Residential care and criminalisation: the impact of system abuse

Introduction and context of research

With research revealing the risk that residential care poses to young people in terms of criminalisation (see Staines, 2016; Shaw, 2014 a and b; Schofield et al, 2012; Hayden, 2010; TACT, 2008; Taylor, 2006; Sinclair and Gibbs, 1998), there has been a growing awareness in the UK of the need to prevent children in such care from being over-represented in the youth justice system (Laming, 2016; NACRO, 2012; 2005; 2003). Section 22(3) of the Children Act 1989 sets out the primary duty of local authorities to safeguard and promote the welfare of children in care, including a particular duty to act as good 'corporate parents' to enable each child to achieve their full potential, something which is clearly incompatible with the acquisition or exacerbation of a criminal record.

A number of approaches have emerged to tackle the problem of offending which takes place on the premises of children's homes. Children's Home National Minimum Standards 2011 Section 3.22 (DfE, 2012b) require that a home's approach to care minimises the need for police involvement to deal with challenging behaviour and avoids criminalising children unnecessarily. Other initiatives include developing formal practice protocols and relationships with the police for the reporting of offending by children's home staff; promoting positive behaviour strategies in the placement and using restorative approaches which can help residential staff to respond to individual incidents (Nacro, 2012; Willmott, 2007; Littlechild and Sender, 2010), although it has been argued that restorative approaches should be treated with a degree of caution (Fitzpatrick, 2014).

Nevertheless, the focus of such responses to offending in residential care is primarily upon the actions, culpability and responsibility of individual children and children's home practitioners. While it is undeniable that many young people enter contemporary residential care with a range of emotional and behavioural difficulties which can impact upon subsequent behaviour (McCann et al, 1996; Berridge and Brodie, 1998 and Meltzer et al, 2004) and staff at times struggle to know how best to respond, this 'individualistic' approach fails to take into account the wider complexity of factors which have been found to contribute to poor outcomes, including 'system abuse' (Sen et al, 2007; Clough, Bullock and Ward, 2006) which has been described as 'the failure of law, policies, practices and procedures to protect children and young people' (Stein, 2006, p.16) from harmful and negative consequences.

This article will present and explore the findings of part of the author's PhD research, an aim of which was to illuminate factors at policy and practice levels that contribute to such children in England coming to the attention of the youth justice system. The research also explored the contribution of individual and institutional factors, and this is reported elsewhere (Shaw, 2014 a and b). It will conclude by discussing what needs to be done to improve outcomes. The terms 'children's home' or 'residential unit' are used to refer to various mainstream residential placements (as opposed to secure units or those that offer provision for children with disabilities) which accommodate children and young people in care and are operated either by local authorities, private companies or voluntary sector organisations.

Methods

As part of a case-study of a particular local authority area (hereafter referred to as Coalton), through a series of semi-structured interviews and documentary data analysis, the study drew upon the direct experiences and perspectives of twelve current and former looked-after young

people aged between fifteen and twenty-two, and thirty-two professionals from the care and youth justice systems. Purposive and snowball sampling strategies were employed. The young people were identified through a survey of Coalton youth court records covering a twelve month period and via a charitable organisation which operated leaving care services in the area. The primary criteria for their participation in the study, was that they had been convicted of an offence which had been committed while they were resident in a children's home in Coalton.

The professionals consisted of field social workers, Youth Offending Service (YOS) workers, residential care staff and managers, leaving care workers, youth court magistrates, legal advisers and solicitors and police officers. Eight of the professionals were key workers of the identified young people. However, many of the participants were identified as a result of the author's knowledge gained from her previous employment with the local YOS, which while not fully representative of the target group, nevertheless enabled the study to focus on people who were known to have the necessary knowledge and expertise to pertaining to the subject matter of the research. Consequently, a number of professionals were approached directly through their relevant agencies, organisations and firms, with a generally high degree of success.

During interview, the young people were encouraged to explore their experiences of getting into trouble whilst in residential care, and the professionals were asked to focus upon their perceptions of why such young people come to the attention of the youth justice system. In addition, the author was granted access to Pre-Sentence Reports and social services records pertaining to the young people.

The processing and thematic analysis of the qualitative data was undertaken in its entirety by the author. The data was analyzed, reflecting critically upon how it did or did not accord

with pre-existing research and associated theoretical perspectives.

