1989; European Prison Rules, Council of Europe 2006b).

6.4.1.1 Prisoner-Staff Relations on Remand

Given their integration into the same prison sphere as sentenced individuals it is perhaps not surprising that an authoritarian system was in place to govern young people on remand. The emphasis on the enforcement of rules seemed to leave little scope for prison staff to view remanded individuals in a different light to their sentenced counterparts. The young people described how prison officers generally treated them in a very formal and strict manner, the same as sentenced individuals:

You’d think the screws [prison officers] would be nicer but the screws here are very strict. Even when you’re remand like because you’re there in prison, you have your rules. The screws are here to make sure we follow them … Like they don’t act like we’re not guilty or anything … I don’t think it enters their mind like if we’re remand or sentenced you know?. They’re just here to do a job like. They tell you what to do and what they tell you to do you have to do.
(P42, Male Age 21 on Remand 135 days)
Sure no-one cares that you’re on remand in here. We’re treated the same as any other person really in here. We’re just criminals to the staff aren’t we?
(P1, Male Age 16 on Remand 7 days)

Likewise, in all three locations children under the age of 18 did not report receiving any positive differential treatment because of their young age. On the contrary, being a younger individual in the prison environment was identified to be a considerable disadvantage when it came to prisoner-staff relations. Several of this age-group described how some prison officers engaged in practices which they found particularly patronising and childlike:

Cause you’re that bit younger like you know, some screws [prison officers] think they can be cheekier with you. You do get some that do look at you like you’re a small little kid … Do be telling ya to stand up straight and all that. Tuck your shirt in, those kinda things. You don’t be needin’ to be hearing that you know. It’s not like we’re some five year old at school or anythin’. We’re here in prison for god’s sakes.
(P2, Male Age 16 on Remand 42 days)

The majority of children and young adults on remand also reported experiencing other undesirable actions from some prison officers. Common experiences included being shouted at, being jeered and being woken up early in a deliberate fashion:

It’s a bit difficult. Some of them [prison officers] are nice and some of them are not, roaring and shouts. They’re the same to all the girls in here. They do be a bit smart to you.
(P60, Female Age 20 on Remand 17 days)

Some [prison officers] they don’t give you much respect. They’re roaring their heads off in the morning. They’d be shouting and making noise before time even … Banging, banging on your door. Some of them think they can say anything to you ‘cause you’re in prison. They laugh at you, thinking they are better than you. They don’t realise they’re like some of the prisoners; just making people’s lives worse you know what I mean?
(P14, Male Age 18 on Remand 14 days)
6.4.1.2 The ‘Lock-up’ Regime

The Council of Europe (2006b) European Prison Rules (2006: Part 1; 3) state that ‘restrictions placed on persons deprived of their liberty shall be the minimum necessary and proportionate to the legitimate objective for which they are imposed’. While the main underlying goal of custodial remand is to incapacitate, it emerges that those on remand not only have to deal with their liberty being taken away but also severe restrictions on their freedom of movement within prison. The data show that young people on remand experienced ‘lock-up’ for a similar duration of time as their sentenced counterparts. This amounted to twelve and a half hours for females and 18 hours for males, with meal times incorporated into the males’ lock-up regime:

You get up at half eight for your breakfast. Then you go back into your cell until 9.30. You get up and clean your cell. You go out then from ten until twelve. You get your dinner at 12.30 and you go back out at 2.00 ‘til 4.00. Then back in then at 4.00, tea then at 4.30. You’re in their ‘til 5.30 then you go out and you come back up about 7 o’clock. You’re back locked up then for the night … You’re just blocked in with four walls for 18 hours. I’m just sitting in there all that time … You’ve to eat your meals and all in your pissy cell.
(P18, Male Age 18 on Remand 25 days)

The presence of this restrictive regime means that the remand experience placed major restrictions on the freedom and autonomy of young people. Over four-fifths (52) identified this to be a stressful experience:

Just like obviously you can’t go outside the prison at all. Like everyone knows that but it’s not nice ‘cause you’ve no freedom in here as well. You’re just stuck in the prison cell. You’ve no real rights. You’re just imprisoned, get your grub in your cell and let in and out, that’s it … They should have to let you out of your cell more often.
(P5, Male Age 17 on Remand 6 days)

The lack of freedom caused particular difficulty for those detained for breach of bail. While use of remand custody succeeds in the prevention of further breaches of bail during the remand period, a ‘punitive’ ideology seems to underlie its application. Custodial remand appears to work on the premise of identifying a problem area only in
turn to increase exposure to this particular difficulty. For example, by serving as the only measure for those who breach bail, remand essentially draws in those least positioned to deal with restrictive demands. It then subsequently confines them to a further constrained environment:

I got bail but because they wanted me in at 10 o’clock every day I broke the curfew. Just like I suppose I’m used to been out late, not having to stay in. Having to do things it was like being a child all over again. I wasn’t used to it … Having curfews and all is hard, locking you up its worse. It’s very hard being locked up. Not being able to go anywhere. They’ve basically stripped you of all your freedom. It’s like taking your life away. It’s very difficult, does be wrecking your head. I need to be out of here.
(P50, Male Age 18 on Remand 90 days)

6.4.1.3 Prison Clothing on Remand

Despite their supposed right to wear their own clothes, a lack of differentiation was also found to prevail between sentenced and remanded individuals with regard to prison clothing. In the Young Offender Institution, all inmates whether sentenced or on remand were not allowed to wear their own clothes, but rather were directly provided with clothes from the prison. The clothes, which generally consisted of wool jumpers and trousers, not only failed to differentiate those on remand from sentenced inmates, but also appeared to create a sense of disgust among the young people. Many reported that they disliked the style of clothes provided as it made them feel unclean and undermined their identity:

They give ya these horrible clothes, ancient looking yokes that like a grandda or someone would wear. They gave me a pair of jocks that probably a hundred people or probably more would have worn. It just makes you feel like crap.
(P9, Male Age 17 on Remand 2 days)

Indeed, from the observations of the young people’s appearances in the court study (see Chapter Five) it would seem that the clothes provided in the Young Offender Institution

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45 The researcher was informed by prison staff that such a practice was in existence to help prevent bullying, intimidation and theft of clothes.
was a complete contrast to those usually worn by young people in their daily lives outside prison.

The lack of correspondence between the clothes worn in and outside prison was also found to arise in the Remand Prison. Individuals who did not possess clothes of their own were provided with plain green shirts which they reported made them feel inferior to their fellow inmates:

> Going round in scummy old prison clothes all the time [looks down in disgust pulling at green remand shirt provided by the prison]; you have people thinking you’re a right no-hoper.
> (P19, Male Age 18 on Remand 21 days)

### 6.4.2 Boredom on Remand

> I do look around and see us there and it doesn’t look right you know? All just waiting around. There is nothing to do in here, only boredom. That is all it is.
> (P47, Male Age 21 on Remand 30 days)

Given the long periods of ‘lock-up’ it is not surprising that boredom was reportedly a major stressor of the remand experience. However, the data indicate a noted distinction when it came to boredom on remand and that associated with sentenced imprisonment:

> A sentenced prisoner and a remand prisoner are two different things. A sentenced prisoner would be more active in the jail say physical and mental you know? A remand prisoner would just be hanging around all day.
> (P53, Male Age 20 on Remand 60 days)

Boredom on remand was identified to arise from the lack of regular productive activity which took place for most males during association time:

> Remand ah you can’t do nothing on remand, it’s poxy. It’s bad in your cell and then there’s nothing there for you like when you come out of it … Me brother [serving a sentence] does be telling me he’s doing this and he’s doing that and here’s me mad bored. Like there’s papers in the yard since Tuesday. I’d like to pick them up and put them in a bag. It’d give me something to do.
> (P7, Male Age 16 on Remand 90 days)
It emerges that for many on remand, the time spent out of the cell was similar to being locked up. They seemed to be viewed in just a temporal sense of making up hours in the day:

The time out is just like nothing; there’s nothing to it. They’re just like hours really you know? Just out for two hours and back in, out for two hours and back in and out for two hours. That’s just it.
(P27, Male Age 16 on Remand 6 days)

A lack of work opportunities and the failure to provide suitable activities therefore was found to account for the major level of boredom experienced by males on remand.

6.4.2.1 Lack of Employment Opportunities on Remand

Prison rules (2005, Part 6, 80(3)) state that where practicable individuals on remand can carry on with normal employment tasks while they are in custody. The data suggest that this rarely occurs in reality. All of the young males (12) employed prior to prison were engaged in manual jobs. As such, they were unable to conduct their usual work duties from inside the prison gates. Indeed, it emerges that all such individuals had lost or were at risk of losing their jobs because they were on remand:

I was doing some building work but getting locked up here has ruined it for me. I’ve lost my job and all over getting took into custody.
(P50, Male Age 18 on Remand 90 days)

I was working with cranes ... My mam told them I was on holidays but if I’m locked up for another week like they’re going to gather what’s going on like. I’d lose my job … I would like to get back to work.
(P10, Male Age 17 on Remand 3 days)

The experience of working within the prison varied between the remand sites. In the Women’s Prison, a strong emphasis seemed to be placed on education in the prison and the females on remand expressed little interest in engaging in prison work. In contrast, the males on remand reported a strong desire to work. However, less than one-fifth (10) was reportedly involved in prison employment. Despite being a purpose built remand
prison, young people in the Remand Prison reported that sentenced individuals were drafted into the prison to perform most work duties:

I haven’t got a job not yet ‘cause too many people are applying for work and like they give a lot of them to the workers [sentenced prisoners] who are sent here. So it’s difficult to get a job. If I could get one it would be brilliant.
(P41, Male Age 19 on Remand 360 days)

It appears that the nature of most work in the Remand Prison requires training (Prison Visiting Committee, 2006) and the uncertainty which surrounds the length of time remanded individuals will remain at the site mitigated against them obtaining such employment. Indeed, it seems that young people had to spend a minimum period on remand (identified as approximately four months in this study) before being considered for any positions on offer:

I was lucky and I got work. It takes time to get work. I was waiting maybe six months for a job and I only got it the other day. It’s because they have to make sure you won’t be gone tomorrow.
(P25, Male Age 18 on Remand 180 days)

In the Young Offender Institution, the young males reported that only work that did not involve training was available for individuals on remand. However, there were so few of these jobs, it created the general perception that they were not allowed to work on remand:

You can’t work on remand. Like you can get a job in the kitchen and all like if you’re sentenced you know but not on remand. It doesn’t matter how long you’re here like. They won’t let you work in the kitchen …You can get a job whenever you’re sentenced but when you’re remand you don’t get nothing. There should be work here everyday for everyone if they want it.
(P17, Male Age 16 on Remand 13 days)

The small number of young people working on remand reported it to be a positive experience. Prison work was identified to provide a useful source of income, enabling individuals to make use of their daily shopping privilege and gain a glimpse of autonomy in such a restricted environment:
I do four hours a day. I get paid a tenner a week. It’s not much but you’re earning something do you know what I mean? You can go and buy things for yourself in the shop each day … Get some of the things you like not just the prison food all the time. Some fellas don’t get much at all.
(P12, Male Age 17 on Remand 124 days)

It was also reported to help the youths build up useful work experience and achieve a good reputation on remand:

Work is the best thing in the prison, working is the best thing. It gets you into a good routine and makes you feel not useless you know? It keeps you out of trouble as well. Like you have to be trustworthy to keep your job. You can’t just be staying back and making tea for half the yard. You have to be on time and keep up with things. If you don’t you’ll be put on the landing again not doing anything everyday.
(P39, Male Age 20 on Remand 210 days)

For the future it’s good do you know what I mean? Doing jobs and stuff all around the prison you show good behaviour and that you can do good things. You get experience too. You might as well get something good out of being locked up instead of coming out with nothing.
(P25, Male Age 18 on Remand 180 days)

This is of particular importance considering that those on remand are denied the chance to prove themselves to the courts by making positive changes to their lives outside prison (Petersilia, 1997). Thus, the lack of employment opportunities for young people on remand means that many are not provided with any means of displaying to the courts that they are capable of engaging in productive structured practices. This takes on added magnitude in the Irish context in light of the fact that many young people are remanded primarily on the grounds of failing to abide by structured conditions. Given the current absence of custodial remand alternatives, the greater provision of prison work could act as a useful method for developing positive attitudes towards a structured way of life, thereby increasing remanded individuals’ chances of being re-released on bail.
6.4.2.2 Lack of Suitable Activities for Young Males on Remand

While the majority of youths were keen to work, they were less inclined to indicate interest in other activities on remand. Less than one-half of the males availed of the gym and library facilities provided to them on remand in the Young Offender Institution and the Remand Prison. In many cases, this was reported to be very sporadic rather than regular use of these facilities. According to the Irish Prison Service (2006b; 2008a) one in every two individuals attend school in the Young Offender Institution. However, the data indicate that few of these are likely to be on remand with only a tiny minority (4) attending / planning to attend the school in this study.46

Learned helplessness theory (Abramson et al., 1978) suggests that individuals may become apathetic in times of uncertainty. In this case, it appears that the lack of participation in prison activity stemmed from the overriding sense of apathy the young people felt due to the uncertainty of their situation:

I suppose when you’re sentenced you know like you’re not getting out ‘til such a time so you can go to the school … You can do lessons over there ‘cause you know you are going to be here. You can go to the gym ‘cause you know you’ve time to build up … [On remand] you wouldn’t be bothered ‘cause you’d be thinking I could be gone next week.
(P53, Male Age 20 on Remand 60 days)

It seems that the youths on remand did not display apathy towards activity per se (as evidenced above by their strong desire to work) but rather towards activity which requires a considerable investment of time or effort such as standard prison gym and education activities. These appear not to cater for remanded individual’s activity needs; rather activities with more short term outcomes may be more suitable:

46 At the time of interview, no education was available in the Remand Prison as the school building was being used to house the prison escort service. The school opened in September 2006 originally on a part-time basis (Prison Visiting Committee; 2006). Recent prison statistics indicate that the Remand Prison has the lowest rate of educational participation in the prison system, with just 11% engaged in any form of educational activity and only 3% attending the school for ten or more hours per week (Irish Prison Service, 2008).
A lot yeah, like they don’t bother doing nothing but there’s nothing worth bothering about doing to be honest. Activities should be the number one thing in here, that’s it. Its remand, they have to have something instead of gym and library. More sports and all … Should have like cooking or woodwork to keep you occupied. Anything like that would be good. If they had stuff like that most fellas would join in.
(P13, Male Age 17 on Remand 77 days)

I haven’t done anything here, like what’s the point? If I get sentenced then I’m going to go to the gym and the school and do my junior cert and all that. There would be no point starting them if I’m going to get out you know what I mean? … I’d like to do things like sports competitions or more easy useful stuff you like using computers or things like that.
(P5, Male Age 17 on Remand 6 days)

In contrast, experiences of females on remand (although small in number) were characterised by a low degree of apathy and a high level of activity. The Women’s Prison has one of the highest education participation rates in the Irish Prison System, with over-three-quarters (Irish Prison Service, 2006a; 2008a). At the time of interview, six of the females on remand were attending / planning to attend school and all attended the gym. Data indicate that it was the array of flexible and immediately rewarding activities which appeared to encourage them to participate while on remand. These included a variety of creative educational activities and sports competitions:

I go to the gym every evening. I go over for an hour or that. We play games every night so that’s why I go. Like yesterday we were playing volleyball. That was good fun.
(P55, Female Age 20 on Remand 14 days)

Yeah I go to the school on remand. I like to go ‘cause there’s a lot of creative things like art and crafts. I enjoy doing things like that.
(P59, Female Age 21 on Remand 21 days)

The importance of such activities was highlighted by the description of what it is like when they are not available.47

47 In 2006, a new initiative was established to run a summer school in the Women’s Prison during the month of August when the teachers were on holidays. Instructors brought into the prison along with some of the women themselves taught classes which covered a range of activities including drama, aerobics, pottery, hairdressing and personal development (Irish Prison Service, 2007).
It’s great when the schools there ‘cause it passes the time a lot quicker doing things. You’re up in the morning and then before you know it you’re being locked back in. You think you’re only after getting up … I find it hard on a Saturday and a Sunday. It’s very boring. When there’s nothing to do the day drags bad. Like it’s been very hard this week when it [school] hasn’t been on with Hallowe’en break. Should be something to do when the weekend comes and the holidays are on outside.
(P62, Female Age 19 on Remand 24 days)

6.4.2.3 The Yard

With little suitable activities and employment opportunities available, the majority of males on remand spent most of their association time in the prison yard. The European Prison Rules (Council of Europe, 2006b) place importance on providing individuals in prison with fresh air. In reality however, young people on remand appeared to place little value on this. Initial concerns that individuals may have been reluctant to come in from the yard to participate in the research study over the summer months proved unfounded. Rather the fieldnotes and interview data reveal that many youths painted a negative image of the yard and were appreciative of the break the interview provided them with from this area of the prison:

Thanks for coming in … I enjoyed taking part in the interview. It was good to get out of the yard. No offence like everyone just hates that yard.
(P39, Male Age 20 on Remand 210 days)

Those working on remand were also keen to express the additional perk of being able to avoid spending time in this particular area of the prison:

If you’re working you get more privileges like one of the best is you can get in out of the yard any time you want. Like everyone hates being stuck in the yard. I can go out there and come straight back in if I want because I can continue on with me cleaning.
(P25, Male Age 18 on Remand 180 days)
A number of issues contributed to the overwhelming dislike of the prison yard. Similar to the remand experience inside prison, time spent in the yard was reportedly characterised by a high level of boredom:

> Out in the yard is hard. If you’re not good at football there’s nothing to do. Only standing up at the wall, walking around or sitting down.
> (P57, Male Age 20 on Remand 15 days)

It emerges that many on remand viewed the boredom of the yard to be worse than that inside the prison. Young people reported being required to remain in the yard even when weather conditions were very poor:

> It’s pissin’ [raining] down on you and I don’t know it’s like you really feel the rain or something. You really feel it like ‘cause you’ve got nothing else to do. That does just make boredom worse. You know you're going to have to sit there with nothing to be distracting you from getting pissed on.
> (P40, Male Age 20 on Remand 101 days)

Furthermore, the general distain for the yard seemed to generate from the fact that it appeared to be at the very core of the most negative elements of prison culture, primarily victimisation and drug use. The yard was identified by the youths to be the most likely place for victimisation to occur, with four males stating that they had been physically attacked in the yard and many more reporting that they had been threatened. This was largely attributed to the fact that there was little else for individuals in prison to do:

> The yard like it’s known for bullying. People have no things to be doing than to be like slagging and laughing at people. It happens to a good lot of people. Like some they can hack it. They’re used to it but others, I know people who have cut their hands and things, their wrists and all. Just getting bullied by other people and they can’t hack going through it everyday, everyday you know? More activities there that people could join in and keep busy would help a lot.
> (P38, Male Age 21 on Remand 240 days)

The data also indicate that the overall sense of frustration accompanying the young people’s experiences in the yard played a considerable role in the increased rate of aggression and victimisation in this area of the prison:
You do get very frustrated out in that yard. Going around laps and laps of it. We are so bored and soaked and all and you can’t go in. It makes anger you know. That is what causes a good lot of fights here. When people are like that, it doesn’t take much to rile them you know. Someone bumping off you out there, one bad look, anything. It causes a fight.
(P34, Male Age 20 on Remand 330 days)

Berkowitz’s (1989) revised frustration aggression hypothesis suggests that frustration is more likely to turn to aggression in the presence of unpleasant conditions. Thus, it seems that it is not only the integration of remand and sentenced populations which potentially puts young people on remand at increased risk of victimisation but also the nature of conditions to which they are exposed.

In addition to victimisation, the practice of throwing drugs over prison walls has been recognised as a considerable problem in both the Remand Prison and Young Offender Institution (Inspector of Prisons, 2005; 2006). The young males in both locations confirmed that the yard was where much drug related activity occurred:

You are going out in the yard a lot and there is people taking gear [heroin]. You are just looking at it all the time. 95% of prisoners in here will tell you they started taking gear in prison.
(P31, Male Age 19 on Remand 180 days)

Less than one-fifth (11) of the young people reported that they had used heroin previously either outside or inside prison.48 The vast majority reported that were trying to refrain from using such a drug but were finding the constant exposure to it increasingly tempting:

I don’t want to be getting involved in drugs like that, you know. Like most people I know who are on bleedin’ heroin end up dead or fucking up their lives. But you are that bored and fed up you actually start getting tempted … I hate having to go out and see it there, the way it makes me feel tempted you know. I’d rather just be able stay in my cell. Just think about it like for a second. Out there like, that could be where my whole life is ruined.
(P37, Male Age 21 on Remand 75 days)

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48 The young people’s drug habits are discussed in more detail in the next chapter.
The relatively easy access to heroin appeared to be especially hard for those remanded on the grounds of drug detoxification:

Withdrawal in prison is very difficult. You’re confined like, as bad as it is being in prison you have this to deal with as well. They say they sent you in here to get off the drugs but there’s drugs in here too … When you’re withdrawing it’s not only the physical but it’s the mental side of it. You’ve nothing to distract yourself from it in here. There’s using [drugs] in the yard in front of your face too and you’ve to keep telling yourself no, no. You’d feel like doing harm to yourself. (P15, Male Age 17 on Remand 49 days)

Given the accessibility of such drugs, it raises the question of the suitability of prison for those in need of detox.

6.4.3 Additional Difficulties for Young People in the Remand Prison

I’ve been in prison a lot … You should be able to have the same conditions as a sentenced prisoner but you don’t get that in here [Remand Prison]. Give me a sentenced prison any day. It’s a lot better. (P20, Male Age 18 on Remand 14 days)

As the previous sections indicate a punitive theme pervaded many aspects of remand life in prison custody (see Figure Three). However, it emerged that conditions were often even worse for those not detained in a sentenced prison. The young males detained in the Remand Prison reported a number of additional issues which negatively impacted on their remand experience. These included the nature of the cell accommodation provided, along with the screen visiting system (see Figure Three).
6.4.3.1 Cell Accommodation

As stated earlier, males on remand spent much of their time in custody in prison cells. It emerges that those detained in the Remand Prison were exposed to particularly poor conditions during this lock-up period. All individuals, whether remand or sentenced, are detained in single occupancy cells in the Women’s Prison and the Young Offender Institution. In contrast, the vast majority of those in the Remand Prison are housed in triple cells: 49 This is in clear conflict with the United Nations Standard Minimum Rules for the Treatment of Prisoners (1977) which state that cells should only be shared in times of emergency overcrowding. Three males in the Remand Prison were reportedly granted single cells as an employment perk within the prison, the existence of such a

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49 Three-quarters of this prison’s population are housed in three-person cells (Inspector of Prisons, 2003). In this study, all but three young people in the Remand Prison were detained in triple cells.
practice indicating that priority regarding cell accommodation is given to sentenced individuals working in the prison over those on remand.

With the exception of a small number of children under the age of 18 years, all of the young people reported a preference for single occupancy cells on remand. It seems younger individuals’ preferences were based on the greater importance adolescents may place on spending time with their peers (Erikson, 1968; Frydenberg, 1997):

Most people actually say they love their own cell, I don’t. I’d like to have somebody in there … Outside like I am doing things with me mates all the time do you know what I mean? … In here like well sometimes I want to have someone to have a little bit of buzz with but there’s no-one there.
(P12, Male Age 17 on Remand 124 days)

The Inspector of Prisons (2003; 2006) has repeatedly criticised the cell-sharing arrangement in the Remand Prison on the grounds of health and safety and the data indicate that the majority of those from the prison shared these concerns:

New people like are just always in your cell on remand. Using the same toilet at the same time as all these other people and like you don’t know who they are … Put it this way, if they have hepatitis right, they’re using the toilet and that can be passed to us or anything. You do be stressin’ about that you know what I’m sayin’? Hoping you haven’t caught it.
(P31, Male Age 19 on Remand 180 days)

With regard to safety, cell-sharing highlights once again the role an inadequate physical environment can play in exposing young people on remand to a high risk of victimisation. The young males in the Remand Prison explained how the cell arrangements that were in place never afforded them time away from the other people in prison, resulting in a constant threat of victimisation:

You’re never really safe in prison do you know but here like it’s more dangerous. You can never let your guard down, never. You’d be stupid. You don’t know when someone could come behind you with a blade in the cell with them.
(P15, Male Age 17 on Remand 49 days)

Cell-sharing was also the reason behind the greater tendency for individuals in the Remand Prison to report overcrowding and privacy issues as remand stressors:
It’s very overcrowded. There is too many people in the cells. There’s no room in them. If you are walking around you are bumping into people … If it’s warm out three in a cell it’s very warm; it’s not nice at all. I find it very hard.
(P20, Male Age 18 on Remand 14 days)

Like you’ve no privacy, it’s just, if you just want to sleep or sit there and just think, you know, you can’t. You never get a moment alone; you don’t have any privacy at all been in a cell with the others [inmates].
(P34, Male Age 20 on Remand 330 days)

It appears that it is not just physical space that those in the Remand Prison were deprived of, but also psychological comfort. The importance of having one’s own space or mark in prison emerged as a salient theme in this study. Analysis of the data suggests that a sense of predictability and routine in their immediate environment provided some solace on remand, especially when uncertainty prevailed over likely future surroundings:

Havin’ my own cell, like it’s good. It’s important you know to have somewhere that’s kind of like yours in here. You know that’s your place, that’s yours. That’s where you’re gonna’ be while you’re [on] remand anyway.
(P50, Male Age 18 on Remand 90 days)

I like being in myself. That way you kinda know what to expect at least like whenever in your cell … Just things like are going to be in the same way as you left them and all that and that’s good like.
(P61, Female Age 17 on Remand 35 days)

The data reveal that this psychological comfort was largely unavailable to those in the Remand Prison, with individuals reporting that they had to constantly adjust to their ever-changing cell mates:

You’re there every day but it doesn’t feel like your own space you know? There is always other new people in … You have to kind of adapt yourself and your routine a bit with each person.
(P34, Male Age 20 on Remand 330 days)

Furthermore, the young people in the Remand Prison seemed to face a much greater likelihood of being moved around within the prison during their remand due to increased pressures to keep certain individuals apart in shared cells:
You could be happy in a cell. But they could ask you to move into another cell with more people you don’t know because there is a lot coming here and they don’t want some people in the cell together … You have to like try make your mark on your own place in prison you know? But that makes it hard here.

(P31, Male Age 19 on Remand 180 days)

Indeed, the negative impact of even the slightest of movements within the prison was apparent in the young males’ accounts:

I was in the cell there for a while like and I was doing alright, the bottom bunk was mine. But they were telling me to give the bottom bunk up … I goes no that’s like my place to stay while I’m here. I’m not moving out of me bed … But they didn’t listen like … I’ve no real space to call my own you know? It’s just crap it is. Nobody cares what you want here.

(P18, Male Age 18 on Remand 25 days)

6.4.3.2 Screen Visits

Unlike their counterparts in the Women’s Prison and the Young Offender Institution, glass screens separated individuals from their visitors in the Remand Prison. All individuals receiving visits in the Remand Prison expressed a strong sense of dissatisfaction with this visiting system:

Getting rid of screen visits, it’s important to every prisoner in here. Any prisoner in here you are going to speak to will say that.

(P13, Male Age 17 on Remand 77 days)

Screen visits are said to act as an effective barrier against the transfer of drugs during prison visits (Irish Prison Service; 2006b). However the data reveal that they created a level of psychological distancing between young people and their visitors as they impeded any form of physical touch and thus any sense of tactile comfort or tenderness:

On remand you get visits but they are glass visits so it doesn’t feel like a visit. Just feels like a phone call or something so like you do feel distant from them. You are

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50 Screen visits are now also in operation for individuals detained on remand and under sentence in the Young Offender Institution.
always away from them … It really makes you depressed because you can see them but you can’t touch them … You want to kiss your little sister and brother and you can’t get a box visit until you are six months here … You can hold them and kiss them only once every six months.
(P37, Male Age 21 on Remand 75 days)

The quality of screen visits was also reported to be hindered by the occurrence of auditory difficulties. The presence of screens was identified to impair the fluidity of conversation and leave the young people and their visitors frustrated during visits:

Getting visitors really you can’t hear what people are saying. Its just up to that screen … They’d be saying the same thing five or six times you know before you’d hear it. This it’d be all going on during your fifteen minutes you know. Sure you don’t be getting barely past hello half the time … You do get a visit and you’re all ending up in bad form for it with them screens there … Like visits, they’re suppose to be there to cheer you up not leave you in bad form.
(P42, Male Age 21 on Remand 135 days)

Furthermore, the existence of auditory difficulties reportedly required the young people to talk loudly during visits compromising their right to privacy:

You have to shout and all with those screens, it’s not on. Your visits like they should be private … Anyone can be hearing what you’re saying.
(P32, Male Age 19 on Remand 90 days)

Given these difficulties, it is unsurprising that young people in the Remand Prison expressed a strong sense of injustice about the presence of screen visits particularly as they were not in operation in many other sentenced prisons:

With the screen visits you feel this is a top security prison even though you are on remand … You see all them IRA blokes and all them they talk to their family face to face. Bring them out cup of tea you know. Us we are talking through a screen. That is what I most hate about being here, them screens.
(P29, Male Age 18 on Remand 180 days)

It seems that the research interview only served to confirm the injustice the disadvantages of the screen visit system to the young males in the Remand Prison:

We should be talking to our families like this [no screen present during the interview], not behind a screen. You are meant to talk to family proper … Just
like this with just a table and no screen. It’s a lot better like this.  
(P29, Male Age 18 on Remand 180 days)

Analysis of fieldnotes reveals that the majority of young people in the Remand Prison particularly enjoyed participating in the research interview. They were more likely to make positive comments about the interview and engage in the research process longer than their counterparts in the Young Offender Institution and the Women’s Prison. The data indicate that this may have been because those in the Remand Prison actually viewed the set-up of the research interview as more of a proper visit than the interactions they had with their own family:51

> You know, the way me talking to you [the researcher] is more of a visit than I have with me mother or father you know … It was good to talk without screens and all that for a change.  
(P37, Male Age 21 on Remand 75 days)

### 6.5 Remand Time

*There’s a fella gone to court now this morning and he’s been on remand for 10 months, like 10 months is a joke you know; you shouldn’t be on remand for that long just hanging around … It’d be better for the prisoner and the victim to get it out of the way you know? To get it done and dusted as quick as they can.*  
(P53, Male Age 20 on Remand 60 days)

While the previous section addressed the young people’s encounters in prison custody, this section goes on to discuss the experience of time on remand. A sense of punitiveness recurs as a salient theme with regard to the issue of remand time, from the duration some young people spend in custody to the high level of temporal uncertainty experienced on remand.

51 Another contributing factor may have been that individuals in the Remand Prison reported a higher degree of isolation than those in the other settings. This is discussed in more detail in the next chapter.
6.5.1 Remand Duration

Two very different experiences emerged from the data in relation to the duration of time young people spent on remand in this study. Both the young people’s previous remand histories and the high turnover observed by the researcher indicated that many male and female children and women over the age of 18 years appeared to spend relatively short periods of time in remand custody. Remands of a very short duration (often just one week) serve to question why vulnerable children and adults are exposed to the punitive experience of remand custody in the first place. The data reveal a deterrent theoretical stance may underpin such remands; several children reporting that the judge remanded them to ‘show what prison’s like’ (P27) and ‘learn a lesson from being in prison’ (P11). The use of remand as a short-term individual deterrent would appear to conflict with European Prison rules (Council of Europe, 2006b) and a number of other legal measures (for example, the U.N. Standard Minimum Rules for the Treatment of Prisoners, 1977; U.N. Convention on the Rights of the Child, 1989) which state that prison should only be used as a measure of last resort.

The data show that many other individuals remained in remand custody for a long period of time. At the time of interview, one-fifth of the young people were on remand for three to six months and approximately another one-fifth (18%) were in custody between seven and twelve months. One-half of those provided with a trial / sentencing date (11) anticipated to be remanded for a further seven months or more\(^\text{52}\); meaning some were likely to spend over 600 days in remand custody:

The Irish law and the system is very slow. My trial isn’t for least eight months. I’m still going to be here for that like just waiting for trial.
(P34, Male Age 20 on Remand 330 days)

The punitive nature of such remand durations is best highlighted by the fact that they can be said to be equivalent to or longer than the average prison sentence in Ireland (see

\(^{52}\) It is important to note that a remanded individual’s anticipated duration in custody may in fact be extended further as trial dates can be subject to potential postponements due to a number of factors, including the availability of judges and courtrooms.
Chapter Two). This finding suggests that even those who go on to receive a custodial sentence may ultimately spend unnecessary time in prison:

I’m one year on remand, putting someone on remand for that long time, it’s very, very bad. There is no point in me hanging around here waiting for a sentence. I know what I did and didn’t do; I’m not going to get a sentence that is a year. If they’d just given it to me I bet you I would have been outta’ here long ago.
(P41, Male Age 19 on Remand 360 days)

6.5.2 Temporal Uncertainty

Although all young people on remand do not spend lengthy periods of time in prison, the data suggest that few appear to escape the negative impact of time on remand. The fact that remanded individuals were not provided with a target release date was identified to be a particular disadvantage over sentenced custody as it created a strong sense of temporal uncertainty:53

When you’re sentenced like you have your release date; you have it all added up … You’re looking forward to something do you know? … On remand like you’re in limbo … There’s no date when you’re getting out. You don’t have a date written on your door; that’s really hard.
(P53, Male Age 20 on Remand 60 days)

The fact that no maximum detention period is in place for remand custody in Ireland was found to compound the temporal uncertainty experienced. The young people were unaware of when the outcome of their case would be definitely decided by as even when trial dates were provided, they were subject to potential postponements:

It’s a bad feeling being on remand, you haven’t a clue when you are going to be out, honestly I wouldn't like to say. I would be only guessing pull a number out of the sky will I? … It’s like you’re in here and you don’t know when they’re even going to hear your case … Even when you get your trial you don’t know if that’s gonna’ be the real date; they’re always putting them off for one thing or another.
(P42, Male Age 21 on Remand 135 days)

53 While sentenced inmates may be released before their official date they still have the advantage of knowing the maximum amount of time they will spend in prison.
The increased temporal uncertainty associated with remand in Ireland was identified to be particularly stressful and was the second most frequent reported stressor on remand.\(^5^4\) The young people reported it to leave them in a constant state of anxiety and nervousness during their time in custody:

> You’re waiting and imagining what's going to happen to you, you’re going mad then. Just you’re sort of waiting; you get anxiety sitting waiting so much.  
(P57, Male Age 20 on Remand 15 days)

> You’re always worried about how long you’re gonna’ be in here. You’re always feeling anxious about it like on remand.  
(P34, Male Age 20 on Remand 330 days)

The temporal uncertainty of remand was also identified to bring about a sense of anger and frustration among many of the youths:

> It’s just annoying waiting … Not knowing when things are going to happen. It doesn’t clear your head, it’d wreck your head more waiting on remand. Too much stress from it makes you angry.  
(P54, Female Age 18 on Remand 60 days)

The temporal uncertainty arising from the absence of a maximum remand period meant that many were not provided with any defined temporal targets around which to focus on or structure their time. The young people reported that this created a lack of meaning to their time on remand and made it pass slower than sentenced prison time:

> Sentenced [prisoners] can get on with their thing; they feel like they’re doing something ‘cause they’re getting on with their time. We’re [remand prisoners] not even getting on with anything; we’ve no focus … You’re thinking how long are they going to leave me in here? … You just always seem to be thinking about time. It just goes so slow on remand.  
(P12, Male Age 17 on Remand 124 days)

The combination of these effects was identified to be so undesirable, some young people were reportedly willing to incur more prison time in return of being informed of the duration they would be there:

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\(^{54}\) Missing individuals outside prison is the highest reported remand stressor. This is discussed in the next chapter.
You’re sitting in here and you don’t know how long you’re going to be here. I’d rather they just tell me and I’d do the time.  
(P21, Male Age 16 on Remand 6 days)

While uncertainty negatively impacted on the majority, it is important to note that there was some evidence of the concept of ‘negative capability’ (Keats 1817 as cited in French, 2001) whereby some individuals did not find appear to experience remand uncertainty as unsettling or stressful. In these small number of cases, however, the young people generally explained that the amount of time they were going to be detained in custody had little impact on them or their lives because the conditions they encountered on remand and outside prison were so similar:

‘It’s the same for me, it’s all the one … Its like everyday, inside or out, it’s all the same routine. Even when I was on the outside, I was waking up doing nothing. I don’t care about freedom. There was nothing I could do when I was out there’.  
(P56, Male Age 19 on Remand 120 days)

6.6 Chapter Summary

This chapter highlighted how remand custody serves a number of functions in the Irish context from incapacitation to drug rehabilitation. It demonstrated how the actual remand experience is in conflict and disproportionate to its intended functions, with young people being exposed to particularly punitive conditions in court and prison custody. These conditions were shown to be frequently worse than those experienced by individuals serving a sentence, with those on remand seeming to fair better when detained in sentenced prisons. The chapter also emphasised how some young people spend longer periods of time on remand than those in prison as a punitive sanction, with all those on remand having to endure a high level of temporal uncertainty. In conclusion, both the environmental conditions and time issues young people face on remand were said to contribute to a very stressful experience. The manner by which the young people coped with this stress is the focus of the next chapter.
CHAPTER SEVEN

COPING IN REMAND CUSTODY

It’s important to look at coping; it’s important to the whole prison. A lot of us remands are young like and have bad experiences growing up and like there’s no training to be in prison do you know that way? ... It’s important to try improve coping here and all. It might give people a chance; stop them going on the rope. (P24, Male Age 20 on Remand 42 days)
7.1 Introduction

This chapter presents the findings on how the young people coped with the remand experience. It addresses the gap that exists in prison literature by examining the nature of the remand coping process. In keeping with the study’s theoretical framework, the chapter is grounded in the view that individual and environmental factors impact on coping behaviour. It tracks the presence of coping difficulties from the time prior to custodial remand, through to the remand period and onwards to release. The chapter begins by examining the high level of coping difficulties that young people import into the remand setting. This particular section discusses the array of difficulties individuals on remand experience prior to their committal from substance abuse to a lack of social support and how these impact on remand coping ability. Following this, the chapter addresses the influence the remand environment plays in coping. The restrictions young people face with regard to the accessibility of coping strategies on remand are presented in this section, as are the findings on the coping strategies adopted by young people on remand. This section also focuses on the young people’s overall coping ability and the factors which appear to play a role in effective coping behaviour on remand. The chapter then moves on to examine the potential coping difficulties individuals may face in the future following remand. An analysis of the difficulties likely to arise for those transferred to sentenced custody as well as those released back to the community is provided in this section. Following this, the chapter argues that a particular cycle of coping is present on remand. Finally, the chapter concludes with the young people’s views on how coping could be improved on remand.

7.2 Imported Coping Difficulties

Remand like, it brings in a lot of people who just can’t do time. At the end of the day, a lot of remands coming here like, if it wasn’t for their lives being so messed up on the outside they’d be out keeping bail you know what I mean? It’s like we’ve got this shit load of problems all going on and we’re all put in here. (P39, Male Age 20 on Remand 210 days)
Importation theory (Irwin and Cresssey, 1962) suggests that individuals bring various difficulties they face in their everyday lives into the prison environment. The data suggest that custodial remand settings often contain individuals with a high level of imported vulnerability and this section addresses the coping difficulties which appear to be brought into the prison by the remand population. The data show that many young people detained in the remand environment are especially vulnerable with a particular susceptibility to coping difficulty. Indeed, less than one-quarter (14) reported that they coped well outside prison prior to remand. Individuals experiencing a number of acute difficulties from educational disadvantage to a lack of social support seem to be particularly drawn in to remand custody, in turn impeding coping ability in the prison environment.

7.2.1 Educational Disadvantage

In line with previous studies (Lader et al., 1998; Goldson, 2002) the young people on remand had experienced a high level of educational disadvantage. Only three individuals of school-going age were still attending school prior to detention on remand. Two-thirds of the young people had ceased their education before the legal age of 16; one quarter of these by the age of 12 or 13 years. One-quarter of the young people reported that they had been expelled from school, the remainder appearing to drift out of the education system without follow-up. While some individuals stated that they had left as they had no interest in education, it seemed that in many cases the young people’s early school leaving could be attributed to learning difficulties and substance abuse problems:

I left [school], I think I was about 14 or that. I was caught up in drugs and I used to always get suspended ‘cause I couldn’t concentrate. I was always fidgety like or I always wanted to get drugs and stuff. In the end I was just lost like so there was no point going.
(P6, Male Age 16 on Remand 31 days)

I got little school … I had learning problems, I can’t focus and I never got one to one teaching in school so I found it difficult to read and write. I found it difficult
so I just stopped going in fifth class [age 11] and I went back a year after and I walked into the church to make me confirmation. Then I left again.
(P42, Male Age 21 on Remand 135 days)

The educational disadvantage experienced by many of the young people on remand appeared to impact negatively on coping. There was little evidence of the young people engaging in any form of reasoning on remand, skills which are usually fostered by participation in education. Indeed, when questioned, few reported that they ever evaluated the usefulness of their coping strategies or assessed the availability of more effective alternatives on remand:

Nah I usually just do the same thing, like try block it out or whatever. I don’t be thinking is it good what I’m doing or anything you know? Just do it like.
(P56, Male Age 19 on Remand 120 days)

Perhaps not surprisingly, the lack of education among many of the young people was also found to result in a high level of literacy difficulties being reported. These difficulties prevented many from engaging in reading and writing while in prison, activities which others reportedly found to be important mechanisms for dealing with negative emotions on remand:

Just read, read, read you know. I read a lot in here, books and magazines or whatever I can get. It’s good like, does help you forget about where you are for a bit, the bad ways you are feeling.
(P59, Female Age 21 on Remand 21 days)

I do write letters. It’s good like even if I don’t send them, just write letters to get out what I’m feeling, think of other people and help think about other good things and all that would be gone to the back of me mind in here.
(P39, Male Age 20 on Remand 210 days)

7.2.2 Impulsivity

Rational choice theory (Cornish and Clarke, 1986) suggests that individuals make a rational choice to engage in deviant behaviour following an assessment of the potential benefits of engaging in such actions. Applying such a theory to the area of custodial
remand, there appeared little evidence of this rational form of thinking in the young people’s accounts of the behaviours had which had led them to remand custody. On the contrary, the majority of young people (50) were found to describe themselves as impulsive individuals who did not appear to plan ahead or think of future consequences:

I just live day by day hour by hour you know? I don’t be thinking after that.
(P26, Male Age 16 on Remand 12 days)

The young people’s impulsive temperament had implications for coping, with many describing that they often just did the first action that came into their head when trying to relieve deal their stress.

Don’t really think about it to be honest. Just do what I feel at the time.
(P47, Male Age 21 on Remand 30 days)

As evident in later sections, this often resulted in the use of poorly judged actions which brought about negative consequences in the longer term.

7.2.3 Self-esteem

The majority of young people appeared to import a low level of self-esteem into the remand environment. Analysis of the Rosenberg Self-esteem scale indicated that 78% of the individuals received a total score of 20 or below (see Table Two in Appendix J) which is considerably lower than the norm of 31 reported by Rosenberg (1965) for young people and the norm of 27.3 specifically reported by Nic Gabhainn and Mullan (2003) for youths aged 15 to 17 years in Ireland. With the exception of a small number of individuals, fluctuations in the young people’s self esteem scores were found to remain relatively stable while on remand (see Table Two in Appendix J) with the mean scores only varying slightly from 17.90 for the young people’s retrospective scores prior to remand to 17.40 on remand. However, the number of young people (53) scoring a low score below 20 on remand was found to be higher at 85% (see Table Two and Figure Nine in Appendix J).
The young people suffering with low self-esteem were more likely to expect negative outcomes and lack faith in their ability to cope:

I’m not good [at] coping. I knew it would be bad.
(P6, Male Age 16 on Remand 31 days)

As described further on in the chapter, low self-esteem was also found to be linked with the use of the potentially destructive coping strategy of self-blame.

7.2.4 Substance Use Difficulties

Drug and alcohol use were reported as being related to offending behaviour and difficulties in the young people’s lives but also as a coping mechanism. In total, almost three-quarters (45) reported using drugs in the six month period prior to remand. Over one-half (27) of the drug users consumed cannabis everyday while almost one-third (14) took cocaine, ecstasy and / or heroin on a daily basis outside prison. One-half of those (25) who drank alcohol scored two or more on the CAGE Questionnaire (see Table One and Figure Eight in Appendix I); an indication of alcoholic tendencies (Ewing, 1984):

I am an alcoholic I am so I need it a lot, I drink everyday. Sometimes when I get out of my bed I’m just looking for more drink. It’s just all I think is more drink.
(P32, Male Age 19 on Remand 90 days)

The data reveal specific substance use patterns in relation to those detained because of their offending behaviour. A number of individuals remanded for serious offences identified how their actions took place following the intake of drugs / alcohol; such substances said to bring about a loss of control over behaviour:

I attacked a person like I was drunk and out of me head. You lose control. You get more violent, they make you snap. They give you a temper.
(P17, Male Age 16 on Remand 13 days)

In contrast, others remanded for re-offending on bail reported how it was the pursuit of drugs which was the main reasoning behind their crimes:
Just with the drink and drugs like, I just couldn’t stay out of trouble while I was on bail. I tried to like but I just got caught up in robbing again for drugs and that. (P38, Male Age 21 on Remand 240 days)

Analysis of the data also reveals links between substance use and the breaching of bail conditions / court requirements. The regular consumption of drugs was identified to have a destabilising influence on young people’s lives outside prison, which was not conducive with maintaining strict conditions such as curfews:

Me life is messed up; it’s the drink and drugs you know. I hang around with alcoholics on the streets a lot just buzzing you know. That’s why I was in trouble with me curfew. (P61, Female Age 17 on Remand 35 days)

In addition, individuals reported how obtaining drugs dominated their lives outside prison it often took priority over bail conditions / requirements to attend court:

I was on drugs like and it fucked up your head and all you know what I mean? You don’t care about anything. You don’t be like thinking about going to court or anything like that. You be thinking nothing really just drugs, drugs, tablets, tablets. That’s all you think of like. (P44, Male Age 18 on Remand 335 days)

The high level of substance use among those who end up in custody was found to have implications for coping on remand. As described in the previous chapter, drugs were available in the prison environment; however not to the degree to which most of those on remand were accustomed to on the outside. One-third (22) stated that they took drugs on remand, the majority of which was cannabis use. The changes in the young people’s substance use patterns removed one of the main coping strategies many (34) relied on outside prison (see Table Three in Appendix K):

Drugs help me escape away from the pain of life, numbs the pain. (P56, Male Age 19 on Remand 120 days)

I do drink to cope with all me problems in me life. Just when I get drunk I forget about everything. I drink just to try and be happy do you know what I mean? The only time you’re happy is when you’re drunk. (P54, Female Age 18 on Remand 60 days)
Indeed, just one in six individuals (generally those not just using cannabis) reported using drugs as a coping strategy on remand (see Table Three and Figure Ten in Appendix K), in the main cannabis not being viewed as a coping mechanism but as a means to maintain a normalised habit:

Nah don’t take cannabis for coping, nothing like that. Just used to always taking it everyday you know; it’s just part of me at this stage.
(P39, Male Age 20 on Remand 210 days)

Furthermore, the restricted supply of drugs in prison meant that many individuals had undergone some level of withdrawal from substances on remand. The young people reported that this created a number of negative effects including mood swings and increased irritability:

It’s like they’re putting me in here, an alcoholic and there is no drink. It does just make you feel so low. It’s like you’re tempted to just start slicing your wrists or start going after other people.
(P45, Male Age 17 on Remand 14 days)

The main thing is you get mood swings if you’re not on your drugs. You come in drugged; you are used to getting all the drugs on the outside you know so it’s very hard. You get worn out by it all.
(P15, Male Age 17 on Remand 49 days)

While in this vulnerable state of withdrawal, it emerges that some young people had to deal with adverse thoughts which had remained blocked out from their minds up until this point because of incessant drug use:

It all comes back to you when you are on remand. You’re locked up and your head is different you know because you are not drugged. Loads of things like that have happened to me and all, stuff I’ve done, it’s started hitting me in the head.
(P47, Male Age 21 on Remand 30 days)

7.2.5 Mental Health Difficulties

Almost one-half (29) of the young people reported receiving psychiatric assistance for mental health difficulties, primarily depression, aggression and conduct disorder. Two
individuals had spent time in a psychiatric institution and three others reported that they had been committed to secure accommodation for their own safety because of mental health issues. While this figure is in line with international findings for remand populations (Lader et al., 1998; Otto-Salaj et al., 2002; Gosden et al., 2003), it is likely that the overall prevalence of mental health problems was higher than that stated in this study as it is widely documented that young people are less inclined than adults to have mental illnesses treated / diagnosed (Crowley, 2003; The Irish College of Psychiatrists, 2003; Mental Health Commission, 2006):