Ethical Considerations

Potential participants were provided with written information about the study beforehand, using age-appropriate language, that set out the nature and purpose of the research (why it was being done), how it would be conducted (the methods used), what would happen to the findings, who might benefit from them, and why they had been approached to take part. In this way, their informed consent was obtained to both undertake the interview and, in respect of the young people, access relevant records relating to their histories, care and youth justice experiences. In the case of the younger participants, the consent of whoever held parental authority was also obtained. Confidentiality was ensured by assigning pseudonyms from the outset to all of the young people and any geographical areas referred to, along with the secure storage of collected data. The professionals are referred to by their job title. Approval was obtained from the relevant University Ethics Committee.

Participants were provided with the opportunity to ask questions about the research beforehand and assured that they could decline to answer any questions that they were not comfortable with and withdraw from the study at any time. Given that the young people were being asked to recall incidents which were potentially upsetting, they were offered the opportunity to engage with a counselling service after the interviews if they felt the need. In addition, the use of semi-structured interviews meant that the researcher had the flexibility to steer the conversation away from areas which were causing obvious discomfort. It was made clear to the young people from the outset that while the research necessitated discussion of previous, mostly adjudicated offending, any information disclosed which indicated a potential

risk of serious harm to either themselves or others, would be reported to the relevant authorities.

Results

The limitation and homogeneity of placements

A strong theme that emerged was the lack of resources available to meet the needs of individual children and young people:

> It seems as though they're slotted into places not suitable for the children, but suitable for the system. So they might be taken out of their neighbourhood or their family surroundings and moved wherever...That's our impression: that they need to fit into the system, not the system that's fitting them. (Magistrate)

Here, the magistrate reveals a commonly held perception amongst many of the youth justice professionals and indeed O'Neill (2008) highlights that one effect of the contraction of the residential sector is that there are fewer and less specialised children's homes, which limits the opportunity for matching children's needs with the most appropriate provision. Indeed, despite ample evidence of the positive role that residential child care can play (Kendrick 2012) and in contrast with some other countries currently in the European Union, residential care is now typically seen as the provision of last resort in England, accounting for only 11 per cent of placements (which include secure units, children's homes and hostels) in 2016 (DfE, 2016). Certainly, in Sarah's case, the manager of her former privately-run residential unit expressed how, at times, they found it extremely difficult to deal with her behaviour:

> I felt out of my depth, as did the team, with Sarah…They were bandying about 'personality disorder'. I just felt ill-equipped…where do we go now? (Children's Home Manager)

The home ultimately ended up involving the police, largely because they felt that there was little else they could do to tackle and control her challenging behaviour. The manager also spoke of the difficulties of accessing mental health services in respect of Sarah, a problem which was further compounded by the fact that she was placed out of her local authority area. Therefore, Sarah, a girl with no police contact prior to entering care, was criminalised despite the failings of the home and social services, to adequately meet her needs.

The damaging effects of placement movement

A further theme which emerged was the all too frequent movement of young people either for financial reasons or because they displayed persistently challenging behaviour:

> You could never get settled; you've not got a straight head ever, because you're being moved everywhere, meeting new people. They need to put you somewhere where you're going to settle and try and get out of trouble…Maybe if they didn't move me around everywhere, I wouldn't have ended up as bad as I did. (John, 18)

In addition to the young people's often angry and frustrated accounts of placement disruption, some of the children's home staff reported how a significant proportion of the children they accommodated had experienced numerous placements prior to admission to their establishments, something which was felt to contribute to both challenging behaviour and a deep-seated mistrust of the adults charged with their care.

Indeed, Staines (2016, p.16) reports how 'placement instability is widely recognised as contributing to increased risk of involvement in offending behaviour' and in the context of this research, both the young people and their workers described how placement movement often had negative consequences in terms of their psychological and emotional well-being and consequent actions. Emma had settled into a particular unit, but was then moved because

Social Services decided that the placement was no longer suitable for both financial and strategic reasons:

> I liked it better in Oxley than I do here, because I settled down after everything, and then…they just moved me. That's why I can't settle down, because they just keep moving kids because they haven't got enough money. It's all about money…They didn't have the funds to keep me there. (Emma, 15)

She proceeded to get into trouble after being involved in an altercation with another resident at the home soon after being moved, and her Youth Offending Service case-worker sought to explain why this might have occurred:

> With Emma, most of her offences have happened shortly after she's been moved. So that sort of makes sense to me: a feeling of powerlessness. At the stroke of a pen, somebody can make a decision that completely turns her life inside out. She's got to live somewhere different with a completely different set of people from the previous day, and that must be terribly difficult to cope with. And I think that happened when she was first moved to Bradfield, which is where quite a few of her offences were, and it certainly happened when she came to Coalton. (YOS Worker)

In this way young people can experience an often damaging lack of stability and under such circumstances, it is little wonder that they might exhibit challenging behaviour and struggle to trust the adults who are charged with their care. These experiences undoubtedly conveyed the message to some of the young people that their feelings and welfare were of less importance than financial considerations, which could potentially result in a further diminution of their often already low self-esteem and manifest in their responses which sometimes includes challenging and offending behaviour.

Munro and Hardy (2007) highlight how in response to abusive and neglectful parenting or multiple care givers, children may develop psychological defences to cope with anxiety and distress which in turn can cause the development of internal working models that impair their ability to relate to others in the future (Howe, 2005). Given the experiences of abuse and/or neglect endured by many of the young people in this research in their families of origin, it is hardly surprising that they might go on to experience difficulties in forming bonds with subsequent care-givers and settling into residential life. That the response of the care system to challenging behaviour or financial deficits is more often than not to move them on to another placement is short sighted in the extreme.

The dilemma of placement size

Another identified source of conflict occurred when young people were moved on to single child units in order to attempt to curtail challenging behaviour:

> Over time they funnel them into more individualised, private placements…And that's expensive, and sometimes you think…they're not getting any kind of normal lifestyle…They've got two adults sitting on them all day, all night. They take them out, do things with them, to vary it, but it becomes very claustrophobic for them…And they kick against it. (YOS Worker)

Certainly, while some of the young people spoke of their preference for smaller units of around six young people, for James, being the only child in a placement was a step too far:

> Couldn't cope with the place. Boring. Had to do education throughout the day and an activity at night. Can't do an activity with myself…Did my head in…I just flipped. (James, 16)

The frustration that he felt came to the fore when he committed a number of assaults and criminal damages against staff and property in the home. He also kept putting himself at risk by running away. These incidents were often reported to the police and resulted in court appearances. The author of one of his Pre-Sentence Reports, indicates that James had expressed unhappiness at being placed in a unit where there were no other young people, and that, on occasion, he felt that presenting challenging behaviour would speed up the process of getting a move. When being interviewed for this research, James described how he felt that larger units were preferable to single placement units, where he did not enjoy being under such a level of scrutiny. Given that for many young people, peer associations become an important source of empowerment and self-worth (Emond, 2003), it was clearly the case that to be isolated from other young people in such a way, cut James off from a valuable source of social interaction and made him feel estranged from 'normal' life. Indeed, Clough, Bullock and Ward (2006) argue that a small home denies the potential for residents to be supportive to others in groups, something which has been found to be important to young people (Emond, 2003), along with having others to share interests and activities with (Morgan, 2009).

The use of isolated and 'out of area' units

Challenging and risky behaviour also occurred when young people were placed in distant, out of area units by social services in response to previous 'difficult' and risky behaviour and/ or as the result of a lack of local provision. While it might be the case that certain young people can benefit from such a placement, for John it engendered feelings of loneliness, isolation and separation from all with which he was familiar (including family and friends), thus precipitating further offending:

> Social Services think that by putting you in an isolated unit that you'll change, but it
>
> just makes you worse…All your anger builds up. Like when I lived in 'Buttercup

Place', I've never done more criminal damage in my life. I stole a car; that was the first time I'd ever stolen a car…I just wanted to get away from there. (John, 18)

In addition to the potential disadvantages of such a placement, John also described how he was not visited by a social services representative for several months, after his social worker had a car accident, which meant that he could not voice his unhappiness with the placement to anyone outside the home. The impression is therefore conveyed that he was simply left there, 'out of sight, out of mind'. Certainly, the difficulty of visiting distant placements was mentioned by one of the field social workers in the study, who commented that due to the contraction in local authority provision, this was becoming more of an issue.