I was a big hash smoker and I’m getting psychosis. For a bit I was going mad. I’ve never got to see a psychiatrist … I’ve wanted help for a while but nothing’s coming.
(P1, Male Age 16 on Remand 7 days)

The high prevalence of mental health difficulties amongst this population may stem from the fact that mental health issues appear to play a considerable role in serious offending and the breach of bail which are identified to lead to custodial remand in Ireland. Agnew (1992) and Brezina (2000) highlight that offending behaviour can be used as a means of coping and it appears that a number of the young people dealt with aggressive or depressive feelings by engaging in serious / violent criminal actions:

I was remanded for breaking up me home, burning me home down. I just lost it, you’re angry and all and different emotions you know … I’ve mental problems, depression and all was worse. I was worrying about dying, just dying in particular, being poisoned.
(P4, Male Age 17 on Remand 46 days)

Almost one-third (19) reported that they had engaged in self-harm and / or suicidal thoughts outside prison and several individuals recounted how they had previously attempted to take their own lives:

I’ve done self-harm and a few suicide attempts. You just have sad thoughts and you just want to end things. When you do harm yourself it kind of gives you a relief do you know.
(P59, Female Age 21 on Remand 21 days)
All the time when I was out I’d suicidal thoughts. Like a couple of times I tried to kill myself like … I was just sick of the place I was in.
(P6, Male Age 16 on Remand 31 days)

In some cases, it appears that this sense of hopelessness contributed to ending up in remand custody. A number of the young people identified how depression acted as a major stumbling block when it came to motivating themselves to adhere to bail conditions / court appearances:

For years I’ve been seeing psychiatrists and everything. Depression and just a load of stuff, family issues, everything … I broke my bail, I was a bit depressed, thinkin’ I fuck up everything in me life. I didn’t care, just said fuck it all and went and broke me curfew. I would’ve been on continuous bail like if I hadn’t.
(P12, Male Age 17 on Remand 124 days)

When I was charged, I had lost track of me life, hadn’t got a clue. I was feeling very down, depression was real bad and well I’d just nothing else to lose. Didn’t care missing court and all that, didn’t give a bollocks what happened.
(P60, Female Age 20 on Remand 17 days)

The data indicate that the importation of mental health difficulties into the prison environment had implications for remand coping. Similar to the impact of low self-esteem, some individuals described how they had little confidence in their ability to handle the remand experience:

It’s very hard to cope but I was just expecting it. It’s like I’m a bit of a failure when it comes to dealing with things, can’t really cope that much you know? I’m not strong like other people, being depressed and all. I break down real easy.
(P19, Male Age 18 on Remand 21 days)

The data also suggest that those with mental health difficulties (17) were more likely to feel a sense of helplessness and believe there was nothing they could do to help themselves cope better on remand:

There’s nothing you can do, nothing really can help so you don’t bother trying.
(P57, Male Age 20 on Remand 15 days)
7.2.6 Imported Lack of Support

The majority of young people reported that they received little support in their lives prior to remand. Analysis of the Brief COPE (Carver, 1997) indicates that over one-half did not obtain any emotional and/or instrumental support outside prison with just one in six individuals reportedly making frequent use of such support (see Table Three in Appendix K). This finding is perhaps not surprising, given that many of the young people remanded in custody appeared to be on the margins of society and were often in a disadvantaged position to avail of social support:

When you’re homeless, there is nothing there for you … There is nobody around … You are on your own.
(P45, Male Age 17 on Remand 14 days)

The bail like, it’s just like I didn’t have all I needed and the way things are at the moment in me life, there wasn’t anyone there who could help me out.
(P56, Male Age 19 on Remand 120 days)

In addition to a lack of formal support measures, it appears a complete void of familial assistance and encouragement existed for many young people who broke bail, factors the young people identified to be important components in successfully adhering to bail:

It can be hard keeping it [bail] when you’ve no-one behind you. Sometimes you’d just wish your ma would say ‘I think you should come in now’ or ‘it’s not worth messing up your curfew’; you need that sometimes. When no-no-one is there for you, ah it can be hard to stay focused, especially being young. Sometimes you know you just wish there was someone there to help.
(P22, Male Age 16 on Remand 3 days)

Other individuals described how they appeared in court with no family support, this in spite of the legal requirement for parents / guardians to be at least in attendance for children under the age of 18 years:

My parents like they wouldn’t come to court, no. They wouldn’t want to know.
(P61, Female Age 17 on Remand 35 days)

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55 According to Carver (1997), emotional support consists of sympathy, comfort and understanding and instrumental support consists of information and advice.
The data suggest that the general lack of support in the young people’s lives was brought about by a number of factors. The majority had experienced a variety of destabilising events which reduced the availability of social support. These included parental separation (one in three), the imprisonment of immediate family (40%) and friends (80%) and the death of close relatives (60%) / friends (40%):

I have to survive meself, sure most of me family and me friends are in prison. Like me da does be in the Joy [Mountjoy Prison] since eleven years ago now … What’s it, it says it’s 86% of people who have been here in this prison go through to the Joy so I’ll like probably get to see them all when I’m in the Joy.
(P9, Male Age 17 on Remand 2 days)

Over the last few years, there wouldn’t be that many around anymore. Me da like, I haven’t seen him much since him and me ma split up. And well me mother hung herself, I had to cut her down and all … A lot of me friends died, robbed cars, drugs, overdose, suicide. Everyone’s fading away, everybody just dies. I go down the graveyard a lot when I’m on the outside, passes the time.
(P24, Male Age 20 on Remand 42 days)

The volatile nature of the young people’s social relationships was also identified to account for the lack of support. Many individuals reported a high level conflict with their families; one-half stated that they did not have a good relationship with their parents. A number of young people described that substance abuse and mental health difficulties were common features in their family life. This not only impacted on the level of support on offer but also often resulted in the young people acting as the main care-givers within their family units:

I have to be there for me ma and lil’ sisters and all. Me ma, she suffers from her nerves and all that, she’s not herself anymore you know? It’s my job to look after them; to make sure they’re doing alright.
(P11, Male Age 16 on Remand 2 days)

One in five individuals had been previously taken away from the care of their family and placed in residential care. This was often identified to give rise to feelings of isolation and rejection:

Problems with me family, they’d be the main things in my life. Me father has drinking problems and that you know, me mother suffers with depression … I was
in residential care since I was 11. Like my family, they just couldn’t give a fuck. I more or less reared meself.
(P13, Male Age 17 on Remand 77 days)

A combination of these factors means that many young people entered the remand environment with little or no stable support networks. The data identifies this impacted on their ability to cope by reducing both the size and perceived availability of support during the highly stressful and uncertain experience of remand. This finding is of particular concern given the coping restrictions in the custodial remand environment.

7.3 Impaired Coping on Remand

_The way it is in here you just have to deal with it yourself, cope on your own. That’s just the way it is. There’s nothing really there to help people cope on remand._
(P56, Male Age 19 on Remand 120 days)

While the previous section examined imported coping difficulties, this section moves on to address coping impairments experienced in the remand environment. The restrictive parallels shared by remand and sentenced custody mitigate against the use of problem-focused coping on remand, generally resulting in a sole reliance on emotion-focused coping. However, the data reveal that further impairments were faced within the realm of emotion-focused coping on remand. Lazarus and Folkman (1984) emphasise the role of both external and individual resources in coping behaviour. It emerges that external resources were particularly limited on remand, especially in relation to effective prison coping resources such as support, activity and information.

7.3.1 Lack of Support Resources on Remand

When asked, the majority of young people (82% n=51) identified a strong need for support on remand and felt it was important to have someone to turn to during their time
in custody. In particular, the young people reported that they would like to receive emotional support from family members as it would help to provide a source of stability and routine amidst the uncertainty they experienced on remand:

    When you’re on the outside you don’t really care whether you go home and see people or not, but when you’re on the inside you just want to see them. I don’t know it just makes you feel better when you see them … With everything all up in the air and all it’s nice to see a face from home.
    (P17, Male Age 16 on Remand 13 days)

The young people also identified that family members could be a source of practical support to them on remand by providing clothes and money to spend in the prison. Others also reported how family members had the potential to be able to play a useful role in assisting release on bail by providing money for bail sureties and attending court to demonstrate to the judge that they had support in the community:

    You need things on remand, like you smoke an awful lot of fags in prison and you need money and clothes and all that.
    (P19, Male Age 18 on Remand 21 days)

    You need to get support … mostly money and things like that. Getting meself backed up in court and that like you know so I can get out on bail.
    (P49, Male Age 18 on Remand 8 days)

Also, while the young people generally disregarded their prison counterparts as a source of emotional support for fear of victimisation, they did identify them to be potentially useful sources of material support (i.e. cigarettes, radios) and physical support (offering protection against victimisation, backing them up in fights):

    If you know someone if you’re needing anything they try to help you like with smokes or borrowin’ a radio or that. No-one else is going to do it. There’ll be there to back you up if someone starts having a go.
    (P12, Male Age 17 on Remand 124 days)

Despite the key role attributed to receiving support on remand, analysis of the Brief COPE (Carver, 1997) indicates that just one in four of the young people (16) availed of emotional support on remand; with generally the same individuals (16) also making use of instrumental support (see Table Three and Figure Ten in Appendix K). The main
reason behind the lack of use of support resources appeared to rest on the fact that few perceived it to be actually accessible to them from individuals outside or inside the prison. In addition to the lack of imported support discussed earlier, a number of factors appeared to bring this about including contact difficulties with individuals outside prison; the impact of remand uncertainty and the high turnover of individuals on remand.

7.3.1.1. Contact Difficulties with Individuals outside Prison

The majority of young people reported a strong desire to see family while in custody and the fact that they were entitled to receive extra visits appeared to increase this longing on remand. Indeed, the distress of missing family and friends was the highest reported stressor of the remand experience:

You’re thinking each day when it comes to visiting that you’d be allowed a visit like if they came up. Even though you try not let it get to you, it’s hard like if no-one comes.
(P40, Male Age 20 on Remand 101 days)

I’ve been here a good few times but I still cry at night and all when I think of my family on the outside. It’s hard like being in here and all of them are out there.
(P60, Female Age 20 on Remand 17 days)

The data show that while additional rights exist in theory, they rarely come about in reality. Just one in six (8) individuals said they received more than a sentenced prisoner’s entitlement of one visit a week and only two reported that they got the maximum allocation of six visits per week. Just under one-third (18) had obtained no visits at the time of interview. As described above, many young people on remand import limited and unstable support networks into prison, thus rendering frequent contact difficult. However, it emerges that specific prison practices further curtail the level of contact that occurs between remanded individuals and their families. Almost two-thirds (39) reported it very difficult to maintain adequate contact with individuals outside prison, a number describing that they felt completely cut off from those outside:

56 The six young people who were on remand for less than a week at the time of interview were not included in this analysis.
When you’re in here it just feels like you’re after coming in to a new world. It’s hard to keep in contact when you’re in here. It’s like you’re always distant from the outside, distant from everyone you know … It’s just like you’re dead really. (P37, Male Age 21 on Remand 75 days)

Under the Irish prison system, all individuals, whether remand or sentenced, are limited to having visits from four people who must not have been imprisoned before.\(^{57}\) The data indicate that such restrictions eliminated the core of many of the young people’s small support networks, with close family and friends often embedded in similar cycles of crime and imprisonment. This was identified to have particular consequences for the young people whose families’ way of life was so chaotic and deprived; it left few other viable options for remaining in contact:

The fella I’m going with he can’t get in here on visits or anything ‘cause he was in Mountjoy [prison]. He can’t read a letter or anything, I’ve no contact with him at all ‘cause he doesn’t have a phone … I miss talking to him, don’t know what he’s doing or nothing. I wish he was allowed in. (P55, Female Age 18 on Remand 14 days)

The maximum allocation of four assigned visitors also rendered the occurrence of extra visits impractical on remand. The lack of localised alternatives meant many of the young people were detained far from their local community. Almost one-half (27) came from areas outside Dublin; one in five hailing from counties located at least 160 kilometres from their remand site (see Figure Six in Appendix E). This often resulted in the young people’s small pool of visitors not having the financial resources or times to visit them regularly (or at all) and was reported to be especially difficult for those who had children (8):

Visiting rules are the worst rules going; someone should put a stop to that. It’s not like those few people are going to be able to come up see you all the time. It’s just stupid … I’m here about four months and I’ve only seen my family a few times … It costs too much and takes too long for them to come here, about four hours up and then whatever down again. When they can’t come, there’s me on me own everyday. (P56, Male Age 19 on Remand 120 days)

\(^{57}\) According to the Irish Prison Service (2006) this practice exists to reduce the amount of drugs entering the prison system.
I’m too far away from my home. My girlfriend, mam, seriously they can’t make it up here, it’s too far… If I was in a prison closer I could see them and the baby like. That drives me off the game altogether. It would drive you off the game wouldn’t it if you couldn’t see your baby?
(P10, Male Age 17 on Remand 3 days)

The general infrequency of visits meant in practice, 15 minute daily visits worked against many of the young people on remand. Indeed, the young people reported that when visits actually took place they were very short in nature and often of little help or value:

Fifteen minutes on a visit, that is not on at all … There’s not much you can say about stuff … It’s like you kind of still feel a bit apart from your family like. The time just flies so quick; you just seem to be just watching them walk out. You need the half hour at least.
(P26, Male Age 16 on Remand 12 days)

While longer visits are available under special circumstances, the fact that such visits have to be applied for and approved in advance is not conducive to the uncertain nature of remand and the young people’s general short-term way of thinking.

Like visits, the data show that those on remand experienced difficulties with their daily telephone rights. Phone calls were limited to two telephone numbers for males and four for females. Difficulties were reported obtaining phone cards and at the time of interview four individuals had yet to make a telephone call despite being on remand for at least a couple of days. These practices resulted in people outside prison often being unaware that the young people were even in remand custody:

It took me a week to get to make a phone call. I wasn’t given a reason I was just told by the other girls that I should have been given it sooner.
(P59, Female Age 21 on Remand 21 days)

You can only have two numbers on the phone, you can’t keep changing them … I was arrested on the Monday and in court on Tuesday and remanded straight away so some people wouldn’t have a clue where I am because I haven’t been able to ring them. When I get out they will say where the hell were you?
(P45, Male Age 17 on Remand 14 days)

A distinct shortage of phone facilities was also reported; the young people stating that more time was often spent waiting to use the phone than the actual call itself:
There should be lots more phones around. You’re standing, waiting ages and you only get six minutes speaking like and that is not long at all. You need to be reassured on the phone. You’d probably ask the same question five or six times you know? You would be talking to them and the phone would just go off. You get into a conversation like and it’s just gone.
(P39, Male Age 20 on Remand 210 days)

Finally, it emerges that contact difficulties were especially bad for those in breach of discipline on remand. At the time of interview, two males had been deprived of all forms of interaction with individuals outside prison as a form of punishment:

I got into a bit of trouble fighting so I have no phone calls and no visits. Just not seeing or being able to talk to anybody out there at all, it’s mad depressing.
(P24, Male Age 20 on Remand 42 days)

The use of this sanction is in conflict with the European Rules on the use of remand in custody (Council of Europe, 2006c) and would appear to be a disproportionate measure given remand is such a critical time in the criminal justice process when the utmost needs to be done to maintain family links.

7.3.1.2 The Impact of Remand Uncertainty on Support Resources

The data reveal that remand uncertainty reduced the availability and uptake of support resources on remand. Some reported detaching themselves from the outside world including their family, in an attempt to cope with their unknown release date:

I don’t really talk to family. I just try and forget about the outside because it’s too hard not knowing, thinking am I going to be out for this or that family thing. The way it is on remand is you just have to adapt yourself to here. You just don’t give a fuck about anything outside until you know when are getting out and then you can be talking about things, looking forward to them.
(P46, Male Age 17 on Remand 60 days)

A number of others reported that they did not want to burden their families asking for support when there was a chance they could be out again soon:
Well I don’t really want my family thinking that I need help, I don’t want them worrying about me you know? I don’t want to put my problems on their plate when I could as well be out next week.
(P18, Male Age 18 on Remand 25 days)

In contrast, other individuals described how their families placed less importance on the need for support on remand, presuming they would be released in the near future:

I’m in here two weeks and I haven’t got one visit yet … Me ma is there saying he is doing all right. He’ll be out soon but she hasn’t even been up. Nobody has come up near me yet. They just think I’ll be back out soon.
(P20, Male Age 18 on Remand 14 days)

The data indicate that remand uncertainty also played an influential role in shaping relationships and support networks within the prison environment. According to uncertainty reduction theory (Berger and Calabrese, 1975; Berger, 2005), the likelihood of future interaction determines whether one decides to communicate with others in times of uncertainty. This was found to be a prominent thought amongst participants, with many unwilling to invest time and energy into developing bonds with fellow inmates and staff while uncertainty over the duration of their prison stay prevailed:

It’s very hard here because I don’t know what's going to happen. I like staying by myself. I just like to do my own thing … I don’t talk to nobody in here.
(P57, Male Age 20 on Remand 15 days)

I don’t talk to staff. No one really talks to them ‘cause there’s no point making an effort getting to know them if you might be out soon. You talk more with them when you have to when you’re sentenced like.
(P27, Male Age 16 on Remand 12 days)

The failure to satisfy one’s need for certainty was identified to affect an individual’s sense of belongingness (Maslow, 1970) and this was also evident among many of the young people’s accounts:

Everyone just does their own thing.
(P25, Male Age 18 on Remand 180 days)
You feel like a kind of alone person in here so that is hard.  
(P14, Male Age 18 on Remand 14 days)

Indeed, the data suggest that it was only those who already know others or have an affiliation to a particular group of individuals in prison (usually based on the area they came from outside prison) who were able to achieve any sense of integration and support on remand:

Didn’t know where I was, what the hell was going on ‘til I saw someone I knew.  
(P50, Male Age 18 on Remand 90 days)

In here most people from my area stick together and people from another area stick together. So someone from your area knew you’re needing anything they try to help you like. No-one else is going to do it.  
(P12, Male Age 17 on Remand 124 days)

It emerges that such factors were often more evident in sentenced prisons due to the high turnover of individuals on remand.

7.3.1.3 High Turnover of Individuals on Remand

While a high turnover of individuals is not a characteristic unique to remand, the rapid rate at which it occurs has been identified as a distinguishing feature of the remand experience (Bird, 1998, Lindquist and Lindquist, 1997; Gosden et al., 2003). This was evident in the Irish context where a higher turnover was noted by young people in the main Remand Prison than in the integrated remand and sentenced Women’s Prison and Young Offender Institution:

On remand here you see everybody going every day, if you are on sentence you see people staying there for a couple of months. Everyone in here goes every day and comes back and goes every day. You say hello and then you say goodbye.  
(P20, Male Age 18 on Remand 14 days)

A number of factors would seem to account for the increased transient population reported in the Remand Prison including the greater remand capacity of the prison, the
short periods of time some individuals spend on remand, and the fact that if found guilty the vast majority of young people are still moved to another prison. The data indicate that this increased turnover of individuals impacted on the availability of support resources in the Remand Prison in a number of ways. First, none of the young people in the Remand Prison reported being attached to a particular group in the prison. It appears that the lack of affiliation systems may be attributed to the absence of a stable population (similar to a sentenced population) in the prison, needed to maintain the existence of such groups. While this would seem to protect young males in the Remand Prison from verbal and physical tensions identified to arise between groups, they appeared to miss the camaraderie and material support these groups could provide:

No-one really hangs around with each other here. That does make your time harder. There’s no-one you can go to if you need anything. If you’ve no fags or something there’s no-one whose gonna give you some. If you get threatened in here you don’t have much support. You’re on your own.
(P25, Male Age 18 on Remand 180 days)

Second, the data suggest that the high prisoner turnover impeded social relationships between cell inmates. The majority in the Remand Prison were reportedly unwilling to develop bonds or share material belongings with inmates in their cell when it was not guaranteed that they would be there to help them in return:

Different people coming in [the cell] and all, I just don’t trust anyone, it’s not worth the hassle really ‘cause you have to make the effort like to get to know them like and then they’re just gone and all do you know that way? … I just keep meself to meself here and that’s it. I just don’t be bothered with anyone.
(P18, Male Age 18 on Remand 25 days)

Furthermore, it emerges that the transient population created little incentive for the young people on remand to relinquish negative attitudes and request assistance from prison officers, believing they were already too preoccupied dealing with prison turnover demands:

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58 The exception being some individuals who may be allowed to serve their sentence in the Remand Prison if they are involved in work in the prison.
In this prison there’s no point in even calling the officers because they’ve lots of things to do … There’s a lot of people here coming, going, coming. They’ve to be dealing with all that.  
(P37, Male Age 21 on Remand 75 days)

### 7.3.2 Lack of Activity

The data suggest a lack of activity in the Remand Prison and the Young Offender Institution not only create a high level of boredom as previously addressed but also remove an effective remand coping strategy. The small numbers of males involved in physical or vocational activity on remand identified it to be an important coping mechanism, providing a useful form of distraction from the stressors of remand. With no specific release date to focus on, activity offered something to look forward to on remand:

> Well the one thing that keeps me going is the work to be truthful. That is what keeps me ok. It stops me from worrying all the time and gives me something to look forward to each day … I don’t like to think about not working again because I do see them [individuals on remand] down there and it doesn’t look right, you know, just waiting.  
(P42, Male Age 21 on Remand 135 days)

Furthermore, it appears that activity acted as an effective strategy for coping with the uncertainty of remand. The data suggest that those involved in activity are less likely to experience negative effects of uncertainty such as helplessness and hopelessness as they are provided with some sense of purpose and control during their remand:

> Like I suppose I’m not really in control of my life you know but it’s not too bad. In here you kind of do things and that so you don’t be feeling useless with yourself.  
(P59, Female Age 21 on Remand 21 days)

Perhaps the greatest difficulty to emerge with the absence of activity was that concerning the lack of means to help regulate emotion. The young people reported how in the absence of activity, they found it difficult to improve their mood and/or release their frustrations on remand:
If you were doing more stuff, you would feel better about things. Doing nothing you feel very down.
(P31, Male Age 19 on Remand 180 days)

When you’re annoyed, there’s nothing for you to do. Your head does be mental for ages. It all builds up inside, it just gets worse and worse and worse.
(P5, Male Age 17 on Remand 6 days)

On the whole, the absence of regular activity was perceived as a distinct disadvantage in relation to coping on remand, especially by those who had previously participated in activities when in sentenced custody:

Well if they could give different activities it’d help you cope. Because when you’re doing it, doing an activity you’re not really thinking about how long you might have left and the days pass faster. But as it is now we’re just sitting down in our cell or out in the yard just doing nothing basically.
(P6, Male Age 16 on Remand 31 days)

When you’re sentenced like you’ve activities there that help you cope, you’re more involved doing things, your mind is more occupied. I’d try keep busy if I could like on remand too, if there was something more to do.
(P20, Male Age 18 on Remand 14 days)

7.3.3 Lack of Information

As discussed in the previous chapter, individuals in remand custody rarely find court appearances to be a fruitful source of information. The availability of information within the prison setting appeared to mirror this experience, with contact with solicitors identified as very limited. At the time of interview, only three individuals reported being in contact with their solicitor by phone, almost two-thirds (many on remand for several months) stating that they had not received a prison visit from their solicitor:

No, no visits. Nothing like that. I see him [solicitor] down at court. That’s about it.
(P44, Male Age 18 on Remand 335 days)

Me solicitor, useless like, never makes an effort to come in. Sometimes I don’t really care ‘cause I kinda know the whole story so I don’t need him to be telling
me things I already know. There’s other times but, I do want him in to find out a few things you know what I mean? He says he’ll come but he doesn’t come. (P12, Male Age 17 on Remand 124 days)

The low level of interaction with solicitors is perhaps not surprising given that no specific measures are put in place to facilitate legal contact on remand. For example, it emerges that legal visits are expected to take place during normal visiting hours (10.30-12.30, 14.00-16.00) when solicitors are most likely to be working on behalf of other clients in the court. Also, no separate legal phone call allocation is currently provided to remanded individuals, forcing them to reduce time on personal calls if they wish to contact their solicitor:

You don’t get enough time to be ringing him [solicitor]. Calls should be separate time instead of one, choosing between talking to your solicitor or family like your child or something, like it’s not fair. Yeah like you want to be doing everything to get out but you know like your child is gonna be waitin’ for that call. You can’t be expectin’ your little one to understand. (P53, Male Age 20 on Remand 60 days)

The data suggest that those who were in regular contact with their solicitor on remand generally find it helpful. However, it appears that some still experienced difficulties retrieving information due to inconsistencies within legal teams and the use of language that was too complex for the young people to understand:

They can keep you up to date but sometimes like they do be slacking. Sometimes like one solicitor would come up and say I don’t know anything about it and another solicitor would come up and say I must send a letter so like it can be a bit head wrecking sometimes. They don’t speak our language sometimes as well you know. (P34, Male Age 20 on Remand 330 days)

The general lack of legal information provided, means that for many, the only sources of information they had to rely on were their own previous experiences of the criminal justice system and / or other inmates’ speculations about their case. The data reveal the former source to be of little help to many young people in this study, who given their young age and varying reasons for their remand had not established an informative history with the justice system. Similarly, the latter source of information was identified
to offer little assistance, with many reporting that it only served to compound the uncertainty they were undergoing on remand:

It’s very hard ‘cause being here for the first time you never know what way it works, if you could get a sentence and what kind of sentence you could get … You keep thinking about it everyday.
(P14, Male Age 18 on Remand 14 days)

You’re thinking about the charge like, what you’re going to get. The prisoners are throwing their two pence worth you know, saying what you’ll get, you’ll get this, you’ll get that. That can wreck your head you know, thinking of all different things you’re hearing.
(P53, Male Age 20 on Remand 60 days)

In summary, the lack of information, along with absence of structured activity and support available meant that many were forced to rely on other coping strategies to cope with the remand experience.

7.3.4 Remand Coping Strategies

In the absence of external coping resources, coping emerged as an individualistic process on remand, relying mainly on the young people’s limited internal resources. The data convey that many had little awareness of their own resources or the effectiveness of their coping actions, with a number of individuals only able to identify what strategies they actually engaged in when questioned directly using the COPE Scale (Carver et al., 1997). While the young people appeared to engage in the reappraisal of stress, a reappraisal of coping resources did not seem to generally occur. Rather, many seemed to rely on the continuous use of the same strategies even if they did not lead to a reduction in stress. In total, eight main strategies were identified (See Figure Ten in Appendix K), ranging from self-blame to humour.
The data indicate self-blame was the highest reported coping strategy used on remand (See Figure Ten in Appendix K). Almost three-quarters (42) blamed themselves for the stressful situation they were in; despite just one-third being detained specifically for offending behaviour. The majority subscribed to the belief that if a crime or breach of bail was committed one had to be prepared to go to prison:

If you’re good enough to do a crime you’re good enough to come in and do the time as well. I was out there and got in trouble and it was my own doing do you know what I mean? If you don’t like prison you shouldn’t do crime.
(P17, Male Age 16 on Remand 13 days)

If you break bail you know you’ll go to jail.
(P42, Male Age 21 on Remand 135 days)

It appears that the use of self-blame was a common feature in the young people’s lives, reported to be also used as a frequent (41) coping strategy outside prison (see Table Three in Appendix K). Beck’s (1983) cognitive theory of depression highlights how individuals suffering from negative affect are more likely to attribute the cause of undesirable events to internal rather than external forces. In addition to the high prevalence of mental health difficulties among the young people, the fact that over four-fifths had low self-esteem on remand (see Table Two and Figure Nine in Appendix J) appeared to further increase their likelihood to self-blame:

Like I’m not really a good person; I don’t have much to be proud of … When things are going bad, yeah like I do usually think it’s my fault and all that. What comes around goes around isn’t that what people say?
(P47, Male Age 21 on Remand 30 days)

The tendency towards self-blame on remand also appeared to be related to the use of an acceptance coping strategy (37) in custody. While the vast majority complained about their remand experiences, a general acceptance prevailed among the young people that they could not expect to receive better conditions in prison. Indeed, few seemed to strive
to obtain better treatment or achieve their ultimate right to be viewed as innocent until proven guilty:

It’s bad enough here but like what do you expect? You just get on with it and just accept it for what it is … Different rights and all that, it’s not something you really think about to be honest. It doesn’t really enter your head.
(P32, Male Age 19 on Remand 90 days)

Two factors emerge from the data which appeared to contribute to this acceptance. First, the data reveal that few remand individuals (4) thought of themselves as innocent with regard to their current alleged charge(s). Second, it became apparent that the majority had developed a criminal identity either through the committal crimes and/or being labelled as an offender (as shown to be reinforced by the remand experience):

Growing up, everybody looking down on you, thinking you are a scumbag, a criminal. You’re black listed from a young age.
(P24, Male Age 20 on Remand 42 days)

7.3.4.2 Denial

The expectation that one will be able to handle imprisonment was reported by the young people to be a major characteristic attached to having a criminal identity. Not surprisingly therefore, almost one-half (28) identified using denial as a method of coping with remand stress (see Table Three and Figure Ten in Appendix K). Some reportedly engaged in denial by attempting to block out all negative thoughts and experiences on remand:

When I start feeling bad I just don’t think of it. If you think about things its worse, I just forget all about it. I pretend things didn’t happen.
(P54, Female Age 18 on Remand 60 days)

The use of a prisoner façade emerged as the most popular form of denial on remand, whereby the young people adopted a hard exterior on the outside to ensure feelings of internal distress were not disclosed:
You just have to do normal things even if you are pissed off you still have to go out there and pretend nothing is wrong. You have to act normal, if you act down people are going to say what is wrong with him? He’s doing it rough, he’s weak. (P25, Male Age 18 on Remand 180 days)

A prisoner façade was most evident among males on remand. This is most likely because males are often expected to also live up to a masculine identity, based on traits of toughness and dominance (Miller, 1962; Messner and Sabo, 1994; Edgar et al., 2003; Jewkes, 2005). Perhaps the most striking example of this emerged following a re-encounter with the child previously observed in a state of deep distress in the court study (see Chapter One). Contrary to his court appearance, the child appeared closed and cautious during the interview and disclosed only details of his difficulties undergoing withdrawal in prison and not his overall coping ability on remand. Also, in contrast to the emphasis placed on his 16th birthday, it appeared the official marking of adulthood on his upcoming 18th birthday (as mentioned when questioned about age) offer little meaning or interest to the young male due to his adoption of an adult façade well before this time:

I first got remanded on me birthday, me sixteenth birthday like you know? But when you’re in [prison] you soon cop on you can’t be going around like some kid. It doesn’t matter what’s your age, you have to be hard, a man. (P15, Male Age 17 on Remand 49 days)

In general, differences between the children and young adults on remand were apparent with older individuals (18 and over) discussing the use of a façade more openly than their younger counterparts. Indeed, the behaviour of a number of the youngest males suggests that a façade was adopted during the research interview itself, leaving the researcher with the impression that they were not only trying to convince others they were coping well, but also themselves:

I feel great, not a bother, not a bother on me. I don’t mind this place at all like, not hard for me at all. This place doesn’t scare me. I never feel bad or worried or nothing, feel normal all the time. (P36, Male Age 17 on Remand 6 days)

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59 This included providing short responses with little thought for coping questions and / or the avoidance of questions regarding coping.
The young people reported that a prisoner façade helped reduce the risk of victimisation on remand. However, the data suggests that this coping strategy also had disadvantages and could be particularly draining on young people’s internal coping resources:

> It’s like you are trying to hold onto your face, people around you are trying to hold face, let them know it’s not bothering you, but I does be. Sometimes I get sick of that. Some days you want to show your real face but you can’t go back on your prison face. It’s hard to describe; it can make you feel wrecked a lot.
> (P34, Male Age 20 on Remand 330 days)

### 7.3.4.3 Venting and Violence

Without suitable activity in place, it emerges that venting offered the most viable option for young males who wished to maintain both masculine and criminal identities and release negative emotions on remand. Just under one-third (19) reported venting their frustrations (see Table Three and Figure Ten in Appendix K) towards other inmates:

> A lot of times like I just feel agitated, I’d take it out and be talking shit to people, giving out to people, wouldn’t know what I’d be talking about. It’s only for 5 or 10 minutes like every day when I get very angry like and frustrated.
> (P57, Male Age 20 on Remand 15 days)

Further discussion revealed that the young people’s venting often went beyond verbal actions and took the form of more severe physical violence and abuse. Some of the young people identified that the negative emotions they experienced on remand had directly led to them inflicting harm on others:

> If something annoys ya I take it out on them then. I would like to walk away and calm down but sometimes you can’t do these things. Sometimes I just go straight over and hit them out.
> (P30, Male Age 20 on Remand 135 days)

> Me head was wrecked and it all came out you know? I’d the fella on the ground and it was all going round and round in me head and I just kept beating him and beating him until the screws [prison officers] pulled me off him.
> (P24, Male Age 20 on Remand 42 days)
It emerged that many of those who engaged in violence on remand viewed it as an acceptable form of behaviour and displayed little compassion for their victims:

What’s a hiding you know? It only toughens you up; that’s the way I look at it. Sure if you bully them they’ll just get stronger. It’ll teach them you just have to stick up for yourself.
(P29, Male Age 18 on Remand 180 days)

Desensitisation theory (Gunter, 1985) highlights how individuals who are frequently exposed to violence can become emotionally detached to its undesirable effects and can become to accept its use as a normalised occurrence. In this study, it appeared that the normalisation of violence that existed among many of the young people was derived from the tough nature of the prison environment they were detained in on remand and the frequent experiences of victimisation they reported outside prison:

Its prison so there’s always trouble; it’s just part of being in prison. Like you get shit off the prisoners everyday. Everybody is tough so you know they just always want to start a fight, people saying you are going to get killed and all that. If you didn’t fight back, you know, they’d take ya for a right fucking dope around here.
(P39, Male Age 20 on Remand 210 days)

I was threatened a good few times in my life, I don’t know about ten times. I’ve lost count really like to be honest. People always take everything off ya and give you shit all the time, you know? Yeah I was hit, I don’t know since I was little. All the time I suppose, just normal life I suppose, you know? It happens to everyone. That is part of life.
(P47, Male Age 21 on Remand 30 days)

While violence was identified by the young people to be a coping strategy on remand, the data reveal that it often had negative implications for the young people during their time in custody. For example, in addition to losing out on privileges such as visits, it emerged that those who engaged in violence were sometimes moved to another prison. This upheaval was reported to create further uncertainty and instability during the remand period:

The reason why I’m over here is ‘cause I got kicked out [of another prison] for fighting. Just holding it in, holding it in, then I exploded … Coming here, it was difficult, like starting all over again’.
(P12, Male Age 17 on Remand 124 days)
7.3.4.4 Self-Injurious Behaviour

In addition to inflicting harm on others, it appears the young people coped by directing negative emotions towards themselves. In general, one-half (32) reported that they knew of others on remand that self-harmed, identifying it to be a particularly popular coping strategy among those suffering victimisation and withdrawal on remand:

I know a lot of people here who have cut their hands and things; they slice themselves up, their arms, legs, belly, everywhere. I just saw a young lad down in the yard just before you called me and he had all bleedin’ marks on him. You get a lot more of them in here doing it than you would in a sentenced prison. I heard them say if you cut it releases the pain and all that you know and like there’s lots of pain on remand.
(P25, Male Age 18 on Remand 180 days)

The issue of self-harm emerged as only a general issue in this study, with individuals appearing cautious to discuss it on a personal level. This is perhaps not surprising given that the young people knew that personal disclosure may remove the future availability of this coping mechanism due to the exceptions of confidentiality which were in force during the study. It is also likely that some of the young people did not wish to divulge such information due to the fact that they felt little help was available for them in prison:

There’s no point looking for help. If girls say it to the nurse or something they just throw you up to the pad [padded cell] for the night. I don’t know like but they should do more than that.
(P55, Female Age 18 on Remand 14 days)

Furthermore, it emerged that young people may have become accustomed to remaining silent about their self-harm due to a perceived lack of compassion from their fellow inmates. Indeed, there was evidence of an intolerant attitude to self-harming behaviour among some of the young people in this study:

Some do freak out like, it’s just really stupid. To me it’s just a load of bullshit basically like I’ve no time for anyone who does that. Like why do harm to yourself? They’re just doin’ it for the attention you know so they’ll look worse off and they think they’ll get out before everyone else.
(P53, Male Age 20 on Remand 60 days)
7.3.4.5 Self-Distraction

The use of self-distraction was another popular coping strategy (see Table Three and Figure Ten in Appendix K) described by young people on remand (39), however it was generally limited to just three different methods; media use, sleeping and the consumption of drugs. The CPT (2007) has criticised the over-use of televisions as a way of occupying individuals in the Irish prison system and it appeared that this was the main form of self-distraction the young people engaged in on remand:

There’s nothing really much I can do like to distract meself so I just watch telly in me cell.
(P56, Male Age 19 on Remand 120 days)

The young people’s reliance on television as a form of self-distraction on remand was particularly evident from the sense of frustration that was reported if the young people were not able to watch their programmes or had experienced difficulties with their television sets:

When you’re sharing the cell it can be annoying cause you might have been looking forward to watching something all day but the others will decide they’re watching something else and they’d be flicking over and all. Like we’d all love Sky and those channels but I think they’d end up causing a lot of rows if I’m honest with ya cause everyone is so determined like to get to see their telly.
(P37, Male Age 21 on Remand 75 days)

Like there’s nothing really to do so the tellies do be good and all but sometimes you get stuck with tellies that are broke and with no remote controls and stuff so you have to make an effort to change the station. You do end up missing a bit like.
(P18, Male Age 18 on Remand 25 days)

In general, watching television was reported to be a good form of distraction as it provided a means of escape from the prison world:

I watch telly a lot to distract me in the cell. It takes you away from it all for a while you know, yeah like into other people’s lives instead of your life.
(P2, Male Age 17 on Remand 42 days)
Analysis of the data suggested that those on remand were especially fond of sports events and regularly screened shows such as the news and soap operas. It appears such programmes gave a source of stability amidst the uncertainty on remand, enabling individuals to carry on with interests they had prior to custody:

It’s important to have a telly … I love watching the football, Liverpool is playing again tonight. I’ve been looking forward to that. It’s good seeing how your team is doing; you get to keep up with all that each week.
(P12, Male Age 17 on Remand 124 days)

These shows also seemed to provide the young people with a stable, non-enforced routine, around which they can shape their time:

To get through most evenings I do watch the soaps; first there’s Home and Away, Emmerdale, Coronation Street and then Eastenders when it’s on. You do watch them all through and that takes you up ‘til the news.
(P40, Male Age 20 on Remand 101 days)

To a lesser extent, other forms of media such as radios and game consoles were used by some of the young people as a further source of distraction and escapism on remand. The often limited circulation of such media appeared to provide a sense of status among users as they conveyed that they were well established and connected within the prison:

If you’re in with some of the others here sometimes you can lend a radio off them. It’s good like, listening to the songs you know; it helps take you away from here in your head.
(P44, Male Age 18 on Remand 335 days)

I find it good playing the Playstation. You kinda don’t feel like in your prison when you’re on it. If you’re here long enough you can get a playstation sent in like, it takes a few months or something to be able to get one in so some people do be mad jealous as they just aren’t here long enough to get one.
(P39, Male Age 20 on Remand 210 days)

In addition to the use of various media, sleeping was described as a popular form of self-distraction on remand in particular among the males:

To take your mind off it as much as you can you just go to sleep that’s all; I go asleep. I always like to just lie in my bed and try to sleep and forget about it all.
(P41, Male Age 19 on Remand 360 days)
The reliance on sleep as a form of distraction appeared to tie in with drug use on remand, with a number of individuals reporting that they frequently consumed cannabis to help them sleep during the day:

I smoke a bit of hash if I can, keeps me calm, relaxes me you know. You need it to help you sleep a lot through the day.
(P13, Male Age 17 on Remand 77 days)

With regard to the use of other drugs such as heroin, individuals generally identified that they provided a temporary form of escape from the remand experience:

I do drugs in here as many times as I can get them … They do help you escape from here, help me stop thinking for a while.
(P16, Male Age 17 on Remand 180 days)

7.3.4.6 Religion

Just under two-thirds (38) relied on religion as a strategy to cope on remand; higher than it’s identified use (30) outside prison (see Table Three in Appendix K). A number of individuals reported praying and attending mass to occupy their time on remand:

If I’m sitting around bored sometimes I start saying prayers in my head, things like that … Mass every Sunday, sometimes you just go you know ‘cause its better than just nothing.
(P53, Male Age 20 on Remand 60 days)

Praying was also reported to provide comfort to those on remand, enabling them to perceive that they were doing something to aid their uncertain situation. Furthermore, the use of religion appeared to instil some individuals with a sense that they had someone to turn to for help and advice on remand:

In here I do pray a lot like. I do get holy medals and all off the priest. At the end of the day like, praying that’s all you can do about it here, you know you’ve done your best then. Hopefully God will help you out like a bit; I mean like who else is gonna help you out?
(P24, Male Age 20 on Remand 42 days)
Despite the punitive setting, over one-half (34) of the young people reported humour as a coping strategy on remand (see Table Three and Figure Ten in Appendix K). The young people reported that in order to reduce the seriousness of their remand situation and the stress they experienced they would often ‘joke around’ (P13) and ‘laugh it off’ (P17). It appears that the majority of these individuals had learnt to rely on humour to deal with adverse events they experienced outside prison:

Like with so many things going on and all in your life, you have to learn not to take everything so serious. You have to be able to have a laugh at things if you want to survive in this life.
(P9, Male Age 17 on Remand 2 days)

While perhaps suitable outside prison, it emerges that the use of humour often resulted in negative consequences for the young people on remand. For example, the young people identified that their humour was frequently mistaken for misbehaviour by prison staff and often created tensions with other inmates:

Sometimes like you’d just be trying to make things a bit better you know, just be having a bit of a laugh to help get you through the day but like they’ll [prison staff] be on your case then and you’ll be up for causing trouble.
(P12, Male Age 17 on Remand 124 days)

Some fella’s think they’re great in here, they think they’re deadly … They go around as happy as larry, joking and acting the maggot. They get on everyone’s nerves you know what I’m saying? Sometimes people just deck them one.
(P32, Male Age 19 on Remand 90 days)

7.3.5 The Young People’s Overall Coping Ability on Remand

The data indicate remand to be a difficult experience to cope with, hardly surprising in light of the various individual and environmental coping restrictions on remand. In total, less than one-third (20) reported coping well. This was likely to be even less, in reality,
given the façade put forward by younger males. One-half (30) identified undergoing some difficulty coping on remand, with a trend of ups and downs emerging from the data:

> You have your highs and lows. You feel like that a lot in here, but a lot more lows than you would outside. You don’t want it to get to you but its very hard not to. You can get some days when you feel ok but then you get a bad day and you could get five or six bad days then you know?
> (P53, Male Age 20 on Remand 60 days)

One-fifth of individuals reported serious coping difficulties on remand. One in four (16) indicated on the Brief COPE (Carver, 1997) that they had disengaged from trying to cope on remand (see Table Three and Figure Ten in Appendix K) and a sense of hopelessness was apparent in a number of their accounts of their remand experience:

> It’s as rough, its bad like. I don’t like it here. If you gave me two minutes to get outside the gate, I wouldn’t walk I’d run just to make it to the gate like do you know? … In my cell like I cry myself to sleep do you know that kind of way? It’s really hard like (sighs). I feel as weak as water.
> (P50, Male Age 18 on Remand 90 days)

Sometimes yeah you feel like giving up. You want to just stop yeah; your head would be so wrecked … I was never on medication in me life on the outside. Then the psychiatrist here put me on anti-depressants and sleeping tablets and all.
> (P32, Male Age 19 on Remand 90 days)

It is difficult to draw gender comparisons in this study. However, given that female inmates are documented to generally cope with imprisonment more poorly than their male counterparts (Paulus and Dzindolet, 1993; Lindquist and Lindquist, 1997), it is of interest that just one female reported it very difficult to cope on remand. It appears that this finding may be accounted for by the differing routines males and females experience on remand in the Irish context. Indeed, the data show that males involved in productive activity also reported a greater coping ability on remand. These opportunities were so limited for males however; it is evident that other factors must have been at work in assisting some individuals to cope better than others on remand. In addition to variances in the level of imported vulnerability, the data suggest that two specific factors appeared to aid remand coping ability. These include prior custodial experience and attributing a positive meaning to remand.
7.3.5.1 Prior Custodial Experience

Toch (1992: 185) highlights that ‘rapid forceful changes in environmental conditions test one’s capacity to cope’. As documented throughout the findings chapters, the disparities between the young people’s lives before and during remand typify such changes; individuals frequently transferring from a world void of all structure to one bounded by restriction. It perhaps comes of little surprise therefore, that prior custodial experience was identified to aid coping in the remand environment. Previous remands were reported to be most helpful as they provided specific experience of the unique stressors encountered on remand:

The very first time you ever get locked up that is tough, you just feel lost. You don’t know what to do. But after the first time on remand you feel better. You get more used to the courts and the boredom; you know the basic rules … You understand remand.
(P31, Male Age 19 on Remand 180 days)

Prior experience of sentenced custody was identified to only be of limited assistance to remand coping. Almost two-third’s of those sentenced (18) previously reporting their remand experience to be worse than time spent in prison as an explicit punitive sanction:

The first locking of the doors is definitely the hardest, like being in prison before, yeah you’re more used to the system but like people might think its [remand] easier it’s not easier; it would be harder in a good lot of ways. It’s harder not knowing what the story is; there is not as much facilities here, there is no nothing. I would prefer a sentence and a lot here would say the same’.
(P25, Male Age 18 on Remand 180 days)

7.3.5.2 Attributing Meaning to Remand

As with sentenced prison populations, the data indicate that those who derive meaning from their remand experience cope better in custody. It appears that attributing a personalised function to remand aids coping by enabling individuals to gain some perceived control over their detainment. A ‘remand purpose’ was evident in just over
one-third (22) of the young people’s accounts while. Some individuals in custody for the first time attributed an apprenticeship status to their remand, believing it would serve as good experience for future imprisonments:

It’s just like a kind of experience you know to be here. This is my first time ever in prison, people tell you what it’s like, it’s the worst prison in Ireland it is; it said it on the radio. Now I know it’s not as bad as what they say. Like they say once you’re in prison once like you’ll do prison anywhere else so I’ve got that now. (P8, Male Age 16 on Remand 26 days)

A number of individuals also identified alcohol and drug detoxification to be an important purpose on remand:

I focus on the part that it’s made me stay off the drink for a while … It has probably made me a lot healthier like because I am not drinking. (P29, Male Age 18 on Remand 180 days)

In my situation at the moment it’s actually good ‘cause I’m getting help. It’s prison like, it’s very lonely and very depressing like but at least I’m getting help you know? It was actually a relief the fact that I could finally get help. (P59, Female Age 21 on Remand 21 days)

In other cases, those on remand reported that custody simply provided them with a break from their lives outside prison, which were characterised by conditions even worse than those encountered on remand:

Some people think it’s like a hellhole in here but I don’t; it was like hell outside … I was strung out to bits, homeless, just everything. It’s a lot better in here; it’s a break from it all outside. I mean you are guaranteed food, you are guaranteed shelter. The only thing you’re not guaranteed is your family ‘cause it’s hard for them to visit. If I had my child with me I’d say I’d be able to live it in here. (P62, Female Age 19 on Remand 24 days)
7.4 Potential Coping Difficulties Following Remand

There’s a saying, ‘you come out of prison worse than you went in’: that’s what it’s like with remand. It’s like, it doesn’t just stop your life you know, it sends it backwards ... It’s not just the coming in that’s hard, it’s the going out. (P47, Male Age 21 on Remand 30 days)

While the previous section addressed coping on remand, this section moves on to explore the potential coping difficulties young people are likely to face following the remand period. Analysis of the data suggest difficulties are created for either path individuals on remand may take, that of sentenced custody or a return back to the community via release on bail, being found not guilty or the granting of a non-custodial sentence.