Several of the young people described finding it hard to settle and placing themselves at risk by running away in order to return to family and friends, when they were placed in different areas:

I didn't like it. It were too far away from home…I kept running off and going to my mates and stuff…Because me mates were so far away from me, I just wanted to be with them. (Lucy, 17)

This is in accordance with previous research which found that being unhappy and missing family were reasons why children and young people go missing from care (Morgan, 2006). It is also the case that placement outside the child's local area may limit and undermine the scope for work with the whole family, as well as curtailing social work contact and oversight. There have long been concerns about the abuse of children in care (Stein, 2006; Kendrick 1998; Shaw and Kendrick, 2016) and such a lack of oversight might potentially leave the child vulnerable to abuse both within the placement itself and in the local community; indeed, the 2012 sex-trafficking convictions of a gang of men in Rochdale evidence the recently

highlighted propensity of certain individuals and groups to target vulnerable young people for exploitation.

Certainly, not being listened to regarding unhappiness with a placement was also cited as a reason why young people go missing from care (ibid, 2006) and indeed, as expressed by Robbie, such experiences were often linked to a feeling on the part of the young people that their wishes were disregarded:

> Every time they put me somewhere…it was away from my family. I didn't want to be there…I didn't have the choice of coming back, it was out of my hands, and that frustrated me and made me angry. (Robbie, 17)

Such experiences are hardly conducive to a young person accepting and being able to settle into a children's home and are reflective of similar perceptions reported by the Children's Rights Director (Morgan, 2011), who found that only 50 per cent of the 179 children in care who were consulted, felt their social worker or caseworker took notice of their wishes and feelings with regard to the decisions made about their care. Indeed, in the current study, a number of the young people also described frequent changes of social worker, resulting in the kind of fragmented relationships which provided a further impediment to the achievement of positive outcomes.

Conclusion and discussion

This article is clear that policy, practice and procedural deficits relating to the wider child care system can contribute to poor outcomes, including involvement with the youth justice system. However, it remains the case that such 'system abuse' is rarely acknowledged when young people get into trouble. Irony can be found in the focus upon the perceived individual deficits of young people in both the care and youth justice systems when they offend, yet

numerous examples can be found of their individual needs and rights being marginalised by policy and practice. This is a state of affairs which runs counter to the spirit of both national and international legislation and edict, including the obligation placed upon local authorities to be good 'corporate parents'.

Davidson (2010, p.408) argues that 'effective residential childcare relies on well-managed, sufficiently resourced and child-centred care systems', something which clearly does not reflect the reality of many children's experiences. Given the emotional and behavioural difficulties presented by many young people entering residential child care (McCann et al, 1996; Berridge and Brodie, 1998 and Meltzer et al, 2004) it is imperative that serious thought is given to how this situation might be improved, including a consideration of whether it might now be appropriate to expand residential sector provision and what form this should take. With an average of £2,907 per week being spent on private/voluntary provision (DfE, 2014) and relatively inexpensive housing in some parts of northern England, it is unsurprising that companies have seized the opportunity to make up the shortfall in provision; 69 per cent of children's homes have been found to be privately run (Ofsted, 2016). However, there is always the risk that they will accept young people for whom they are not equipped to provide an effective service (as was the case with Sarah) in order to maintain income generation and profitability. Such considerations have unfortunately been found to prevail with private provision in other sectors (Scourfield, 2007) and were a frequently voiced concern of a number of the professionals in this study. Thus far, while quality of care has been found to be variable across public and private placements (Berridge and Brodie, 1998; current research), Ofsted has reported that generally, homes from one sector type were no more likely to be better or worse than homes from any other sector (Ofsted, 2016). However, it is clear that the 'generic' provision available across sectors can fall far short of meeting the needs of many young people, with only certain specialised and often very expensive and 'out of area' private

placements, offering a more tailored service. As confirmed by the findings of this study, the tendency of some providers to adopt a 'we take all comers' approach (Rose, 2002, p.191), combined with the difficulties of accessing specialised services for young people placed 'out of authority', can have unfortunate consequences for some.

The study also reiterated how all too frequent placement movement for financial/ strategic reasons, as well as in 'risk-averse' response to troublesome behaviour, can result in further emotional and psychological damage to already vulnerable individuals, thus perpetuating additional challenging behaviour and damaging long-term effects. The anger and frustration expressed by John and Emma, along with the attendant concern of the professionals who work with them, provides a sobering insight into this longstanding, yet seemingly change-resistant issue. In the UK, the Care Matters agenda (DfES, 2007) identified stable, positive relationships as one of the key factors in ensuring good outcomes for children in care, something which has recently been reiterated by the 2013 Care Inquiry and the 2016 Laming Review. Nevertheless, there is still an unacceptable amount of movement for a number of young people, and of all looked-after children in the year ending 31st March 2016, 21 per cent had two placements and ten per cent had three or more (DfE, 2016). Similarly, research conducted by the Hadley Centre (2015) found that 16 per cent of those aged eleven or over had moved three or more times.