7.4.1 Potential Coping Difficulties Pending Transfer to Sentenced Custody

It appears that many young people on remand are unprepared for the eventual arrival of a custodial sentence, even in spite of the fact that they are already detained in a prison environment. The data indicate that the young people tend to hold on to the hope that they may be granted a non-custodial sanction; just over half (34) anticipating a custodial sentence to be the most likely outcome of their case. Many seem not to even entertain the thoughts of a custodial sentence while a chance of release remains:

There’s a chance I might get off, but let’s say I’m found guilty I could get community service or something … I don’t know if I’ll get off, I’m just hoping that’s all. I don’t want to think about anything else. I don’t like the thoughts of getting two years. I don’t like thinking about it. (P36, Male Age 17 on Remand 6 days)

Preparation difficulties also emerge for individuals expecting a custodial sanction; in particular if they know they will be transferred to another prison to serve their sentence:

It’s very difficult because you feel eh I don’t know its just you are here and you are staying here until they are going to put you somewhere else. (P34, Male Age 20 on Remand 330 days)
The lack of mental preparation means that some individuals may undergo yet again the various negative feelings which first greeted them on remand, on arrival to sentenced custody, this time without the protective effect of knowing they may be released. The data suggest that those remanded for drug rehabilitation are particularly likely to struggle if transferred to sentenced custody. These individuals reported that they would feel like the courts had given up on them if granted a custodial sentence, leaving few other options for them to turn to for help:

Well remand I suppose you know you have a chance of getting into treatment and things like that, they still believe that you can turn things around. When you’re sentenced you’re sentenced, that’s it then, you’ve had your last shot. You’d know you are going to be staying in prison, the courts aren’t going to be offering you help anywhere else after that.
(P55, Female Age 20 on Remand 14 days)

7.4.2 Potential Coping Difficulties Pending Release

The data indicate the disruptive effects of remand on young people’s lives outside prison to be particularly powerful. It is evident that many remanded individuals enter custody at a time when their lives are in an extremely fragile state, where even the slightest disruption has a far-reaching effect. Also, the uncertain situation those on remand find themselves in is identified to impair effective planning for the future. It emerges that is not only temporal uncertainty remanded individuals face, but also a high level of event uncertainty. In effect, given the various reasons for remand, many are unaware of the likely outcome of their case, with some unsure if they are even remaining within the criminal justice system or transferring to a treatment route:

It’s very difficult because like if I knew, I could plan my life better like you know but now I don’t know what’s going to happen. I don’t know like even if I’m going to get sentenced to prison or go to treatment or whatever.
(P59, Female Age 21 on Remand 21 days)
This was identified to result in less than one in three individuals (19) engaging in any sort of planning (see Table Three and Figure Ten in Appendix K) on remand:

On remand you can’t really deal with the situation ‘cause the situation is not there to fully deal with yet do you know? That’s a problem; you can’t plan anything at all.
(P53, Male Age 20 on Remand 60 days)

In total, half of those remanded previously had experience of directly returning to the community; the majority reporting their lives to be worse after release:

It’s normal for people to say their lives are worse after remand. Everything is just turned at you, you’ve everything to sort out when you get out, a job, somewhere to stay; you lose a lot in custody. It’s just everyone is getting on; you are thinking that could have been me. They are probably learning from my mistakes.
(P31, Male Age 19 on Remand 180 days)

It became apparent that a variety of negative effects identified by these individuals from employment to social relationships had already begun to permeate beyond the prison gates and disrupt young people’s lives during this remand. The disruptive effect on prior employment highlighted in the previous chapter is also accompanied by a perception among the young people that remand will affect their ability to obtain work in the future:

When you’re in prison once, in once for just one day even I’d say you’re not liked do you know? If I go looking for a job they’ll just think I’m a scumbag.
(P17, Male Age 16 on Remand 13 days)

Furthermore, at the time of interview, almost one-fifth reported that they had already lost their accommodation during the remand period. Others described how they missed out on accessing accommodation due to the uncertainty of their situation:

It has set me back. I had a flat, there was a meeting about a flat and I should have got it in a few weeks. But as it is I wouldn't be able to move into it.
(P45, Male Age 17 on Remand 14 days)

The data suggest this figure was likely to rise over time given many individuals’ unstable housing arrangements prior to remand. Over 10% reported being homeless at the time of committal; a further 10% staying temporarily with friends or relatives prior to remand.
(referred to as the ‘hidden homeless’ by O’Sullivan, 1996). While the remaining young people stated that they resided at the family home (36) or in rented accommodation (9), further discussion established that arrangements also frequently masked unstable accommodation patterns. One-fifth of those living in these forms of accommodation had experienced at least one previous episode of homelessness. Also, one in six reported that they had officially moved address three or more times in the year before their remand committal, which is significant given that frequent changes of abode have been identified as a risk factor for becoming homeless (Murie, 1998):

I was in the family house for a while, then I was with one of me mates and then I was renting a room. I’m going to have to find somewhere else to live when I get out because it’s just temporary accommodation. I don’t know where I’ll go.
(P39, Male Age 20 on Remand 210 days)

The loss of accommodation is found to be of particular concern for those on remand. Research (Bamford et al., 1999; Kellough and Wortley, 2002) has shown that judges are less likely to release individuals from prison if accommodation arrangements are not in place and the young people in this study identified links between housing difficulties, continued remand and an increased risk of receiving a custodial sentence:

I’ve no house now. I don’t know where I’ll go, the streets … They won’t let me out because I have no address to go home to … If I have nowhere to live, the court is going to sentence me you know what I mean?
(P24, Male Age 20 on Remand 42 days)

Analysis of the data also reveal that remand custody impacts negatively on the young people’s already fractured social relationships. Detainment for an unknown period of time is reported to place emotional and financial strains on remanded individuals and their families, further contributing to a sense of helplessness on remand. Young people with children (8) reported such pressures to be especially difficult:

I feel like a failure in here; I’m a father who has to look after a child like … I was working the whole time on building sites … Well every week I’m locked up like, I’m six, seven hundred quid down, that gets to me… I’ve a girlfriend and a child out there to look after and I don’t know when I’m getting out … Being locked up at 7.30 here for the night, that’s when I’d put my kid to bed so it’s hard. I can’t
even tell her when daddy is coming home to tuck her up.
(P53, Male Age 20 on Remand 60 days)

Others drawn into the prison environment for the first time identified how remand created tension and possible disownment by their families:

It’ll be good if it gets me treatment but the only thing is it’s caused me being in prison. Having that, that’s going to be there forever, that’s the only thing … Some of my relations like they didn’t want me in here do you know? They’d be ashamed like, won’t want to know me.
(P58, Female Age 18 on Remand 4 days)

It seems that a sense of rejection arising from the lack of family contact that takes place during remand may also reduce future social interaction outside prison:

Feels like they’ve forgotten you, like they’re just not gonna’ bother with you anymore, like they’ve all just said like one big fuck off. If that’s the way it’s gonna’ be, then fine, I won’t be bothering with them when I get out.
(P20, Male Age 18 on Remand 14 days)

On the whole, the findings indicate that a high level of difficulty is likely to confront those on remand pending release back to the community. To compound this, it emerges that there is a lack of preparation among young people on remand to deal with such problems on release. One-half (31) of the young people expressed a desire to receive help with their future, however little assistance appears to be provided by the Irish Prison Service and related services to those on remand:

There’s nothing on remand to help you. You have to go to another prison where you’re sentenced first before you get help.
(P33, Male Age 19 on Remand 330 days)

Overall, it appeared that the young people on remand were caught between two worlds and did not receive priority from either the Prison Service or community agencies:

All me mates say ah you’re the lucky one getting out and all that but there’s no facilities, no help, not for us. People coming out like after a sentence; they get some services and stuff. The prison and all well they don’t want to be dealing with you and outside, services just thinks like ah remand they’re grand, they got off getting a sentence. I don’t know, it’s like they expect you should be just
grateful for that, make you feel like you shouldn’t be needing help or anything, there’s others there who need it more you know? Same old story really, it’s like even when you leave you get treated worse.
(P20, Male Age 18 on Remand 14 days)

Thus, the data indicate that life for many individuals would be more difficult to cope with than on their initial arrival to remand custody, making it increasing difficult to escape the cycle of repeat committals to remand or sentenced custody:

When I get out I will be starting from scratch. It’s hard knowing when I get out I don’t have things out there, things will be worse. Sometimes I think I should just come back to prison and stay there. If you’re not able to make a proper go of it, you might as well.
(P25, Male Age 18 on Remand 180 days)

### 7.5 The Remand Coping Cycle

The coping difficulties experienced prior to remand, during remand and following remand indicated that a negative interactionist cycle existed in relation to remand coping. The first stage of the coping cycle can be said to have consisted of the high level of coping difficulties the young people imported into the remand setting (see Figure Four). These imported difficulties were brought about by an array of individual factors such as mental health and substance abuse problems and the difficulties experienced in other Microsystems such as the home and neighbourhood. Indeed, the data suggest that the Microsystems the young people inhabited prior to remand provided few stable, frequent, active or challenging interactions which may have protected against stress they encountered in the immediate remand environment (Bronfenbrenner, 2004). Rather, it can be said that the young people’s experiences prior to custodial remand heightened their vulnerability to coping difficulty in the custodial remand environment.
Figure Four: The Remand Coping Cycle

The figure represents the various stages of the remand coping cycle. It depicts that remand custody draws in individuals with coping difficulties, restricts their coping efforts in the remand environment and ultimately creates further coping difficulties for the future.

Within the immediate remand environment, which makes up stage two of the interactionist coping cycle (see Figure Four), the data indicate that the punitive experience of remand negatively impacted on the young people’s limited internal coping resources and also restricted the availability of effective external resources such as activities and information. The negative effects of this were felt not just by the individuals in their immediate remand environment but also in other Microsystems such as their homes.

The disruption to other environments beyond the remand domain leads to stage three of the coping cycle (see Figure Four) which identifies that coping difficulties are likely to be experienced following the remand period, in particular when individuals are restricted from engaging in problem-focused coping.
Given the occurrence of this cycle on remand and the negative coping outcomes which appeared to accompany each of the three stages, it is important to consider the views the young people expressed on how remand coping could be improved.

7.6 The Young People’s Views on how to Improve Remand Coping

The sense of hopelessness experienced by the young people on remand was apparent when it came to discussing the ways in which coping could be improved on remand. A number of individuals reported that there were no measures that could reduce remand coping difficulties, while others despondently predicted that change would never occur on remand:

There’s not much point asking about changing stuff you know ‘cause it doesn’t happen. Things don’t get better in prison.
(P4, Male Age 17 on Remand 46 days)

Others reported how they believed medication offered the only viable option to improve experiences and coping on remand:

Medication is what you need. The only way they can make it better is to knock you out.
(P51, Male Age 18 on Remand 8 days)

On the whole however, a number of ways to improve coping were proposed by the young people on remand. These suggestions were found to be generally grounded in the difficulties reported on remand and included a reduction in the number of individuals detained in remand custody, a decrease in the hours of lock-up, an increase in family contact and an abolition of triple cells and screen visits:
A lot of young people here shouldn’t be on remand, there should be something else for them. Like locking people up is not making them any better, getting into this environment and all. It’s getting worse and worse for us all, the more people come in you know?
(P26, Male Age 16 on Remand 12 days)

A lot could be done. They should take down those screens for a start to get you to talk to your family proper and the cells like, not packing everyone in together would make it better. If you were out of them most of the day I think you’d cope better like.
(P18, Male Age 18 on Remand 25 days)

Moreover, the young people reported that a reduction in the time spent on remand and the provision of more information about the likely outcome of their case would aid the coping process:

They could tell you more what could happen and not be keepin’ you here for ages waiting like.
(P54, Female Age 18 on Remand 60 days)

Also, in support of the finding that apathy tended to arise as a response to long-term activities, the provision of suitable remand activities was found to be a common suggestion as a method to improve remand coping. The availability of activities such as different sporting pursuits on remand was identified by the young people to have a number of potential functions for remand coping. These included the potential to keep busy and pass time quickly, as well as, the possibility to reduce bullying and isolation which were frequently experienced on remand:

If there was more activities that people could join in, they wouldn’t feel so bad because they would be joining in, they wouldn’t be on their own or getting picked on all the time.
(P25, Male Age 18 on Remand 180 days)

More things you’d like doin’ would help you getting on with your time; help you be busy. If you get like a healthy body and a healthy mind good humour hits.
(P31, Male Age 19 on Remand 180 days)

In addition to activity, coping skill courses were mentioned by some as a direct way of targeting coping difficulties on remand:
They could do more awareness courses on how to deal with your feelings and how to get through things you know. They would be helpful.  
(P59, Female Age 21 on Remand 21 days)

Some individuals believed that such courses would be particularly beneficial for dealing with difficulties that were likely to be faced on release:

Courses that do coping; they’d be useful for some of us here a while like and then it’s all different when we go out. Help you know how to handle it better.  
(P33, Male Age 19 on Remand 330 days)

7.7 Chapter Summary

This chapter highlighted that a negative coping cycle is evident on remand, fuelling young people’s coping difficulties as they enter and leave remand custody. It demonstrated that the punitiveness which characterises the lived remand experience filters through to the coping domain, with vulnerable individuals on remand being denied effective coping resources accessible to those serving time in prison as an explicit punitive sanction. With the exception of undesirable factors such as previous custodial experience, the chapter demonstrated that it is very hard to cope well in the custodial remand environment. The chapter drew attention to the lack of assistance provided to remanded individuals in coping with both the remand experience and difficulties after remand custody. Indeed, with the current remand system in place, it was argued that it is increasingly unlikely that young people will break away from the negative coping cycle present on remand, making it difficult to escape further periods of remand in the future. The implications of these findings are addressed in the following chapter.
Did you ever hear that song ‘I’m locked up and they won’t let me out’? Do you know that song? There’s a bit in it yeah, where they say when you’re inside people don’t give a damn, they forget about you, do you know what I mean? That’s the way it’s like whenever you’re here on remand ... I hope like people get thinking about remand.
(P9, Male Age 17 on Remand 2 days)
8.1 Introduction

This chapter considers the study’s findings in more detail and the implications for criminological knowledge, theory, social policy, service provision and future research. It is guided by the main finding that custodial remand is a particularly stressful and punitive experience which creates potential coping difficulties for young people during and after remand custody. The chapter commences with a focus on the neglected status of young people on remand and demonstrates how the present state of custodial remand for young people differs to existing legislative and theoretical remand rhetoric. The chapter provides an analytical discussion of the negative effects of custodial remand, both on young people’s coping and other areas such as substance use and offending behaviour. Following this, the chapter addresses the issues of remand and outlines a number of recommendations for future remand practice. It specifically identifies the changes to legislation and service provision required to ensure that young people are remanded in custody as a measure of last resort. It also highlights the measures needed to improve remand conditions for those whom remand custody is deemed absolutely necessary. This includes a reduction in punitiveness; a decrease in uncertainty and an enhancement of coping skills on remand. The chapter then moves on to examine the role of future research in remand reform. It presents a detailed insight into further research which is required in the remand domain and the methodological implications this study has for such research. Finally, the chapter concludes the thesis with a synopsis of the main conclusions and recommendations that have arisen from the study.

8.2 Young People on Remand: A Forgotten Population

In Chapter One, the thesis highlighted the neglected status of young people on remand in the prison coping literature. The findings of this study indicate that the neglect of young people on remand is not just apparent in the research field, but also transcends the domains of criminal justice policy, practice and service provision. This neglect is
apparent from the time the young people first appear at court; with those who fail to meet
standard bail criteria and those who are unable to abide by bail conditions being placed in
remand custody with little time to oversee the decision. When it comes to implementing
remand custody as measure of last resort (as set out in various legislation and prison rules
such as the UN Convention on the Rights of the Child, 1989; Council of Europe
European Prison Rules, 2006), young people on remand can be described a forgotten
population, with few alternatives such as bail support and supervision schemes or bail
hostels available for the most vulnerable individuals who come before the court. The
failure to implement remand custody as a measure of last resort renders young people
particularly susceptible to coping difficulty both during and after remand. For example,
comparisons between this study and the international findings reported in Chapter Three
(Lader et al., 1998; Kiely, 1999; Brooke et al., 2000; Goldson, 2002; Gosden et al.,
2003), suggest that young people on remand in Ireland are more likely to have come to
the attention of mental health services; have experienced previous alcohol dependencies
and employment difficulties and have less overall custodial experience. It is evident that
the custodial remand environment is not a suitable setting for such vulnerable individuals,
in particular when they do not pose a threat to public safety. Indeed, the fact that many
go on to be released on bail at a later date only serves to question why custodial remand
was deemed an appropriate setting for these vulnerable individuals in the first place.

The punitive nature of the court and prison experience indicate that young people on
remand are also forgotten population when it comes to the recognition of their
fundamental human right to be viewed as innocent until proven guilty (as set out in
various legislation and prison rules such as the UN Convention on the Rights of the
Child, 1989; Council of Europe European Prison Rules, 2006). The Irish remand
experience shares several undesirable commonalities with its international counterparts
including high levels of uncertainty, long lock-up periods, and negative treatment in
court. The findings imply however, that several aspects of remand custody in Ireland
contribute to a more stressful and punitive remand experience than in other jurisdictions
(Harding and Zimmermann, 1989; Lader et al., 1998). This includes the integration of
remand and sentenced inmates, the lower levels of participation in prison employment
and education and the use of triple cells. Indeed, young people’s remand status is seemingly only recognised and reacted to in a negative sense, with those on remand often discriminated against when it comes to the allocation of facilities and opportunities to work in the prison.

Young people on remand are also a forgotten population when it comes to ensuring that they are detained in custody for the shortest possible amount of time (as set out in various legislation and prison rules such as the UN Convention on the Rights of the Child, 1989; Council of Europe European Prison Rules, 2006). In essence, the failure to implement a maximum duration of remand custody in Ireland, leaves many young people languishing in prison for long periods of time with little or no indication of when they will be released. This shows a lack of regard for their basic human rights and often leads to those on remand spending unnecessary periods of time in prison. The fact that a considerable number of young people on remand spend greater amounts of time in custody than those serving the average prison sentence only serves to further erode the power of their right to be presumed innocent until proven guilty.

While the concepts of last resort, presumption of innocence and minimum detention form the cornerstone of legislative and theoretical remand rhetoric, it is evident from this study that, in reality, such ideals are not a primary feature of young people’s remand experiences. The negative effects which arise from the failure to meet these fundamental rights are discussed in the next section.

8.3 The Negative Effects of Custodial Remand

The failure to abide by the fundamental rights for individuals on remand ultimately results in a punitive and stressful prison experience for young people on remand. The negative implications of this are particularly apparent when it comes to the issue of remand coping. Remand custody is a particularly difficult experience, with coping
difficulty commonplace among young people on remand. With the exception of a minority (some of whom appeared to be putting on a facade), the majority of young people experience at least some coping difficulty on remand, with a considerable number reporting grave coping difficulties. The use of remand custody for those who breach bail and have serious substance abuse difficulties draws in young people who have acute vulnerabilities and limited internal coping resources. The submerging of such vulnerable young people into a sentenced culture and regime fails to provide effective coping strategies which are appropriate to remand. In turn, young people are forced to rely on their own limited internal resources to cope which generally consist of unproductive strategies such as denial and self-blame. The fact that few effective coping resources such as activity and social support are available on remand also result in worrying high levels of violence and self-harm occurring among young people on remand. The absence of effective measures to cope, ultimately leaves many young people on remand in a state of hopelessness and anxiety. The lack of measures in place to encourage family contact means many young people have little contact with their family and often have no-one to turn to.

In addition to coping difficulty, the findings indicate that being detained on remand only serves to further exacerbate young people’s difficulties pending their release to the community. For example, the fact that assistance is provided to those with serious substance abuse in a prison setting undoubtedly causes a sense of shame and stigma for them and their families. This is of cause for concern given that feelings of shame have been linked with young people engaging in substance use (Dearing et al., 2005) and offending bahviour (Hosser et al., 2008). Also, among young people on remand, there is perception that being placed in remand custody is their last opportunity for rehabilitation. If unsuccessful or in need of further assistance, one would worry to who such individuals would have to turn to in the future. Indeed, a lack of community services for those released from remand with drug problems has already been referred to within the research literature (Brooke et al., 1998; Burke et al., 2006).
While many young people on remand are not serious or persistent offenders, the indication is that being detained in remand custody may increase levels of criminal activity in the future by impeding factors which aid individuals to desist from offending behaviour. The research literature highlights a number of factors which promote desistance from crime. These include employment opportunities; social support; positive changes in the way an individual views offending, the development of conventional identities as well as motivation and openness to change (Giordano et al., 2002; Laub and Sampson, 2003; Burnett and Maruna, 2004; Maruna, 2004; Farrall and Calverley, 2006). With regard to employment and social support, there is little doubt that remand custody serves to cause further disruption within these particularly fractured areas. In relation to views on offending, the findings suggest that the remand experience does little to persuade individuals to perceive crime in a negative light. Rather, the current detainment of young people for a diverse range of reasons on remand, as well as the integration with sentenced individuals increases the potential for those on remand to gain an unofficial schooling and job opportunities in serious offending while in custody. The extremely punitive nature of remand may also undermine the deterrent value of a prison sentence among many young people on remand. Lengthy periods of time often spent on remand can also be said to prevent individuals from having enough time to benefit from offending behaviour programs if later transferred to sentenced custody. In spite of their supposed entitlement to be presumed innocent until proven guilty, the fact that individuals are made to feel like untrustworthy, serious offenders is unlikely to aid the development of a conventional non-criminal identity. The apparent necessity of a tough aggressive façade on to cope on remand is also in conflict with the development of a conventional non-criminal identity. The sense of denial found to accompany remand coping can also be said to do little to promote a motivation and openness to change. As Cope (2003: 170) states ‘by attempting to block out the bad effects of prison, inmates will also be limiting any potential impact custody may have on their self-development’.

The negative effects that are exerted on young people both during and after custodial remand identify that the current remand system is in need of urgent reform. The findings points specifically towards two main guiding principles of reform (see Figure Five). The
first principle of remand reform recommends the need to remove as many young people as possible away from the remand environment to ensure that the use of remand custody is only used as a measure of absolute last resort. The second principle meanwhile, proposes the need to improve the remand environment for those who pose a risk to public safety and must be detained in custody as a measure of last resort. Both principles are grounded in the interactionist framework (Lewin, 1935, Bronfenbrenner, 2004) and address reform from the level of the individual, the immediate environment and wider society.

Figure Five: The Two Component Model of Remand Reform
This figure represents the necessary changes required to reform the custodial remand system. It depicts that removing young people from remand custody and improving the remand environment may ultimately bring about a number of widespread benefits.
8.4 Recommendations for Implementing Remand Custody as a Measure of Last Resort

In line with various national and international legislation and prison rules (such as the Children Act, 2001; UN Convention on the Rights of the Child, 1989; Council of Europe European Prison Rules, 2006), young people should only be detained in remand custody as a measure of last resort. In order to ensure that custodial remand is only used where absolutely necessary, it is recommended that a variety of measures are introduced. These include the development of alternatives to custodial remand, the implementation of changes to legislation and the establishment of initiatives to increase the efficiency of court decisions (see Figure Five). In-keeping with the Beijing Rules (1985) and the work of a number of criminological researchers (Goldson, 2001; Goldson and Muncie, 2006; McAra and McVie, 2007), all recommendations endorse an approach which encourages maximum diversion and minimal intervention.

8.4.1 Recommendations for Establishing Alternatives to Custodial Remand

The findings identify many cases where young people on remand could be diverted away from custodial remand if alternative community based options were in place. These include those that are remanded for the breach of bail, no fixed abode or drug detoxification. As Lay (1991: 129-132) states:

locked away in the remand population are remandees who may be potential bailees given an expansion of the strategies for managing defendants and accused persons currently denied bail … prison is not the last resort if the application of all alternatives has not been tested.

In contrast to the Irish context, a number of alternative remand measures including electronic monitoring, bail accommodation and bail supervision have been in operation in other jurisdictions such as England, Northern Ireland, Scotland and Australia for many years. These various schemes have a major advantage over custodial remand, as they
enable individuals to remain within or close to their communities during the remand period (Scottish Executive, 2000; Raes and Snacken, 2004). Analysis of the available international research literature suggests that some remand alternatives may be more successful and suitable to the Irish context than others. Electronic monitoring which is based on the supervision of individuals in the community via an electronic tag has recently been included as a provision under section 6B of the Criminal Justice Act 2007 in Ireland. However, the use of such an alternative measure has been widely associated with curfew breaches (Mortimer et al., 1999; Airs et al., 2000; Gibbs and King, 2001; Smith, 2001) which does not bode well for the Irish context which appears to have a considerable problem with the breach of curfews among young people on bail. The documentation of young people’s experiences of electronic monitoring also suggests that it shares several negative commonalities with remand custody. Similar to remand, young people who are electronically monitored report it to be a punitive experience characterised by a deprivation of liberty and autonomy (Payne and Gainey, 1998; 2004; Walter, 2002). This is a cause for concern given that non-custodial programmes deemed to be punitive have been identified as having lower rates of success (Batchelor and McNeill, 2005). Additionally, research implies that electronic monitoring can also reinforce negative criminal identities. Electronic tags have been frequently reported to symbolise a badge of honour among young people (Muncie, 1999; Moore, 2005). Further undesirable parallels between electronic monitoring and remand custody relate to its negative impact on employment and social relationships (Hucklesby, 2008). A number of studies have identified that electronic monitoring creates stress among family members who have to deal with the responsibility and pressures of having young people constantly monitored in their households (Gibbs and King, 2003; Payne and Gainey, 2004; Cassidy et al., 2005; Hucklesby, 2008). These disadvantages imply that electronic monitoring should not be the main alternative measure of choice but rather, should only be used in conjunction with other schemes such as bail accommodation and bail support and supervision when deemed absolutely necessary to prevent custodial remand.

Bail accommodation is a measure said to be ‘between bail and jail’ (Payne, 1989: 37) as it provides supervised accommodation within a community rather than prison context.
Options include hostel accommodation or a fostering setting and offer a useful service for those who have no fixed address or whose usual housing arrangements may be deemed by the judge to increase the risk of re-offending. Studies of bail accommodation projects report success rates of approximately up to 50% with regard to non-offending and bail conditions (NACRO, 2004; Lipscombe, 2007). Indications are that the rate could be improved with the provision of a greater level of resources, support and clarification of exact duties (NACRO, 2004; Lipscombe, 2007). Research also suggests that more females would avail of bail accommodation if provided nearer to home and were more accepting of individuals with substance use or mental health problems and their children (Wincup, 1996; Edgar, 2004). Further investment and resolution of these issues would appear worthwhile given that the research evidence suggests that both remand fostering and hostel accommodation have a positive impact on social skills, criminogenic difficulties and offending levels (Faill, 1998; Lipscombe, 2003; 2007; Burnett and Eaton, 2004; NACRO, 2004).

Described by Goldson and Jamieson (2002: 69) as one of the ‘rational developments in bail policy and practice’, the most successful remand alternative to date perhaps, is that of bail support and supervision (BSS) scheme. Approximately 70% of individuals who are not deemed to require bail supervision complete bail successfully. Research evidence (Bail Support Policy and Dissemination Unit, 2000; Youth Justice Board, 2002; SACRO, 2004; Mossman, 2007) suggests that BSS schemes have a success rate of approximately 80% with regard to preventing re-offending and ensuring young people abide by bail conditions and attend court. BSS schemes would thus appear to be particularly effective given that those on BSS schemes are considered to be at greater risk for non-compliance with bail. The types of services provided by BSS schemes would appear to be particularly appropriate and beneficial in Ireland in light of the problems reportedly experienced by young people during the bail period. The development of such schemes will help to provide the necessary assistance needed to deal with these difficulties and also help young people to avoid the negative and destabilising impact of remand custody. In addition, BSS schemes will help young people to cope better with the actual remand process by allowing them to deal with the uncertainty of their case in a familiar, less
transient environment. Also, through the provision of productive activities, which appear to be generally not available in remand custody, BSS schemes will enable young people to reduce feelings of hopelessness and encourage greater feelings of responsibility and control when it comes to attending court, abiding by bail conditions and desisting from crime. Research evidence also suggests that intensive supervision can sometimes prevent re-offending with even violent offenders such as those with a history of domestic violence (Lasley, 2003). On the whole, a major advantage of implementing these schemes relates to the fact that the assistance young people receive is likely to be of benefit to their lives even after the remand period (McCaig and Hardin, 1999; Thomas, 2005; Northern Ireland Office, 2006; Mossman, 2007).

8.4.2 Recommendations for Legislative Change

Irish legislation (Bail Acts 1997 and 2007; Children Act 2001) does not outline specific guidelines when it comes to remanding individuals in custody and fails to distinguish between the detention of children and adults on remand. The introduction of more specific legislation will help to filter out many young people from the remand net by reducing the reasons why they may be detained in custody. This legislation is already in place in a number of countries. For example, in Denmark, individuals under the age of 18 may only be remanded if they are charged with either serious violent crime or repeated property offences (Gosden et al, 2001). In Germany, an individual may only be remanded for a minor offence if there is strong evidence to believe that he or she will abscond. Also, where an individual is being remanded for a more serious offence on the grounds that he / she may re-offend (with the exception of very serious crimes such as serious assault, manslaughter or murder) there must be evidence of a previous similar offence within the last five years (Vogler, 1991). If such criteria were present in Ireland, it is likely that many of the young people included in this study would not have been remanded in custody.
8.4.3 Recommendations for Increasing the Expediency of Remand Court Decisions

King et al. (2005) highlight the importance of expediency in remand decision-making and argue that the efficiency of remand decisions can be improved by increasing the length of time to hear remand cases and ensuring that relevant police officers are present in court to justify their objections to bail. In line with previous Irish studies (Kilkelly, 2005; Carroll and Meehan, 2007) the findings demonstrate that the Irish system performs poorly in these areas and requires greater allocations of time to hear remand cases and the development of a stipulation that police officers must be present in court.

The introduction of bail information schemes is also recommended to increase the expediency of remand decisions. The schemes, first developed in the United States of America in the 1960s (Octigan, 2002) currently operate in many countries including Australia, England and Scotland. The main purpose of bail information schemes is to provide courts with necessary verified information about individuals’ backgrounds and ties to the community. This information is obtained from individuals remanded in police or prison custody, their families, and a variety of statutory and voluntary agencies to help ensure informed and balanced bail decisions are made at the early stages of the criminal justice process (Stanton; 1984; Haines and Octigan, 1999; Moore and Smith, 2001). Studies indicate that the existence of such schemes can result in approximately one quarter of individuals who would otherwise be remanded in custody being successfully granted bail (Stone, 1988; Lloyd, 1992; Ehlers, 2008). The research evidence also shows that bail information schemes can be a useful service in helping individuals get released from remand custody (Williams, 1992; Nottingham and Mitchell, 1994). Indeed, one particular scheme in England and Wales known as the National Remand Review Initiative (NRRI) is reported (Goldson, 2002; Moore and Peters, 2003) to have removed over 1,200 children from remand custody between 1999 and 2002.
8.5 Recommendations for Improving Remand Custody for Young People Detained as a Measure of Last Resort

Detention in remand custody is likely to be a reality for some young people on the basis of alleged serious offending behaviour or a perceived threat to public safety. The key to the improvement of remand experiences for these individuals centres on the premise that remanded individuals are a distinct population to the sentenced community who have their own specific prison experiences and coping needs. In particular, it is recommended that the remand experience could be improved by reducing punitiveness on remand, decreasing the uncertainty individuals undergo while in custody and providing opportunities that enhance young people’s internal coping resources (see Figure Five).

8.5.1 Recommendations for Reducing Punitiveness on Remand

The punitiveness experienced by young people in prison and in court is a major contributor of stress on remand. In order to reduce such punitiveness, it is recommended that the punitive ideology which currently envelops the remand system is urgently addressed. Similar to the work of Kilkeely (2006) and Goldson and Muncie (2006), this may be achieved through the adoption of a human rights approach whereby breaches of human rights on remand are publicised in the political and research domains. Another necessary approach focuses on re-establishing the link between incapacitation penal theory and remand practice through greater discussion and promotion of this theory in the criminological and political domain.

On a more practical basis, the removal of the numerous similarities to sentenced custody is required to reduce punitiveness on remand and allow those on remand to be ultimately seen as a population in their own right. The provision of separate settings for remanded

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60 Ideally, this section would argue for an abolition of punitiveness, however given the deprivation of liberty and separation associated with custodial remand; it is unlikely that such an aspiration could be fully met.
individuals is a vital measure in helping to sever punitive ties with sentenced custody. Furthermore, it is imperative for the Prison Service to tailor a separate regime for individuals on remand which incorporates considerably less lock-up time and provides young people with employment opportunities and suitable activities to ease boredom and aid coping on remand. A template of such a regime is already in existence in the Women’s Prison, where all of the females on remand remain out of their cells during the day and are able to take part in appropriate short-term educational and sporting activities.  

In line with the Council of Europe’s rules on the use of remand in custody (2006), the provision of further training for staff working with young people on remand is required to help reduce the use of an authoritarian approach. An emphasis on the display of positive traits and behaviours towards others such as respect, courtesy and friendliness would help to increase the availability of staff as a source of social support and would be more in line with the right to be treated as innocent until proven guilty on remand.

In relation to the young people’s punitive court experiences, in particular the long journeys and the use of handcuffs and holding cells, the many punitive aspects associated with going to court could be eliminated through the use of video-link technology. The video-link system, already in operation in a number of jurisdictions such as Northern Ireland, England and Australia, enables individuals on remand to participate in court hearings from the prison setting via a live video-link (Tresidder and Putt, 2005; Northern Ireland Prison Service, 2006). This eliminates the process of having to travel and wait for long periods to attend court sittings and helps to reduce the tensions associated with court matters. These benefits indicate that the recent piloting of videoconferencing in five Irish courts (Inspector of Prisons, 2005; The Committee on Videoconferencing, 2005) and the inclusion of the provision in the Prisons Act 2007 to allow certain pre-trial hearings to be transmitted by video-link are promising developments for young people on remand in Ireland.

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61 The importance of maintaining this regime when the new women’s prison is established in Thornton Hall prison complex in the coming years has been stressed by a number of researchers in Ireland (e.g. Mason, 2006; O’Mahony, 2007).
8.5.2 Recommendations for Reducing Uncertainty on Remand

There is little argument that uncertainty is a central feature of the remand experience and lies at the heart of much of the coping difficulty experienced, either through the creation of stress or restriction of coping resources. While uncertainty is undoubtedly a feature of the remand experience given the unpredictability of the criminal justice process, it is recommended that the implementation of a number of measures would reduce the level of uncertainty experienced by those on remand. The introduction of a maximum period of detention is an essential measure in light of the fact that much uncertainty focuses on the length of time individuals are likely to be on remand. Indeed, the Council of Europe (2003) recommends that young people should be remanded for no longer than six months before the commencement of their trial. The speeding up of trial dates would reduce the number of individuals on remand at any one time as has been found in Finland where those on remand now account for just one in ten of the prison population (Cavadino and Dignan, 2006).

The findings suggest that young people on remand have a strong need for information, making the greater provision of information an important consideration for future remand practice. Much can be learnt it seems, from the health domain which emphasises the value of information in times of uncertainty. Janis’ (1983) stress inoculation model links the provision of information (albeit fully accurate or not) to a reduction in stress levels arising from uncertainty. This is due to the manner in which it increases an individual’s sense of knowledge and control over the uncertain situation. The Woolf Report (1991) indicates that the provision of information and the explanation of decisions have an important role to play in helping to increase perceptions of legitimacy and just treatment in prison. This is particularly important for young people on remand; many of whom already experience a sense of injustice following their refusal to be granted release on bail. It is recommended that the supply of information may be improved by facilitating more interaction between solicitors and young people on remand. This may be achieved by creating separate visiting times and telephone call allocations for legal consultation, while the possibility of conducting interviews via video-link has been suggested as
another measure which may improve the level of communication between solicitors and their clients in prison (Inspector of Prisons, 2005).

The findings indicate that an increase in an individual’s sense of stability on remand may help minimise the negative impact of remand uncertainty. The findings highlight the value of both stable relationships and environments during times of uncertainty. With respect to remand, the promotion of family contact during remand may aid stability in social relationships. Therefore, it is recommended that a more flexible approach to remand visits is adopted whereby individuals may receive fewer visits of a longer duration to help improve family contact and relationship stability. Indeed, there is evidence to suggest that individuals who receive visits on remand are more likely to feel part of the social network in prison (Harvey, 2007). Also, it would appear that greater family contact may help to increase stability in the period following release from remand, with frequent visitation from family members while in prison being linked with smoother transition back into the community and reduced recidivism rates (Bales and Mears, 2008).

It is also recommended that the stability of prisoner relations could be improved through the provision and uptake of suitable activity which is reported to enhance a group’s sense of connectedness and belongingness (Oliver et al., 2006). Indeed, activity may have a particularly important role to play in fostering inmate solidarity on remand if as recommended previously; those on remand are removed away from their usual source of affiliations within the sentenced community. Furthermore, it is important to acknowledge that while the transient nature of the remand population is not altogether avoidable; diverting young people away from remand may reduce the actual prisoner turnover rate and promote a greater bond and sense of stability among young people remanded in custody.

The provision of single cell accommodation for all those on remand is a necessity in helping to maximise a sense of stability on remand. Also, it appears that the use of video-link technology may be of further benefit to the remand population as it may
potentially decrease the amount of disruption and instability caused by having to
continuously come and go from the prison environment to attend court.

8.5.3 Recommendations for Enhancing Young People’s Internal Coping Resources

While the ultimate responsibility should fall on the prison service to minimise stress
levels and provide a human environment for those on remand, it is important to also
address the role of individual factors when aiming to improve remand coping. In
particular where the enhancement of coping skills is of benefit to individuals not just on
remand but also in the longer term. As Zamble and Porporino (1984: 145) state ‘if
prisoners can be helped to cope more effectively while in prison, the learning may
generalize and lead to more effective coping with life after release’. Deficits in self-
esteeem, the ability to evaluate and recognise alternative coping strategies as well as the
capacity to engage in problem-focused coping were identified in this study. As
highlighted in Chapter Three, all such factors play an important role in effective coping
particularly in uncertain situations (Lazarus and Folkman, 1984). Thus, the development
of specialised coping initiatives which target these areas has an important role to play in
improving remand coping. In Chapter Six, coping courses were suggested as a possible
mechanism for improving coping among some of the young people on remand. While
such courses may undoubtedly be of benefit to some, such initiatives may be exposed to
similar levels of apathy and disinterest as other long-term activities on remand. Also, in
light of the over-reliance on the use of denial on remand, it is likely that many young
people would not be willing to engage in such overt coping measures while they were in
prison. For these reasons, a more flexible and creative approach in enhancing young
people’s coping skills on remand is recommended. For example, the research literature
suggests that self-esteem and coping skills may be improved through participation in
sport and other meaningful activities (Andrews and Andrews, 2003; Fraser-Thomas et al.,
2005). As discussed in Chapter Five, the majority of young people on remand expressed
a strong interest in participating in sports and other activities such as computers and
woodwork which had a practical meaning for their lives. The enhancement of self-esteem and planning skills could be incorporated into such activities and could help to develop problem-focused coping skills and provide achievable goals and a sense of purpose on remand.

8.6 The Benefits of Remand Reform

As illustrated in Figure Five, the implementation of the suggested recommendations has the potential to benefit a wide variety of individuals ranging from those remanded on bail and in prison custody to society as a whole. At the very heart of such reform, improved prison and court conditions are likely to benefit young people who need to be detained in custody by reducing the amount of stress and coping difficulty they currently endure. Furthermore, the removal of individuals from remand custody through the provision of alternatives may provide young people with opportunities to tackle difficulties in their lives and keep them away from the prison environment not only on remand but also sentenced custody. This is due to the fact that individuals are more likely to receive custodial sentences if they are remanded in custody (Utting and Vennard, 2000; Flood-Page and Mackie, 1998; Fitzgerald and Marshall, 1999; Thomas, 2005). This is beneficial not only to the individual but also the Prison Service as it likely to ease the problem of overcrowding which is widely reported to exist in Irish prisons (Inspector of Prisons, 2005). The Prison Service are also likely to benefit from an improved remand environment and the lower rate coping difficulty and suicide which may result. As Sarre et al. (2003: 3) state:

pressures on correctional systems are not just created by this increasing proportion of remandees in the system. It also comes from the vulnerability of remand prisoners and the extra burden of care they place on the system.

Benefits may also extend to government level which is likely to gain financially from remand reform. Goldson (2005; 2006; 2006a) has consistently highlighted that the imprisonment of young people is a costly venture and research indicates that alternatives
such as bail supervision schemes are more cost effective than prison remands (SACRO, 2004; Northern Ireland Office, 2006). For example, according to SACRO (2004) a bail supervision placement costs approximately STG£1,000 (€1,059), which is only half that of a 24 day custodial remand (STG£1,962 [€2,078]). The use of video-link technology has also been linked with financial savings as the costs associated with escorting individuals to court are reduced (Northern Ireland Prison Service, 2006).

Finally, it is possible that the positive effect of remand reform may permeate beyond the criminal justice and political domains to benefit wider society. As Frydenberg (1997: 2) highlights ‘adolescents are on the threshold of adulthood and as a result, the ways in which they cope establish the patterns for the future and impact the community at large’. Assistance for individuals on bail, as well as a reduction in the negative impact of remand on young people and an increase in their coping ability may help to reduce the level of offending committed by young people.

It is evident that there are many widespread benefits to implementing remand reform. It would appear that much of the onus to bring about these benefits and act as the driving force behind remand reform may fall on the responsibility of researchers in light of the general neglect of the custodial remand system among policy-makers to date, and the sense of apathy and helplessness often experienced among the remand population. As Goldson (2005:86) has previously highlighted, ‘academics, social researchers, policy commentators and practitioners with an interest and / or engagement in youth justice, have a responsibility to draw attention to and to challenge … profound incivilities and injustices’.

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62 Currency conversions based on the exchange rate of 1 GBP=1.05960 Eur as of the 22nd January 2009.
8.7 Recommendations for Future Research

While the previous section addressed ways to reform the remand system, this section moves on to discuss the specific role future research can play, in helping to bring about much needed change. The custodial remand domain would benefit from research involving each stage of the remand process, from the time leading up to remand, to the remand experience, to the period following remand custody. Moreover, the findings point towards the importance of establishing a multi-agency perspective such as that proposed by Matthews and Young (1992) ‘square of crime’ which emphasises the importance of relationships between offenders, victims, the public and the criminal justice system.

8.7.1 Recommendations for Future Research Prior to Custodial Remand

Sarre et al. (2006: 6) state that:

the key to understanding the remand in custody process is for researchers to move outside the courtroom and to focus on issues that arise prior to the judicial hearing.

One such issue in need of exploration is police decision-making in particular the reasons behind the initial denial of bail to individuals in police custody; the accurateness of such decisions and the influence they play in the overall judicial decision to remand in prison custody (Sarre et al., 2006). This research has a key role to play in helping to understand custodial remand trends (Sarre et al., 2006) and provide bail information schemes with a greater insight into police remand operations.

The finding that many young people directly enter remand custody following a period out on bail also indicates the need to take a further step back beyond the courtroom to explore bail behaviour in more detail. Further research is required to establish what factors may predict failure or success when it comes to abiding by bail conditions and attending court.
This information will assist in keeping young people out of remand custody by improving the effectiveness of alternative programmes such as bail support and supervision schemes and increasing judicial confidence in their use. The identification of individuals who may be truly at risk may also help to address concerns (Raes and Snacken, 2004) that those who would usually be granted bail may be placed on alternative schemes rather than those who would otherwise be detained in custody.

With respect to alternative remand schemes, it is important to acknowledge that a large gap in knowledge still remains in the Irish context. The findings suggest that bail support and supervision schemes and bail accommodation hold out most promise as alternatives to custodial remand in Ireland. Therefore, it is vital that such suggestions are followed up with an extensive review of remand alternatives, along with evaluative studies of pilot and official schemes which may be established in Ireland. However, as Goldson (2001) and Goldson and Muncie (2006) have highlighted, it is important that evaluative studies do not just adopt a short-term approach which focus on quantifiable outcomes but rather endorse a more in-depth and long-term contextual technique. This will help to ensure that the most effective alternatives to custodial remand will be implemented and operated in the future.

8.7.2 Recommendations for Future Research During the Remand Period

In order to bring about reform, it is imperative that future research raises awareness of the over-use of remand custody. Future research is required to address the lack of statistical information that currently exists for individuals on remand in Ireland and provide an account of their personal details and information regarding their remand. This information would help to identify trends that may emerge regarding the reasons for remand, the length of time individuals spend on remand and case outcomes.

Public attitudes towards remand and the perception of public safety are recognised as playing an influential role in the use of remand custody (Goldson and Jamieson, 2002;
Open Society Justice Initiative, 2004). Therefore, it is important to share as much information as possible about the realities of custodial remand and its alternatives into the public domain to reduce fears and potential negative attitudes towards bail. As highlighted by Varenik (2008: 182):

Case studies about individual successes with alternatives to detention can be powerful vehicles for public education and particularly useful in the wake of unfortunate incidents that stoke fears about the dangers of liberalized treatment.

Also, given the role of both individual and environmental factors in coping, it is important that further research is conducted with a wide variety of individuals on remand in a national and international context. Future studies need to focus on individuals detained in smaller remand prisons, older people in remand custody and if possible a larger sample of females. Research with foreign nationals on remand also appears a necessary venture. In Ireland alone, almost one-third of the prison population is made up of foreign nationals, many of who are reported to be in prison on remand (Irish Prison Service, 2006, 2008). Research studies addressing such different individual characteristics and remand settings will help to enhance our understanding of the role individual and environmental factors play in remand coping and help to further assist remand coping. In addition to the use of semi-structured interviews and / or standardised coping instruments in the future, knowledge of remand coping could also be enhanced through the observation of remanded individuals’ coping behaviours in the prison environment. Observation studies could potentially identify coping trends and/ or the use of strategies that those on remand may themselves be unaware of.

Furthermore, the study implies that it would be beneficial for those on remand for future research to explore different perspectives on remand coping. For example, Goldson’s (2002) research which incorporates the views of 20 prison officers indicates that prison officers are a valuable and informed data source which are worthy of more extensive research. Their constant interaction with the remand system would be of particular advantage when it comes to raising awareness of the practical constraints within the prison system and the viability of specific remand recommendations.
The important role contact with family members and solicitors play in effective remand coping also emphasises the need to involve these parties in the remand research process. Research examining the experiences of the remand process from their perspective will help to identify any barriers to communication which exist and help maximise contact between remanded individuals and their families and solicitors in the future.

8.7.3 Recommendations for Future Research Following the Remand Period

It is important that further research builds on the knowledge in this study by examining the final outcome of remand cases. Such research can only serve to strengthen the need for alternatives if it is found that many individuals do not go on to receive a custodial sentence. The case for removing young people from custody may also be aided by a follow up study of the potential long-term impact of remand which as indicated in this study may affect a number of areas including coping, offending, breach of bail, court absenteeism and substance use.

While this study is concerned with representing the remand experience through the voice of young people, it is important to acknowledge that the remand process also frequently consists of victims of crime. Little is known how about victims deal with the uncertainty pending the accused individual’s release and potential threat of intimidation (King et al., 2006). In keeping with the view that all individuals on remand should be presumed innocent until proven guilty, research conducted after the remand period with the victims of those deemed guilty may identify effective ways for helping victims during the remand period. Indeed, dealing with the concerns of victims may help to increase public support for the provision of alternatives to remand. As King et al. (2006: 15) state:

In today’s justice policy context, greater sensitivity to the rights and needs of victims are expected by the community and within the justice system itself. Whilst the remand process provides particular challenges, greater attention to the role of the victim in the early stages of an investigation may reduce the fuel that feeds public outrage at individual remand decisions.
Moreover, research is required to address wider public attitudes towards custodial remand. With the exception of the bail referendum in 1996 which focused on the right to deny bail to those accused of serious offences, little is known about the Irish public’s views or understanding of the remand process. Support for the provision of alternatives to prison for sentenced young offenders; non-violent offenders and individuals experiencing mental health and substance use difficulties has been shown to exist among the Irish public (Irish Penal Reform Trust, 2007). The replication of these findings in a remand context could help to further strengthen the case for widespread provision of custodial remand alternatives. In particular as public attitudes can play an influential role in the extent to which custodial remand is used (Bamford et al., 1999; Open Society Justice Initiative, 2004).

8.7.4 Methodological Recommendations for Future Remand Research

The documentation of the research methodology in Chapter Four has already identified guidelines for future research, in particular the importance of flexibility in the remand research process. Further to this contribution however, the study’s findings have methodological implications for future remand research. Given the finding that remand is a stressful and uncertain experience which often leads to apathy, withdrawal and coping difficulty, the study indicates that future studies should employ methods which facilitate a sense of rapport and control. As in this study, the interview method would appear to be a very appropriate research method for remand populations and possibly for research with victims and family members of remanded individuals who may also undergo stress and uncertainty during the remand period.