There are undoubtedly times when placement movement is both desirable for safeguarding reasons and wanted by the child or young person, as was the case with James, John, Robbie and Lucy, who for various reasons and at various times, were unhappy in their respective units. Nevertheless, placement movement can often occur for reasons that are far less benign, and indeed, a National Care Association report, Every Budget Matters (2009), surveyed staff at 100 care homes and residential care providers and found that almost half of the sample said that they did not trust current commissioning structures to be making decisions that were in

the best interests of the child. Many gave examples of where children and young people, outside of the remit of their care plan, had been moved out of stable placements where they were happy and doing well. It was stated that, 'such moves were blatantly financially led, or in response to local changes in placement strategy or services" (ibid, p.7). Linked conclusions were reached in a 2015 National Audit Office Report which indicated that placement choice in England and Wales may be driven more by costs and regional disparity in the availability of local placements, rather than informed decisions about the most appropriate placement for the child. This is clearly harmful practice which despite continued criticism, remains an ever present factor in the lives and experiences of vulnerable young people.

The research also draws renewed attention to issue of placement size. Although two influential contemporaneous English studies (Sinclair and Gibbs, 1998; Berridge and Brodie, 1998) lead to a clear statement that on the whole, it is better to keep the size of children's homes small, the question of what constitutes the optimal size of a residential home remains an important one, especially as the number of residents is dropping in England and Wales, to the point where residential units for two children or even one child are becoming common (Clough, Bullock and Ward, 2006) . Indeed, as of 31 March 2016, of the 1,972 active children's homes, almost one sixth (344) were 1-2 bed homes, the majority of which (90%) were ran by the private sector (Ofsted, 2016). The results from this research indicate that such placements might have the potential to be counter-productive for some children, with the impression being conveyed that very small homes were merely exercises in containment for individuals deemed to be extremely challenging, whilst failing to meet their social and emotional needs. Certainly, James' placement in a single-child unit in order to attempt to curtail his behaviour led only to resistance and further court appearances, as he felt isolated from his peers and under an oppressive level of scrutiny. Such misgivings were also

highlighted in the recent Narey Report (2016, p.28) in which some providers variously expressed that children could not cope with the intensity of such placements and that larger homes, with elements of community living and more resources, are generally more successful.

The longstanding issue of children and young people being placed outside of their local authority area and away from family and friends was also highlighted as being potentially precipitative of poor outcomes. Whilst there is no evidence that children placed out of area are placed in poorer quality provision (Ofsted, 2014), Tickle (2012) highlights how it has long been accepted that – safeguarding factors aside – it is better for children in care to live close to home and the Children and Young Persons Act 2008, included a new general duty on local authorities to take steps to ensure the availability of sufficient accommodation that is appropriate for the needs of the children and young people they look after within their local authority area, unless that is inconsistent with a child's welfare. However, statistics have shown that 31 per cent of young people in children's homes live outside their local authority and more than twenty miles from home (DfE, 2014) and in 2011 the then children's minister Tim Loughton felt it necessary to send a letter reminding councils of the need to reduce the number of out-of-area placements being made. Some of the children and young people in this study were clearly very unhappy about the decision to place them at a distance from family and friends and felt that their preferences had been disregarded, thus emphasising another longstanding theme highlighted by research that children and young people do not feel listened to (e.g. Morgan, 2011). This runs counter to the spirit of both domestic legislation and international convention which gives young people the right to have their ascertainable wishes and feelings taken into account before decisions are made about them commensurate with their levels of maturity and understanding (Article 12, UNCRC, 1989; Children Act 1989).