As discussed previously, it would appear that the observation method has an important role to play in remand research. In addition, research conducted with informed parties of the remand process such as prison officers and solicitors would appear suited to a combination of qualitative and quantitative methods such as interviews and questionnaires. Quantitative methods could also be incorporated into research obtaining
the views of young people either prior to or after remand period. It is possible that less
time restrictions, sample constraints and levels of uncertainty may prevail in such stages
of the remand process. As highlighted by Shaughnessy and Zechmeister, (1997)
quantitative research evidence is of particular use to policy-makers and service-providers
in aiding the development and implementation of new policies and procedures and as
such, may have an important role to play to bringing about remand reform.

8.8 Conclusion

In conclusion, the thesis contends that young people on remand are a forgotten
population, who are neglected across the domains of research, criminal justice policy and
service provision. The remand population’s right to be detained in custody as a last resort
is largely ignored. Many young people who end up in remand custody do not pose a
threat to public safety but rather, are remanded on the basis of failing to keep bail
conditions/attend court or substance abuse difficulties. The placing of these individuals
in custody cannot be justified or considered a measure of last resort by virtue of the fact
that appropriate services do not exist to aid young people with these difficulties in the
community.

The thesis asserts that the remand population’s right to be presumed innocent until
proven guilty is also neglected in practice. Young people on remand are generally
exposed to the same regime and prison environment as the sentenced population. It is not
surprising therefore, that those on remand are generally treated in a similar punitive
manner to sentenced individuals who are explicitly serving time as a punitive sanction.
It emerges that young people on remand are, in reality, often treated worse than the
sentenced population. This is especially the case with regard to aspects of prison life
such as screen visits, cell accommodation and education/work, whereby one’s remand
status is found to suddenly come to the fore and exclude remanded individuals from
receiving better facilities and opportunities in prison. Young people on remand often also
fare worse than the sentenced population when it comes to the amount of time they spend in custody. Indeed, in spite of the fact that a significant number of young people will go on to be found not guilty, a considerable number remain in custody longer than those serving the average prison sentence.

The negative implications of the failure to meet fundamental human rights on remand are particularly apparent when it comes to the high level of coping difficulty. Few individuals report that they are able to cope well on remand, with many highlighting that it is even harder to cope with than the well renowned stressful experience of a sentenced prison term. The thesis contends that the acute level of coping difficulty present on remand is caused by the heightened levels of vulnerability imported into the prison environment, as well as the institutional failure to treat remanded individuals as a distinct population who have their own specific coping needs and requirements. The combination of these factors reduces the availability of effective coping strategies such as activity and social support and results in a worrying high level of denial, self-harm and violence on remand. The thesis concludes that young people become embroiled in a negative coping cycle on remand which creates difficulties not only on remand but also for the future.

The negative impact of remand indicates that the current system is in need of urgent reform. From a human rights, criminal justice and psychological standpoint, it is vital that young people’s remand rights prevail not just in theory, but in everyday practice. In order to ensure that remand custody is used as a measure of last resort, it is recommended that alternatives to remand are immediately established. Bail support and supervision schemes hold out most promise and their development would not only remove young people from remand custody but also provide a more effective option to help them to deal with their difficulties in the longer term. The implementation of changes to legislation and development of bail information schemes are also of vital importance in helping to reduce the remand population in the coming years. Reform of the remand system is also of utmost importance for young people who pose a threat to public safety and must be remanded in custody as a last resort. It is imperative that young people’s presumption of
innocence is recognised through the provision of separate facilities and appropriate activities which reduce the punitiveness and uncertainty of remand. The introduction of mechanisms to encourage greater contact with solicitors and family members are also recommended, at what is a vital stage of the criminal justice process. On-going research has a critical role to play in bringing about these reforms, which have the power to benefit, not only young people on remand, but also the wider prison population and society in general. Indeed, while young people continue to be locked up on remand, the thesis concludes that one of the most important and powerful keys for change lies in the further unlocking of their voices.
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APPENDIX A: SEMI-STRUCTURED INTERVIEW SCHEDULE INCLUDING STANDARDISED TESTS


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Interview Number:

Name of Detention Centre / Prison:

Date:
Section One: Pre-Custodial Remand

I am now going to ask you some questions about yourself including questions about your lifestyle and how you coped with life before you were remanded in custody. All of your answers are private and confidential.

1 Profile

1.1 Demographic Details

Q.1 Age: 16 □ 17 □ 18 □ 19 □ 20 □ 21 □

Q.2 Nationality: Irish □ Irish Traveller □ European □ Please State: Non-European □ Please State:

1.2 Area

Q.3 What area of the country are you from?
If Dublin ☐ Please State Postcode:
If Other County: ☐ Please State County:
Rural Area ☐ Small Urban Area ☐ Large Urban Area ☐

(a) Were you living in this area before you were remanded in custody?
If no: What area were you living in?

(b) Would you say that much crime takes place in the area you are from?
No ☐ Yes: A little bit ☐ A good bit ☐ A lot ☐

(c) If living in different area: Would you say that much crime takes place in the area you were living in before you were remanded in custody?
No ☐ Yes: A little bit ☐ A good bit ☐ A lot ☐

Q.4 What things are there for young people to do in your area?
(For example, are there any facilities or services that young people can use? Are there any activities young people can take part in?) If None: Go to Q.5.

(a) Do you use any of these facilities or take part in any of the activities?
(If No: Why not?: Not interested? Excluded from using facilities / taking part in activities? Need money to use facilities or take part in activities?)

Q.5 What do you like to do in your spare time?

1.3 Relationships

Q.6 How many people are there in your immediate family? i.e. parents, brothers and sisters.
(a) How often are you in contact with members of your immediate family when you are not in prison? (For example, how often do you get to see or talk to them?).

Q.7 If applicable: How well do you get on with your mother and/or your father?

Q.8 Do you have any children? If No Go to Q.9

(a) Do(es) your child(ren) live with you?

Q.9 Has anyone in your family ever taken part in any criminal activity? (You do not need to provide any details about this). If No Go to (b)

Father ☐ Mother ☐ Brother(s) ☐ Sister ☐ Grandad ☐ Grandmother ☐ Uncle(s) ☐ Aunt(s) ☐ Cousin(s) ☐

(a) Have any of these members of your family ever spent time in a detention school or prison? Yes ☐ No ☐ If Yes: Which members of your family?

(b) Have any of your friends ever taken part in any criminal activity? (You do not need to provide any details about this). If No Go to Q.10

No ☐ A few of your friends ☐ Most of your friends ☐ All of your friends ☐

(c) Have any of your friends ever spent time in a detention school or prison? Yes ☐ No ☐ If Yes: How many?

1.4 Accommodation

Q.10 Where were you living before you were remanded in custody? (For example, were you living at home? In a house/flat with partner/friend(s)/sibling(s)? In Residential Care? In Foster Care? In a Homeless Hostel? On the Streets? Somewhere else?).

(a) Do you think you will return to this accommodation after you are released? If No: Why not?

(b) Have you lived in three or more different places in the year before this remand? Yes ☐ No ☐ If Yes: Was a prison or detention school one of these places?

(c) If not previously stated: Have you ever

Spent Time in Residential Care ☐ Length of time:
Spent Time in Foster Care: ☐ Length of time:
Spent Time in a Secure Unit: ☐ Length of time:
Spent Time in a Psychiatric Institution: ☐ Length of time:
Been Homeless: ☐ Length of time:

1.5 Education

Q.11 Before you were remanded in custody on this occasion, were you attending school or doing any training or apprenticeships? If Yes: Go to Q.11d
(a) Why were you not attending school?
(For example, did you leave school yourself? Were you suspended? Were you expelled?)

(b) If expelled or left school: What age did you stop going to school at?

(c) Have you completed your Junior Cert or Leaving Cert at school or in prison?
   Junior Cert: At School ☐ In Prison ☐ Leaving Cert: At School ☐ In Prison ☐

(d) Can you tell me about your time in school?
(For example, did you like or dislike school? Did you ever truant or get suspended?).

1.6 Employment

Q.12 Were you working before you were remanded in custody on this occasion?
(What type of job was it? Were you working full or part time? If Yes: Go to Q.13)

(a) Have you ever had a full or part time job?
If No: Is there any particular reason for this?

1.7 Substance Use

Q.13 When you are not in prison do you drink alcohol? If No or given up: Go to Q.14
   No ☐ Yes ☐ Used to in the past ☐ : Why did you decide to give up?

(a) Why do you drink alcohol?
(For example, is it for enjoyment? To ease boredom? To fit in with friends? Do you ever use drugs to help you cope with or avoid problems in your life? Any other Reason?).

(b) CAGE Questionnaire (Ewing, 1984)
I am now going to read out some statements about drinking alcohol and I am going to ask if you would agree or disagree with these statements in relation to your drinking.

   (1) Have you ever felt you should cut down on your drinking? Yes ☐ No ☐
   (2) Have people annoyed you by criticizing your drinking? Yes ☐ No ☐
   (3) Have you ever felt bad or guilty about your drinking? Yes ☐ No ☐
   (4) Have you ever had a drink first thing in the morning to steady your nerves or to get rid of a hangover (eye-opener)? Yes ☐ No ☐

   In general how regularly did you drink alcohol in the six months before you came here on remand?
   Less than once a week: Please State ☐ 1-2 times a week ☐ 3-4 times a week ☐ 5-6 times a week ☐ Everyday ☐

(d) Have you ever got into trouble after drinking alcohol?

(e) Do you think drinking alcohol is one of the reasons why you ended up being remanded in custody on this occasion? If Yes: Why is this?
Q.14 When you are not in prison do you take drugs (including cannabis)?
If No or given up: Go to Q.15
No ☐ Yes ☐ Used to in the past ☐: Why did you decide to give up?

(a) Why do you use drugs?
(For example, is it for enjoyment? To ease boredom? To fit in with friends? Do you ever use drugs to help you cope with or avoid problems in your life? Any other Reason?).

(b) In general how regularly did you use drugs in the six months before you came here on remand?
Less than once a week: Please State ☐ 1-2 times a week ☐ 3-4 times a week ☐ 5-6 times a week ☐ Everyday ☐

Which drugs did you use in the six months before you came here on remand?
(c) Cannabis ☐ Cocaine ☐ Crack ☐ Ecstasy ☐ Heroin ☐ LSD ☐ Methadone ☐
Magic Mushrooms ☐ Poppers ☐ Solvents ☐ Speed ☐ Steroids ☐
Tranquilizers(valium) ☐ Other ☐

(d) Do you think that you would find it hard to live without / give up drugs outside prison? Why?

(e) Do you think using drugs is one of the reasons why you ended up being remanded in custody on this occasion? Why?

1.8 Temperament and Mental Health

Q.15 Would you say that you are a person who:
Usually acts calmly and plans what you are going to do next ☐
Usually acts on the spur of the moment and do not plan ahead ☐

(a) Have you ever gone to see a psychiatrist or psychologist before?

(b) What was the reason for you going to see a psychiatrist / psychologist?
(For example, was it for depression? Anxiety? Schizophrenia? Another issue?).

1.9 Adverse Experiences

Q.16 Did you ever experience any of the following events outside prison?
If Yes: How many times?
Had any of your money or your belongings (for example, phone, clothes) stolen ☐
Been threatened by another individual(s) ☐
Been Hit by another individual(s)? Did you need to get medical attention? ☐
Been physically attacked with a weapon (for example, knife, gun, syringe) ☐

(a) Did this or any of these experiences take place in the six months before you were remanded in custody? If No: Can you tell me when this / these experiences roughly took place?
(b) Have you ever been attacked or threatened by the same person or group of people on a number of different occasions?

(c) When you were outside prison did you ever attack or threaten another person or group of people on a number of different occasions?

(d) Did you ever experience any of the following events in your life?
- Parents separating / getting divorced
- Death of a family member. If Yes: Who?
- Death of a friend / friends

(e) Did this or any of these experiences take place in the six months before you were remanded in custody? If No: Can you tell me when this / these experiences roughly took place?

1.10 Coping with Life Prior to Custodial Remand

Q.17 From time to time, people are faced with different types of problems or worries. What were the most common type of problem(s) / worry(ies) you had outside of prison? If None: Go to Q.18

(For example, did you have problems / worries with relationships? With work / education? With accommodation? With drugs? With a lack of money? With your health?).

(a) Were any of these problems or worries worse than normal around the time you were charged with this current offence? If Yes: How was (were) it (they) worse?

(b) Can you tell me in your own words what you would have usually done when this/ these problem(s) or worry(ies) occurred outside of prison?

(For example, would you try to solve the problem? Do something to take your mind off it? Ask people for help or support? Take alcohol or drugs? Pretend it didn’t exist? Commit a crime? Physically or verbally release your frustrations? Pray? Anything else?).

(c) Did you usually find that doing this / these things made the problem (s) or worry(ies) better or worse? In what way?

(d) Do you think there is anything else that you could have done that would have helped you to deal with the problem(s) or worry(ies) better?

Q.18 In general how would you describe your life outside prison?

(For example, would you say its very good? Good? Ok? Bad? Very bad?) Why?

(a) Overall, were you happy enough with how your life was before you were remanded in custody on this occasion?

(b) Would you like to make any changes to your life outside prison? Why?

(c) In general, how well do you think you coped with life outside prison? Why is this?

Q.19 Have you ever self-harmed / had suicidal thoughts outside prison?

Never □ Now and Again □ A Lot □ All the Time □ Don’t want to say □
If Never or don’t want to say: Go to Q.20

(a) Why have you self-harmed / had suicidal thoughts outside prison?

1.11 Criminal Behaviour

Q.20 Have you ever committed a crime before?  If No: Go to Q. 21

(a) Approximately how many crimes would you say you have committed?

(b) What age were you when you committed your first crime?

(c) What sort of crimes have you committed?

Criminal Damage: ☐
Theft: ☐  ☐ Larceny  ☐  ☐ Burglary
Nuisance Crimes: ☐  ☐ Begging  ☐  ☐ Vagrancy
Public Order: ☐  ☐ Intoxication  ☐  ☐ Breach of Peace
Traffic Offences: ☐  ☐ Joyriding  ☐  ☐ Dangerous Driving
Drug Offences: ☐  ☐ Possession  ☐  ☐ Sale of Drugs
Violent Crimes: ☐  ☐ Harassment  ☐  ☐ Assault
Weapon Offences: ☐  ☐ Possession  ☐  ☐ Use of weapon
Homicide: ☐  ☐ Manslaughter  ☐  ☐ Murder
Other: Please State ☐

1.12 Contact with the Criminal Justice System

Q.21 Have you ever received a caution from the Gardaí before?  If Yes: How many?

Q.22 How many times have you previously been granted bail?

Q.23 Have you ever been convicted of committing a crime before? If No: Got to Q.24
If Yes: How many convictions do you have?

(a) Have you ever received a non-custodial sentence such as a fine, probation or community service? If Yes: How many times (for each applicable one)?

(b) Have you received a custodial sentence before? If No: Go to Q.24

(c) Can you give me the following information about your previous custodial sentence(s)  (Maximum of five previous sentences)

<table>
<thead>
<tr>
<th>Number</th>
<th>Year</th>
<th>Location</th>
<th>Length of Sentence</th>
</tr>
</thead>
</table>

(d) Do you think it is easier, harder or just the same to be on remand as it is to be in sentenced custody? Why do you think this?  
(For example, do the staff treat you differently? Do you get more rights on remand? Is the prison regime different on remand?)
Section Two: Custodial Remand

I am now going to ask you some questions about any previous times you may have been remanded in custody and this current custodial remand. You will be asked about the experiences you have had on remand, the possible effects that may or may not have occurred and how you cope while you are remanded in custody. All your answers are private and confidential.

2A Previous Custodial Remand(s)

Q.24  Before this remand, were you ever remanded in custody on any other occasion?  
      If No: Go to Q.25

      (a)  What age were you when you were first remanded in custody?

      (b)  Can you give me the following information about your previous custodial remand(s)? (Maximum of five previous remands).

<table>
<thead>
<tr>
<th>Number</th>
<th>Year</th>
<th>Location</th>
<th>Length of Remand</th>
<th>Reason</th>
<th>Outcome</th>
</tr>
</thead>
</table>

(Reason for Custodial Remand: For example, were you remanded in custody because you were accused of committing a violent crime? Because you have previous convictions? Because you have offended on bail before? Because you may fail to attend your trial? Because the judge believed you may try to contact witnesses? Another reason?).

(Remand Outcome: For example, were you found not guilty? Were you given a non-custodial sentence? Were you given a custodial sentence?)

(c)  Were you ever released out on bail after already being remanded in custody? If No Go to Q.25

(d)  Do you know the reason why you were granted bail after being remanded in custody?

2B Current Custodial Remand

Q.25  Are you on remand awaiting trial or awaiting sentence?

      (a)  How long have you been remanded in custody for on this occasion?  
           (How many weeks? If less than a week how many days?)

      (b)  How long do you expect to be remanded in custody for?  
           (How many more days or weeks?)

Q.26  Why were you remanded in custody on this occasion?  
      (Q.24 Probe).

      (a)  Do you think it was fair that you were remanded in custody for this reason? Why?
2C Custodial Remand Experiences

2C.1 Arrival to Custody

Q.27 When you first appeared in court charged with the offence, did you think that you might be remanded in custody? Why is this?

Q.28 How did you feel when you first arrived to the prison on remand (on the first occasion)? If applicable: Did you have the same feelings when you arrived this time?

(a) Can you tell me about what happened when you arrived into the prison on remand?
(For example, were you brought to the reception area? What happened there?)

(b) When you came here on remand were you
   Asked if you had been in custody before ☐  Asked if you had any health problems ☐
   Asked if you had any drug problems ☐  Told about your remand rights ☐

2C.2 The Remand Regime

Q.29 How many hours a day (out of 24 hours) do you usually spend in your cell?

(a) Do you choose to spend any of these hours in your cell? If Yes: Why?

(b) Do you share your cell? If Yes: With how many people?

(c) How do you feel about having your own cell / sharing your cell?
(For example, do you like it? Would you like to have your own cell / share a cell instead?).

(d) What things do you usually do when you are in your cell during the day?
(For example, do you read? Sleep? Watch tv? Daydream? Think about the past or future?)

(e) Do you ever take drugs including cannabis in your cell or anywhere else in the prison?
If Yes: Which drugs?

(f) Why do you take drugs in prison?
(For example, do you take drugs to pass the time? To prevent withdrawal? To ease boredom? As a form of escape? To help you cope with prison?).

Q.30 Can you tell me about the daily routine here?
(What usually happens between the time you get up until dinnertime? What usually happens between the time after dinner until you get your tea? What usually happens between teatime and the time you go to bed?).

Q.31 Have you taken part in any formal education such as studying subjects for the junior cert or leaving cert while you have been remanded in custody?
This remand: Yes ☐  No: Didn’t want to ☐  Not available ☐
Only here a short time ☐
Last remand(s): Yes ☐  No: Didn’t want to ☐  Not available ☐
Only there a short time ☐  If No: Go to Q.31b
(a) Why do you choose to take part in formal education classes on remand?  
(For example, do you take part to learn something useful? To help get a job on release? To keep busy in prison?)

(b) Have you taken part in any social education such as drug awareness programs or social skills training while you have been remanded in custody?  
This remand: Yes ☐ No: Didn’t want to ☐ Not available ☐  
Only here a short time ☐  
Last remand(s): Yes ☐ No: Didn’t want to ☐ Not available ☐  
Only there a short time ☐  
If No: Go to Q.32

(c) Why do you choose to take part in social education programs or training while on remand?  
(For example, do you take part to help deal with problems you may have? To keep busy?)

Q.32 Have you taken part in any work or training while you have been remanded in custody this time? If No Go to Q.33  
This remand: Yes ☐ No: Didn’t want to ☐ Not available ☐  
Only here a short time ☐  
Last remand(s): Yes ☐ No: Didn’t want to ☐ Not available ☐  
Only there a short time ☐

(a) Why do you choose to take up work in the prison while you are on remand?  
(For example, do you work to earn money in prison? To keep busy? To get experience?)

Q.33 What facilities and services do you have access to if you want or need them while you are on remand here?  
(For example, do you have access to the gym? To outside activity? To the library? To legal information? To drugs treatment? To medical treatment?).

(a) Are there any other facilities you would like to have access to?  
If Yes: What facilities?

2C.3 Contact with People Outside Prison

Q.34 Have you had contact with the following people while on remand this time  
Family: Visits ☐ Letters ☐ Phonecalls ☐  
Friends: Visits ☐ Letters ☐ Phonecalls ☐  
Solicitor: Visits ☐ Letters ☐ Phonecalls ☐  
If No: Go to Q.34b

(a) In general, how often are you in contact with the following people per month (If remanded for less than a month how often have you been in contact with the following people since you arrived on remand)  
Family:  
Friends:  
Solicitor:
If remanded for less than a week: How often do you expect to receive visits, phonecalls or letters from the following people while you are here on remand?

Family: ____________________________ Friends: ____________________________ Solicitor: ____________________________

(b) Do you think it is difficult to keep in contact with people in the outside world while you are remanded in custody? Why do you think this?
(For example, If no: Individuals on remand have good visiting rights? You have very good family / friends? If yes: Family live far away? Not enough visiting rights?).

2C.4 Relationships with Other Inmates

Q.35 In general, how do you get on with the other young people who are remanded in custody here? (For example do you get on well with all the young people? Get on well with some of the young people? Don’t get on well with all of the young people? Don’t get on well with some of the young people?).

(a) Do you think that the other young people remanded in custody here help you get through your time on remand? If Yes: Can you tell me how they do this?

Q.36 While you have been on remand here have any of the other inmates threatened you? Stolen from you? Physically attacked you?

(a) Approximately how many times has this happened to you?

(b) Did you report it to someone in the prison? If Yes: What happened? If No: Why not?

Q.37 Have you had any contact with sentenced individuals during this remand? If Yes: What was the nature of the contact?
(For example, was it in your cell? While attending work / education in prison? At court?).

(a) Do you think remand and sentenced individuals should be kept apart in prison? Can you tell me why you think this?
(For example: If No: do you think you may get to know more people? or get more access to facilities? If Yes: do you think you may be presumed to be guilty? or not be granted your extra rights?).

Q.38 Have you ever had any contact with other inmates who are aged 18 or over during this remand? If Yes: What was the nature of the contact?
(For example, was it in your cell? While attending work /education in prison? At court?).

(a) Do you think that young people on remand under the age of 18 should be kept apart from individuals on remand who are aged 18 and over? Can you tell me why you think this?
(For example: If No: Do you think older people may be able to give help or advice to younger people? If Yes: Do you think older people may bully younger people or be a bad influence on them? ).
2C.5 Relationship with Staff

Q.39 In general how do you get on with the staff here?
(For example, do you get on well with all the staff? Well with some? Don’t get on well with all of the staff? Don’t get on well with some?).

(a) Do you think the staff help you to get through your time here on remand?
   If Yes: Can you tell me how they do this?
   (For example do the staff treat you as an innocent person? Do the staff explain prison rules and court procedures? Do the staff help you deal with any problems?).
   If No: Can you tell me why you think this?

(b) Do you think the staff could do anything (else) to help you get through your time here on remand? If yes: Can you tell me what you think the staff could do?

2C.6 Court Experiences

Q.40 How many times have you been to court since you were remanded in custody on this occasion?

(a) Do you think that there are any bad things about going to court when you are remanded in custody? If Yes: What are these?
   (For example, having to be brought to the court in handcuffs? Being held in a court holding cell? Not returning to the same cell after being brought back to prison?).

(b) Do you think that there are any good things about going to court when you are remanded in custody? If Yes: What are these?
   (For example is it a chance to see family and/or friends? Find out more about the case? Get a break away from the prison?).

2C.7 Overall Remand Experience

Q.41 In general how would you describe your life on remand?
(For example, is it very good? Good? Ok? Bad? Very Bad?). Why?

(a) Did you think that being remanded in custody (on the first occasion) would be better, worse, or the same as it actually is? Can you tell me why you think this?

(b) Overall, are you happy enough with your life on remand? Why?

(c) Do you think anything could be done to improve your experience of custodial remand? If Yes: What? If No: Why not?
**2D Custodial Remand Effects**

I am now going to ask you about positive and negative changes that may have taken place since you have been on remand. All answers are confidential.

**Q.42 Self-Esteem: Rosenberg Self-Esteem Scale (Rosenberg, 1965)**  
Strongly Agree (S.A); Agree (A); Disagree (D); Strongly Disagree (S.D).

<table>
<thead>
<tr>
<th>(a) On the whole I am satisfied with myself</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<td>On Remand</td>
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<tr>
<th>(b) At times I think I am no good at all</th>
<th>S.A</th>
<th>A.</th>
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<th>S.D</th>
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<td>Before Remand</td>
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<td>On Remand</td>
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<th>(c) I feel that I have a number of good qualities</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<th>(d) I am able to do things as well as most other people</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<td>On Remand</td>
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<tr>
<th>(e) I feel I do not have much to be proud of</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<tr>
<td>On Remand</td>
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<tr>
<th>(f) I certainly feel useless at times</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<tr>
<td>On Remand</td>
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<tr>
<th>(g) I feel that I’m a person of worth who is equal with others</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<tbody>
<tr>
<td>Before Remand</td>
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<tr>
<th>(h) I wish I could have more respect for myself</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<td>4</td>
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<td>On Remand</td>
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<th>(i) All in all I feel that I am a failure</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<td>On Remand</td>
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<tr>
<th>(j) I take a positive attitude toward myself</th>
<th>S.A</th>
<th>A.</th>
<th>D.</th>
<th>S.D</th>
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<td>Before Remand</td>
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<td>On Remand</td>
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Q.43 When you are not on remand do you ever feel any of the following feelings? If Yes: Please Explain
(a) Feel that you cannot do anything to control your life:
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐
(b) Feel like giving up:
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐
(c) Feel that other people do not want to know you or have contact with you:
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐
(d) Any other negative feelings: Please State
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐

Q.44 Have you felt any of the following feelings while you have been here on remand?
(a) Felt that you could not do anything to control your life:
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐
(b) Felt like giving up:
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐
(c) Felt that other people did not want to know you or have contact with you:
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐
(d) Any other negative feelings: Please State
Never ☐ Now and Again ☐ A Lot ☐ All the Time ☐ Don’t Know ☐

Q.45 Do you think that being remanded in custody has brought about any negative changes to you or your life? If yes: can you tell me about this / these changes?
(For example, do you think being remanded in custody has disrupted your life? Disrupted your relationships with people outside prison? Made people think about you differently? Any other negative changes?)

(a) Do you think that being remanded in custody has brought about any positive changes to you or your life? If yes: can you tell me about this / these change(s)?
(For example, has it let you clear your head? Think about changes you want to make? Break away from drugs or people involved in crime? Not want to get charged again?).

2E Coping on Remand

Q.46 What makes you feel happy while you are on remand?
(a) What makes you feel sad while you are on remand?
(b) Can you tell me in your own words what you usually do if you feel sad on remand?
(For example, do you try to solve the problem? Ask someone outside prison for support? Do something to take your mind off the problem? Ask other inmates or staff for help? Take drugs? Pretend the problem didn’t exist? Refuse to follow prison rules etc.?)
(c) What makes you feel angry while you are on remand?

(d) Can you tell me in your own words what you usually do if you feel angry on remand? (Use probes from b).

(e) Do you find this / these actions help you to feel better on remand? Why / Why not?

(f) Do you think that you could do anything else that might help you cope better when you feel angry or sad on remand?

Q.47 Do you find that any of the following issues make you stressed / anxious on remand? Why?

1. Different regime / rights on remand
2. Physical prison environment / setting
3. Lack of Freedom
4. Lack of privacy
5. Not knowing duration of remand
6. Going to court
7. Not knowing outcome of the case
8. Relationships with other inmates
9. Relationships with staff
10. Missing people outside of prison
11. Boredom
12. Not receiving an arranged visit
13. When visits are over
14. Withdrawal from alcohol
15. Withdrawal from drugs
16. Bullying
17. Lack of education on remand
18. Lack of employment on remand
19. Overcrowding
20. People thinking you are guilty
21. Feeling you cannot cope
22. Thinking about your past
23. Thinking about your future
24. Other: Please State

(a) Have you found that this (these) problems / stressors have stayed the same or got better or worse from the time you arrived here on remand until now? In what way?

(b) What is the most stressful thing about being remanded in custody? Why is this?

Q.48 Can you tell me in your own words what you usually do if you feel stressed on remand?
(For example, do you try to solve the problem? Ask someone outside prison for help or advice? Do something to take your mind off the problem? Ask other inmates or staff for advice or support? Take drugs? Pretend the problem didn’t exist? Refuse to follow prison rule? Physically take your frustrations out on someone? Pray? Anything else?).

(a) Do you find that this/ these action(s) help you to deal with stress or worry(ies)? Why / Why not?
Do you think you could do anything else that would help you deal with stress better on remand?

Q.49 Carver (1997) Brief COPE

‘These items deal with ways you've been coping. There are many ways to try to deal with problems. These items ask what you've been doing to cope. Obviously, different people deal with things in different ways, but I'm interested in how you've tried to deal with it. Each item says something about a particular way of coping. I want to know to what extent you've been doing what the item says. How much or how frequently. Don't answer on the basis of whether it seems to be working or not-just whether or not you're doing it. Use these response choices. Try to rate each item separately in your mind from the others. Make your answers as true FOR YOU as you can’ (Carver, 1997).

1 = I haven't been doing this at all              3 = I've been doing this a medium amount
2 = I've been doing this a little bit               4 = I've been doing this a lot

(1) Turn to work or other activities to take your mind off things
Before Remand 1 2 3 4
On Remand 1 2 3 4

(2) Concentrate on doing something about the situation you are in
Before Remand 1 2 3 4
On Remand 1 2 3 4

(3) Say to yourself this isn’t real
Before Remand 1 2 3 4
On Remand 1 2 3 4

(4) Use alcohol or drugs to make yourself feel better
Before Remand 1 2 3 4
On Remand 1 2 3 4

(5) Get emotional help from others
Before Remand 1 2 3 4
On Remand 1 2 3 4

(6) Give up trying to deal with it
Before Remand 1 2 3 4
On Remand 1 2 3 4

(7) Do something to make the situation better
Before Remand 1 2 3 4
On Remand 1 2 3 4

(8) Refuse to believe (won’t accept) that it has happened
Before Remand 1 2 3 4
On Remand 1 2 3 4
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<th>Say things to let my negative feelings escape</th>
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<th>Get help and advice from other people</th>
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<th>Use alcohol or drugs to help me get through it</th>
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<th>Try to look at in a different way to make it seem more positive</th>
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<th>Criticize (think negative things about) yourself</th>
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<th>Try to come up with a strategy (plan) about what to do</th>
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<th>Go to someone to get comfort and understanding</th>
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<th>Give up trying to cope</th>
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<th>Look for something good about what is happening</th>
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<th>Make jokes about it</th>
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<th>Do something to think about it less, for example, read, watch tv, sleep, daydream</th>
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<th>Accept that the situation is real and has happened</th>
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<th>Express (let out) your negative feelings</th>
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<td>Before Remand</td>
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(22)  **Turn to your religion or spiritual beliefs to give you comfort**
Before Remand  1  2  3  4
On Remand  1  2  3  4

(23)  **Try to get advice or help from other people about what to do**
Before Remand  1  2  3  4
On Remand  1  2  3  4

(24)  **Learn to live with it**
Before Remand  1  2  3  4
On Remand  1  2  3  4

(25)  **Think hard about what steps to take**
Before Remand  1  2  3  4
On Remand  1  2  3  4

(26)  **Blame yourself for things that happened**
Before Remand  1  2  3  4
On Remand  1  2  3  4

(27)  **Pray or meditate**
Before Remand  1  2  3  4
On Remand  1  2  3  4

(28)  **Make fun of the situation**
Before Remand  1  2  3  4
On Remand  1  2  3  4

**Q.50** What do you think is/ are the most important thing(s) that you need to help you get through your time on remand? Why do you think this / these are important?
(For example, is it having activities to do? Being able to feel safe? Being able to get help with problems? Being able to get support from people inside or outside of prison? Being able to know what is going to happen in the future? Is it being able to get some privacy? Being able to feel independent? Anything else?)

(a)  **Do you think that this / these needs are met by the prison while you are on remand? Why / Why not? If Yes: Go to Q.51**

(b)  **What do you think the prison could do to provide for this / these need(s) you have?**

**Q.51** Who could you turn to for help and support if you need it while you are remanded in custody?

(a)  **Do you think it is important to have someone who you could turn to if you needed it while you are on remand? Why?**

**Q.52** Overall, how well do you think you cope with being remanded in custody? Why do you think this?
(a) Do you think anything could be done to help young people to cope better on remand?  
If Yes: What?  If No: Why not?  
(For example, do you think a coping skills course / training would be helpful? Do you think any changes could be made that would make it easier to cope with remand?).

I am now going to ask you some questions about sensitive areas such as self-harming behaviour and suicide in prison. You will be given an option not to answer any of these questions if you do not want to. If you say that you have harmed yourself or have had suicidal thoughts while you have been on remand I have to let the Governor know. This is for safety reasons so that the prison will be aware of your behaviour and feelings and so that they can provide any necessary assistance.

Q.53 Have you ever self-harmed or had suicidal thoughts in prison in the past?  
Never □ A small number of times □ A good few times □ A lot of times □  
Don’t want to answer □

(a) Do you self-harm or have suicidal thoughts now?  
No □ Yes: Now and again □ A good bit □ A lot □ All the time □  
Don’t want to answer □ If No or don’t want to answer: Go to Q.54

(b) Why did / do you self-harm / have suicidal thoughts in prison?  

I am now going to ask you some questions about other young people who are on remand. You do not have to answer these questions if you do not want to. As these are general questions I will not have to give this information to the Governor.

Q.54 From your experience(s) of remand do you think young people on remand are:  
More likely to self-harm/ have suicidal thoughts than young people outside prison □  
Less likely to self-harm/ have suicidal thoughts than young people outside prison □  
No difference between the two groups □

Q.55 Do you think anything could be done to help young people on remand who may self-harm and / or have suicidal thoughts?  If Yes: What?  If No: Why not?
Section Three: Post Custodial Remand

I am now going to ask you questions about your circumstances and coping with life after remand. All your answers are private and confidential.

Q.56 If not released back into community after remand before: Go to Q.57 or Q.58
What were your circumstances like when you were released from remand last time?

(a) Were they better, worse or the same as you expected?
(For example, what were your relationships with family/ friends/ partner like? Your accommodation? Were you able to go to school or get a job if you wanted to? Did you take drugs or commit any crime? Anything else?).

Q.57 Did you find it hard to settle back to your life when you were released from sentenced custody last time? Why do you think this was?

(a) What were your circumstances like when you were released from sentenced custody last time? Were they better, worse or the same as you expected?
(For example, what were your relationships with family, friends and / or partner like? What was your accommodation situation like? Did you have a job or education to go back to? Did you commit any crime? Anything else?).

For those not released from both remand and sentenced custody before: Go to Q.58

(b) Do you think that your circumstances when you were released from remand were better, worse or the same as your circumstances when you were released from sentenced custody? Can you tell me why you think this?

Q.58 Do you expect to be released back into the community after this remand (by being found not-guilty or being given a non-custodial sentence) or do you expect to get a custodial sentence? Why do you expect that this will happen?

(a) If you are given a custodial sentence do you think you will find it hard to settle into the regime of being sentenced after being on remand? Why is this?

(b) If you are released back into the community after this remand what do you think your circumstances will be like? Do you expect your circumstances to be better, worse or the same as before you were remanded in custody?
(For example, what do you think your relationships will be like? Drugs? Your living arrangements? Do you think you will be able to get an education or a job if you want to?

(c) Do you think you will find it hard to settle back to your life if you are released back into the community after this remand? Why do you think this?

Q.59 Do you think anything could be done while you are remanded in custody to help you cope with life after you are released from remand? If Yes: What? If No: Why not?

Q.60 What are your plans for the future?
Section Four: Other Areas

This section provides you with a chance to make a comment or to ask any questions about this research.

Q.61 Is there anything else you would like to say or comment on?

(a) Do you have any questions that you would like to ask me about this research?

Thank you very much for your time and for taking part in this research study. It is much appreciated.
### APPENDIX B: COURT OBSERVATION PRO-FORMA DOCUMENT

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</table>
APPENDIX C: CODE OF PRACTICE FOR PRISON BASED STUDY

1. Clarification of Researcher’s Responsibilities
   It is the researcher’s responsibility to:
   
   (A) Make potential participants aware of their rights and the purpose and procedure of the research.

   (B) Obtain information which will fulfil the research study’s aims in a respectful and ethical manner from the people who have provided informed consent to participate in the research.

   (C) Inform participants about the exceptions to confidentiality which prevail in prison research.

   (D) Inform members of the Prison Service if participants disclose information about self-harm, suicide or intended criminal behaviour.

   It is not the researcher’s responsibility to
   (A) Provide a counselling service to the people who partake in the research.
       However, names and contact details of appropriate services will be provided if the researcher believes this is required.

   (B) Fulfil the participants’ material needs in the prison.

   (C) Carry out any prohibited tasks requested by the participants.

2. Assessing Risk in the Fieldwork Site
   The purpose and procedure of the research will be discussed with all relevant governors and prison officers and their views will be obtained regarding potential risks in the prisons.

3. Assessing Risk and Respondents
   Questions which may cause strong emotions or reactions among the participants will be identified and strategies to deal with such emotions will be employed.

4. Maintaining Contact
   The researchers’ fellow staff members will be informed of the research itinerary and the contact details for each prison that will be visited.
5. Setting up Fieldwork
The researcher will request to be shown around each prison to increase the level of familiarity with the prison environment. The researcher will also consult with governors and prison officers as to where the safest locations for conducting the research in each prison are.

6. Interview Precautions
The researcher will wear semi-formal clothing and will carry an identification card at all times. Only possessions that are required for the research study will be brought into the prison. A prison guard will be requested to remain outside the interview location to assist with any difficulties should they arise.

7. Conduct of Interview.
The researcher and participants will sit down while the interview is being conducted. A table will be used to place the questionnaires on and also to maintain an appropriate social distance between the researcher and the people who partake in the research. The researcher will observe the participants’ body language to help predict if any risks are likely to occur.

8. Strategies for Handling Risk Situations
If any safety difficulties arise, the researcher will immediately end the interview and will request the assistance of the prison officer on duty outside the research location. The researcher will remain sitting at all times as the participant may believe the researcher is engaging in threatening behaviour if the researcher stands up. Additionally, the researcher will not respond to any physical abuse or retort to any verbal mistreatment.

9. Debriefing and Support after the Event
The researcher will reflect on any safety difficulties which may arise during the prison research. Any serious incidences will be reported to the prison and support from counsellors or other staff members will be availed of if necessary. The safety code of practice will constantly be reviewed and updated.
APPENDIX D: ADDITIONAL PILOT STUDY QUESTIONS FOR PRISON BASED STUDY

I would just like to take a few more minutes to ask you about your thoughts and feelings about participating in this study. If you think the research should be changed at all please let me know as your opinions will help to improve the research study and make sure that it covers issues that are important to young people on remand.

Q.1 Were you happy for me to read out the consent form to you?
Q.2 Did you understand that you did not have to take part in this research and that you could pull out at any time?
Q.3 Did you understand that you did not have to answer any question that you did not want to?
Q.4 Did you understand what the research was about?
Q.5 Did you find any questions or areas hard to understand or hard to answer?
Q.6 Were you able to follow and understand the different tests I asked you to do about alcohol, self-esteem and coping?
Q.7 Did anything I asked you during the interview make you feel upset or angry?
Q.8 Do you think there are any other important questions or areas I should ask about during the interview?
Q.9 What do you think about the length of time it took to do the interview?
Q.10 Would you have liked a break during the interview?
Q.11 How did you feel about the interview being tape-recorded?
Q.12 Do you have any other comments to make about participating in this research?

Thank you very much for your time and for telling me what you thought about this research study.
APPENDIX E: THE AREAS IN IRELAND FROM WHICH THE YOUNG PEOPLE HAILED AND THEIR DISTANCE FROM REMAND CUSTODY

Figure Six: The Areas in Ireland from which the Young People Hailed and their Distance from Remand Custody.\textsuperscript{63}

This figure represents the different areas across Ireland from which the young people on remand came. It depicts that many of the young people were detained a far distance from their families and local communities.

\textsuperscript{63} In the case of the nine Irish travellers and five foreign nationals, the area in which they were living/called home prior to remand was included.
Dear Participant

My name is Sinéad Freeman. I am a research student from the Dublin Institute of Technology in Mountjoy Square. I am doing a research study on young people who are aged between 16 and 21 who are remanded in custody in Dublin. I am interested in talking to young people in this age-group as no research has been done on this area in Ireland before. Therefore, no information is known about your age group’s backgrounds or remand experiences. This study aims to collect information about the backgrounds and experiences of young people on remand and how young people cope while they are remanded in custody.

You are being asked to take part in this study as it is important that people who are remanded in custody tell us about their lives, thoughts and experiences of custodial remand in their own words. It is a chance to for you to talk about your time on remand and things that are important to you. You do not have to take part in this research. It is your choice. No extra privileges will be given or taken away if you do or do not take part. You have the right to pull out of the study at any time and the right not to answer any questions you do not feel comfortable with.

The interview will last for approximately 45 minutes to 55 minutes. It is being recorded to give you a chance to give more detailed answers and to make sure I do not miss any of your answers. You will not be asked to give any information about your current charge and everything you say will be kept private and confidential. The only time I will have to give information to the prison is if you say you are going to harm yourself, someone else or society. This is for safety reasons.

Your name will not be used or appear on the interview guide or tape so no information can be traced back to you. Therefore I can guarantee that this interview will not effect your remand position in any way. The information you give will be put together with the information from other young people on remand and the results will be printed in a college book called a thesis when the research is finished.

I understand the information contained in this consent form and I am willing to take part in this research study. Name:  Date:
APPENDIX G: EXAMPLE OF THE THEMATIC ANALYSIS PROCESS
(CONDUCTED ON DATA RELATING TO YOUNG PEOPLE’S REMAND COURT EXPERIENCES)

1. General Codes
   court frequency
   court handcuffs
   court journey
   court appearance
   court emotions
   court holding cell

↓

2. Descriptive Codes
   court frequency: go often
   court frequency: sometimes not brought
   court handcuffs: sore / uncomfortable
   court handcuffs: perceived as dangerous
   court journey: fear for safety
   court journey: long / no breaks
   court journey: woken up early
   court journey: basic needs not met
   court appearance: over quickly
   court appearance: see solicitor
   court appearance: solicitor not always present
   court appearance: see family
   court appearance: break from prison
   court appearance: unsettling going back to prison
   court holding cell: held out of view
   court holding cell: mixing with serious criminals
   court holding cell: long day
   court emotions: confusion what is going on
   court emotions: frustration nothing new happened
   court emotions: frustration not getting bail
   court emotions: stress what is going to happen with case
   court emotions: embarrassment wearing handcuffs

↓
3. Initial Themes

Frequency of Court Appearances

- Court frequency: go to court often
- Court frequency: sometimes not brought

Conditions Experienced at Court

- Court journey: long/without breaks
- Court journey: fear for safety
- Court handcuffs: perceived as dangerous
- Court handcuffs: sore uncomfortable
- Court holding cell: long day
- Court holding cell: mixing with serious offenders
- Court holding cell: held out of view
- Court appearance: see family
- Court appearance: see solicitor
- Court appearance: solicitor not always present
- Court appearance: over quickly
- Court appearance: break from prison
- Court appearance: basic needs not met
4. Reviewed Final Themes

- Court emotions: embarrassment wearing handcuffs
- Court emotions: confusion about what is going on
- Court emotions: frustration that nothing new has happened
- Court emotions: frustration not getting bail
- Court appearance: unsettling going back to prison
- Court appearance: frustration not getting bail
- Court appearance: stress about what is going to happen with case

- Court emotions: confusion about what is going on
- Court emotions: frustration not getting bail
- Court emotions: stress about what is going to happen
- Court appearance: unsettling going back to prison
- Court appearance: see solicitor
- Court appearance: solicitor not always present
- Court appearance: unsettling going back to prison
- Court appearance: see family

- Court frequency: go to court often
- Court frequency: sometimes not brought
- Court appearance: break from prison
- Court appearance: going back to prison
- Court appearance: over quickly
- Court appearance: seeing family
- Court appearance: solicitor not always present
- Court holding cell: long day
**Figure Seven: Stages of the Thematic Analysis Process**

This figure represents the different stages that were conducted in the thematic analysis of the data. It depicts the process whereby initially identified general themes were developed into specific themes.
APPENDIX H: CONSENT FORM FOR PRISON GOVERNORS

Dear Governor

Sinéad Freeman, a research student from the Dublin Institute of Technology in Mountjoy Square, is conducting a research study on young people who are aged between 16 and 21 who are remanded in custody in your prison. This study aims to collect information about the backgrounds and experiences of young people on remand and how young people cope while they are remanded in custody.

Informed consent will be obtained from all young people participating in this research. In addition to this consent, you are being asked to provide consent for young people aged 16 and 17 who take part in this study. The young people do not have to take part in this research study. It is their choice. No extra privileges will be given or taken away if they do or do not take part in the study. They have the right to pull out of the study at any time and the right not to answer any questions they do not feel comfortable with.

The interview will last for approximately 45 minutes to 55 minutes. It is being recorded to give the young people a chance to give more detailed answers. They will not be asked to give any information about their current charge and everything they say will be kept private and confidential. The only time the researcher will have to give information to the prison is if they say they are going to harm themselves, someone else or society. Their name will not be used or appear on the interview guide or tape so no information can be traced back to them. Therefore the researcher can guarantee that this interview will not effect their remand position in any way. The information they give will be put together with the information from other young people on remand and the results will be printed in a college book called a thesis when the research is finished.

I understand the information contained in this consent form and I am willing to give consent for young people aged 16 and 17 (in conjunction with their own consent) to take part in this study.

Name: ___________________________ Date: ___________________________
### Table One: The Young People’s Scores on the CAGE Questionnaire (Ewing, 1984)

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**Key:**
A score of 2, 3, or 4 indicates alcoholic tendencies. A score of 0 or 1 indicates non-alcoholic tendencies (Ewing, 1984). The figure -2 indicates that the CAGE questionnaire is not applicable to that individual as he/she does not drink alcohol.
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**Key:**
A score of 2, 3, or 4 indicates alcoholic tendencies. A score of 0 or 1 indicates non-alcoholic tendencies (Ewing, 1984). The figure -2 indicates that the CAGE questionnaire is not applicable to that individual as he/she does not drink alcohol.
Figure Eight: Alcoholic Tendencies of the Young People on Remand

This diagram depicts that half of the young people who reported drinking alcohol outside prison had alcoholic tendencies as indicated by their score of two or more on the CAGE Questionnaire (Ewing, 1984).
APPENDIX J: ROSENBERG (1965) SELF-ESTEEM SCALE SCORES

Table Two: The Young People’s Scores on the Rosenberg (1965) Self-esteem Scale

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Key:
The minimum score is 10 and the maximum score is 40, the higher the score the higher the self-esteem. The norm self-esteem score is 31 for young people (Rosenberg, 1965). The figure -1 indicates that the scale was not completed.
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**Key:**
The minimum score is 10 and the maximum score is 40, the higher the score the higher the self-esteem. The norm self-esteem score is 31 for young people (Rosenberg, 1965). The figure -1 indicates that the scale was not completed.
Figure Nine: The Young People’s Self-esteem Scores on Remand

This diagram illustrates the low levels of self-esteem among the young people on remand as indicated by their scores on the Rosenberg (1965) Self-esteem Scale. Only one young person scored above the norm score of 27.3 for Irish youths (Nic Gabhainn and Mullan, 2003). None of the participants scored Rosenberg’s (1965) norm score of 31 for young people.
APPENDIX K: BRIEF COPE (CARVER, 1997) COPING STRATEGIES

Table Three: The Coping Strategies the Young People Used Outside Prison and on Remand

<table>
<thead>
<tr>
<th>Coping Strategy</th>
<th>Number of Young People who Used Coping Strategy Outside Prison</th>
<th>Number of Young People who Used Coping Strategy on Remand</th>
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</thead>
<tbody>
<tr>
<td>Distraction</td>
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<tr>
<td>Active Coping</td>
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<td>Self-blame</td>
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</table>
Remand Coping Strategies

Figure Ten: The Young People’s Coping Strategies on Remand

This diagram illustrates the different coping strategies the young people used on remand. It depicts that self-blame, praying, distraction and acceptance were the most commonly used coping strategies on remand.
LIST OF PUBLICATIONS