Of course, the legislative right to be consulted does not necessarily equate to a child or young person's opinion being given precedence when the final decision is made and there may be a number of reasons for this, other than the need to take account of safeguarding factors. It should be remembered that professionals are themselves subject to a number of constraints which may impede their ability to respond to children's individual preferences, regardless of what their professional values might suggest and incline them towards. The issue of financial restrictions, and the lack of availability of local placements inherent in the contraction of the residential sector have already been discussed and indeed, in 2002, Bell (p.2) argued that 'the dominant value base of Social Service Departments today is business efficiency rather than the human rights of children', an argument which appears in times of 'austerity' and ever increasing cuts to social care services, to have as much resonance as it ever did. With regard to often extremely vulnerable young people, such pre-occupations could result in them understandably exercising their resistance to decisions which have been made on their behalf and without their agreement by either displaying challenging and offending behaviour or placing themselves in further danger by running away.

Certainly, while many young people enter residential care with presenting problems, it is clear that their experiences of care system policy and practice can both exacerbate existing problems and create new ones and that as a consequence, fresh thought needs to be given to the nature of available provision and the value of giving real consideration to young people's individual needs and preferences in accordance with the spirit of existing legislation, rather than responding to them as an homogenous group in need of containment and control. Indeed, in order to decrease criminalisation, it is necessary to employ an approach which, while acknowledging individual culpability, both recognises and takes action to prevent system abuse.

Whilst such arguments continue to be made, it is noteworthy that the recent independent review undertaken for the Prison Reform Trust and chaired by Lord Laming indicated that over-representation of looked after children in the youth justice system is a national problem which central and local government and local criminal justice agencies can and must do more to address (Laming, 2016, p.7). It is vitally important to build upon such momentum for change to make a real difference to outcomes for young people.

References

Bell, M. (2002) Promoting children's rights through the use of relationship, *Child and Family Social Work*, 7(1), pp. 1-11.

Berridge, D and Brodie, I. (1998) *Children's Homes Revisited*, London: Jessica Kingsley Publishers.

Care Inquiry (2013) *Making not Breaking: Building Relationships for our most vulnerable children. Findings and recommendations of the Care Inquiry*. Launched in the House of Commons on 30 April 2013, www.fostering.net/sites/www.fostering.net/files/resources/reports/care-inquiry-full-report-april-2013.pdf

Clough, R, Bullock, R and Ward, A. (2006) *What Works in Residential Child Care: A review of the research evidence and the practical considerations*, London: National Children's Bureau.

Davidson, J. (2010) Residential care for children and young people: priority areas for change, *Child Abuse and Neglect*, Vol 19 (6), pp. 405-422, DOI: 10.1002/car.1137

Department for Education (2016) Children Looked After in England (including adoption) year ending 31st March 2016, SFR 41/2016, www.education.gov.uk.

Department for Education (2014) *Children's Homes Data Pack: December 2014,* www.education.gov.uk

Department for Education (2012b) *Children's homes regulations, guidance and national minimum standards*, updated 26.4.12, www.education.gov.uk/childrenandyoungpeople/families/childrenincare/childrenshomes/a00191997/childrens-homes-regulations-guidance-and-national-minimum-standards

Department for Education and Skills (2007) *Care Matters: Time for Change*, Norwich: The Stationary Office.

Fitzpatrick C (2014) *Achieving justice for children in care and care-leavers*. Howard League What is Justice? Working Papers 14/2014, The Howard League for Penal Reform.

Hayden, C. (2010) Offending behaviour in care: is children's residential care a 'criminogenic' environment? *Child and Family Social Work*, Vol 15, pp.461-72.

Howe, D (2005) *Child Abuse and Neglect*, Hampshire: Palgrave Macmillan.

Kendrick, A. (2012) What research tells us about residential child care, in Davies, M. (ed) *Social Work with Children and Families*, Basingstoke: Palgrave Macmillan, pp. 287-303.

Kendrick, A. (1998) In their best interest? Protecting children from abuse in residential and foster care. *International Journal of Child & Family Welfare*, 3 (2)**,** 169–185.

Laming, H. (2016) *In Care, Out of Trouble: How the life chances of children in care can be transformed by protecting them from unnecessary involvement in the criminal justice system*, London: Prison Reform Trust. (www.pisonreformtrust.org.uk/carereview)

Littlechild, B. and Sender, H. (2010) *The Introduction of Restorative Justice Approaches in Young People's Residential Units: A critical evaluation*, London: National Society for the Prevention of Cruelty to Children.

McCann, J.B., James, A., Wilson, S. and Dunn, G. (1996) Prevalence of psychiatric disorders in young people in the care system, *British Medical Journal* 313, 1529-30.

Meltzer, H., Lader, D., Corbin, T., Goodman, R. and Ford, T. (2004) *The Mental Health of Young People Looked After by Local Authorities in Scotland*, London: TSO.

Morgan, R. (2011) *Messages for Munro: A report of children's views collected for Professor Eileen Munro by the Children's Rights Director for England*, Manchester: Ofsted.

Morgan, R. (2006) *'Your Rights! Your Say'. Children's Views on Standards: A Children's Views Report,* London: Commission for Social Care Inspection.

Munro, E and Hardy, A. (2007) *Placement stability: a review of the literature*, Loughborough: Loughborough University.

Nacro (2012) *Reducing offending by looked after children*, London: Nacro.

Nacro (2005) *A Handbook on Reducing Offending by Looked After Children*, London: Nacro.

Nacro (2003) *Reducing offending by looked after children: Good practice guide*, London: Nacro.

Narey,M. (2016) Residential Care in England: Report of Sir Martin Narey's independent review of children's residential care, available at: www.gov.uk/government/publications.

National Audit Office (2015) *Care Leavers' Transition to Adulthood*, HC411, London: The Stationary Office.

National Care Association (2009) *Every Budget Matters: A Survey of the Current Commissioning Practices and the Health of the Residential Child Care Sector*, London.

Ofsted (2016) *Children's Social Care Data in England: Key Findings*, London: Ofsted (available at www.gov.uk)

O'Neill, T. (2008) Gender Matters in Residential Child Care. In Kendrick, A. (ed). *Residential Child Care: Prospects and Challenges*, London: Jessica Kingsley, pp.93-106.

Rose, J. (2002) *Working with Young People in Secure Accommodation: From Chaos to Culture*, Hove: Bruner-Routledge.

Sen, R., Kendrick, A., Milligan, I and Hawthorn, M. (2007) Historical abuse in residential child care in Scotland 1950-1995: A literature review, Scottish Institute for Residential Child Care, University of Strathclyde in Shaw, T. (2007) *An independent review of the systems in place to protect children and keep them safe in residential care between 1950-1995* (accessed at http://www.scotland.gov.uk/Publications/2007/11/20104729/0 on 28.5.14).

Schofield, G, Ward, E, Biggart, L, Scaife, V, Dodsworth, J, Larsson, B, Haynes, A and Stone, N. (2012) *Looked After Children and Offending: Reducing Risk and Promoting Resilience: Executive Summary*, East Anglia: University of East Anglia.

Scourfield, P. (2007) Are there reasons to be worried about the "cartelisation" of residential care? *Critical Social Policy*, Vol 27(2), pp.155-81.

Shaw, J and Kendrick, A (2016) Reflecting on the past: children's services workers' experiences of residential care in Scotland from 1960-75, *British Journal of Social Work (First published online in April 2016: DOI: 10.1093/bjsw/bcw021)*

Shaw, J (2014a) *Residential Children's Homes and the Youth Justice System: Identity, Power and Perceptions*, Hampshire: Palgrave Macmillan.

Shaw, J. (2014b) Why do young people offend in children's homes? Research, theory and practice, *British Journal of Social Work*, Vol 44 (7), pp. 1823-1839.

Sinclair, I and Gibbs, I. (1998) *Children's Homes: A Study in Diversity*, Chichester: Wiley.

The Adolescent and Children's Trust (2008) *Care experience and criminalisation- An Executive Summary.*

Staines, J. (2016) *Risk, Adverse Influence and Criminalisation: Understanding the over-representation of looked-after children in the youth justice system*, London: Prison Reform Trust (www.pisonreformtrust.org.uk/carereview)

Stein, M. (2006) Missing years of abuse in children's homes, *Child and Family Social Work*, Vol 11(1), pp.11-21.

Taylor C (2006) *Young People in Care and Criminal Behaviour*. London: Jessica Kingsley Publishers.

Tickle, L. (2012) *Looked-after children: care should be in the community*, The Guardian Professional, Wednesday 24th October, 2012.

United Nations (1989) United Nations Convention on the Rights of the Child, available at

www.unicef.org.uk/Documents/Publication-pdfs/UNCRC-PRESS200910web.pdf

Willmott, N. (2007) *A review of the use of restorative justice in children's residential care*,

London: National Children's Bureau.